
VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES

March 19, 2019

PRESENT:

Johnnie Warren-Council President
Chris C. Callender – Ward 1
Eloise Hardin – Ward 2
Anthony A. Akins – Ward 3
Patricia Rogers – Ward 4
Candace Williams – Ward 5

Gary Gottschalk-Mayor
James Climer-Law Dept.
Brian Thompson-Finance
Dan Marinucci-CBO
Tom Haba – Service Director
John Freeman-Police Captain
James Schade-Fire Chief
Ed Hren – Engineer

ABSENT:

Elaine Gaither – Council-at-Large
***Arrived after roll call**

Carlean Perez – Recreation Director
Crystal Williams-Housing Inspector

Warren opened the meeting at 7:03p

Pledge of Allegiance was recited, and roll call was taken.

Motion to approve minutes of February 26, 2019 Finance meeting made by Williams seconded by Rogers

YES: Warren, Callender, Hardin, Rogers, Williams. Abstain: Akins

Motion to approve minutes of February 26, 2019 Council meeting made by Rogers seconded by Hardin

YES: Warren, Callender, Hardin, Williams. Abstain: Akins, Rogers,

Correspondence

Clerk: Abbreviated Cuyahoga County Dept of Public Works report. The entire report was emailed to all of Council.

Departmental Reports

Building-Marinucci: A certified letter was sent to the Booker property with the missing garage door. It has a negative history to it. Also, 7273 Kentucky may be condemned. The Health Dept is involved. Certified letters were sent. Years ago, the Village was involved. It will be a joint effort. Someone is living in it but is in terrible condition. **Hardin** asked about the spring ride along as did Williams. **Marinucci:** Crystal asked me about that. I will have her contact each of Council. **Akins** asked about the Oakhill/Tryon house. **Marinucci:** I will check into it.

Finance-Thompson had no additional reports

Police-Captain Freeman: Many of our employees took part in the Police Simulator. We had positive feedback. Also, we have an active shooter training for two of our officers. It is a 10-hour a day with an intense five-day class being held in Mayfield Hts. He updated Council on the 3M bullet proof window treatment on the Village Hall windows. **Rogers** asked about the active shooter training at schools. **Freeman:** It was done at Central, which is only a 5-6-hour class. **Williams** asked if we had a school shooting, would all departments respond? **Freeman:** Yes. Everyone is on the same page as far as the training. **Mayor:** In New Zealand, an individual went to a second mosque, but someone one there shot at him. He left the scene.

Law-Climer: I am happy to report the CRA was approved by the State. Our entire Village is now CRA, which permits us to engage in development. Climer thanked Ed Hren for his assistance. It is rather a complicated process. He talked about

the credit card policy. It doesn't need to be codified since it is simply a policy. **Hardin:** You think it should be a policy rather than a codified ordinance? **Climer:** Correct. It is much easier to change if needed, as a policy.

Charter Review

Williams asked about the Charter Review Committee. **Climer:** Letters have not been sent out yet. **Mayor** will respond during his report.

Service-Haba: Nothing to add to written report.

Fire-Schade: The Code Red program will be implemented by the County saving us money. It is the same as what we have, but it is free to use. **Hardin** asked him to bring Forest to the next youth council meeting. He is the best kept secret. He is well behaved. **Clerk:** He has a great last name. Forest Fire. **Akins** asked about the Pancake Breakfast. **Schade:** Our employees are full-time elsewhere and have continual training, we will not be holding it.

Engineer-Hren: I am here to address questions. On May 5th we will get the official word about the Broadway grant. It is for \$499,999. That one dollar buys us two points.

NOPEC

Hardin asked about NOPEC. **Hren:** We are part of it. **Hardin:** I had a resident call, who said we are required to sign up every year. **Hren:** You can opt out. **Hardin:** She said she was told we didn't reapply. She said there are levels of participation. If you don't select level 2 you are automatically level 1. **Hren:** I don't know anything about that. We can ask NOPEC to come out and speak to Council. **Hardin:** That may be a meeting in which we notify our residents to attend. Her house is totally electric, and her bill is astronomical. **Hren:** Several years ago, they had a ruling to honor the promotional rates for all electric houses, but a court battle ended up in which those rates are no longer honored. There is a moratorium with gas. **Warren:** Since 1982. **Hren:** Do you want a community meeting? **Several Council** expressed interest in a community meeting. **Hren** will have them contact the Clerk. **Clerk:** There was someone going to homes saying we were no longer in NOPEC. He was trying to sell his product. If people didn't know they were part of NOPEC, they would have gone with him. He was confusing folks. He had an official coat and badge. I told him I work for the Village and I would know if we opted out. I called Dispatch to see if he had a permit. By this time the Building Dept was closed. **Hardin** asked when this happened. **Clerk:** Last weekend. **Hardin:** That may explain the questions. **Clerk:** He sounded very convincing. **Hardin:** Council is saying it should be a village-wide meeting.

Rogers-I spoke with Mr. Allen regarding the lawn service. **Haba:** We rolled it, but it is too early to plant grass.

Mayoral Report

Exterior Maintenance Credit

Mayor: The exterior home maintenance credit ordinance is on the agenda with up to \$4,000, where the owner puts up \$.25 on the dollar, up to \$4,000. If it is a \$2,000 project, they would put up \$500 and we would cover the rest. On \$4,000, they put up \$1,000 and we would pay \$3,000. Anything over \$4,000, they would pay the entire balance. I would recommend Council make the decisions, based on the applications received. Our Ward 4 Councilperson, Pat Rogers, to be the Chair of that committee. A keen observation was, since the first year is \$80,000, amending the remaining five years to include the extra \$55,000 not used in the first year. I would ask legislation to be amended to pro-rate the next four years to include the \$55,000 not used in the first year. **Warren** asked if it is being paid out of pocket by the Village. **Mayor:** No, because it is coming from that project. **Rogers:** We shouldn't state how many applications will be received. You included 27. **Mayor:** Up to \$80,000. **Warren:** She is saying just limit it to \$80,000. That would be \$147,000 over the next four years. **Climer:** We were looking at the worst-case scenario, but we can easily change that to state it is an "X" amount and until the funds are exhausted that year. **Rogers** suggested having it state first come, first served. **Williams:** If this is coming from the profit of the first year, are we having a conflict since it is coming out of general fund the first year? **Warren:** It has to be general fund monies. **Williams:** The first year it isn't from profit, but that is what we said. **Warren:** When do we get reimbursed for that first year? **Mayor:** The Finance Director will show the collections from payroll tax revenue in Ward 4. **Hardin:** We are coming up with the \$80,000 using general fund monies and will recoup the \$80,000 from profits. **Thompson:** From income tax, not profit. **Warren:** From the payroll tax collected. **Hardin:** Where does it state that? **Climer:** I don't think you need to do that. **Warren** suggested amending it to reflect that. **Mayor:** We can have

that for you at the next meeting. **Warren:** We want to see the additional \$80,000 advanced by the general fund will be reimbursed by income tax revenues the following year, if in fact there is enough to do that, otherwise it will be reimbursed in subsequent years. **Thompson:** I'm not sure what we're reimbursing. We are devoting a portion of the general fund for this. **Warren:** It is revenue from the 2.5% payroll. **Mayor:** It is coming from the general fund from revenues collected from withholding. **Thomson:** I can treat it as an advance on the books. **Climer:** Income tax revenue goes back into the general fund. It isn't like we are borrowing from a fire levy. It is funds we anticipate flowing back in. I can include something "in anticipation of revenue from the project". **Thompson** will come up with the correct language. **Schade:** This is like the investment in the fire contracts. At first it was tight but over the years, we pro-rated the use of the vehicles. Long term, we get our funds back. **Rogers** asked for a line item to track the funds. **Warren** asked who will administrate the program? **Rogers:** Council. **Mayor:** Council picks the recipients from the applications. **Mayor:** The Building Dept. will make sure the job is done right and the payment will be made to the one doing the work. We have done this type of program before. **Warren:** Who receives the applications? As an example, a program which I am in charge of in Cleveland, the 50/50 program, in which someone will say what work they want done. The City puts up half the funds, but someone identifies the work is needed. We don't want someone to say they want their house painted, paint it themselves and get the full \$4,000. It should include a bid from a contractor to avoid getting in trouble. There has to be an application intake, and someone to verify the work is needed. Then that person brings an estimate from a licensed and bonded contractor to do the work. Then if the work is \$5,000, we pay the \$3,000 and the homeowner pays the difference, once the work has been verified it is completed correctly to code. **Williams:** We have to have paperwork. **Mayor:** We have done these before with a grant from the Federal Government. Other than the City of Cleveland, we were number two in the County. It was done internally. **Warren** asked who administered the program. **Mayor:** We did. The only important thing is the contractor is to be bonded with the Village to ensure it is done right. **Rogers:** Any application which comes in should be directed to Debbie, date stamped and be first come first serve. **Williams:** The resident won't know the steps. **Rogers:** That will be on the application, but we don't have that yet. **Mayor:** What do you mean? **Warren:** Whoever in Ward 4 puts their application in first. **Mayor:** No, no. Someone who lives across from the project. **Warren:** It won't pass then. How are you going to favor someone in the Ward when it is for everyone in that Ward? **Mayor:** You have five years Johnnie. Someone who is right across the street from the project is far more affected than someone. **Warren:** You said it is going to be so beautiful with streams, mounding and doves in flight. **Williams:** Isn't that going to create a liability for us doing it this way in favoring some over others? **Climer:** In an urban renewal project it is at your discretion. **Williams:** That isn't just my question, it is all of Council's question. **Mayor:** We had that project for seven years. **Warren:** You didn't give preferential treatment either. **Mayor:** That was a lot easier. Solon had it voted down by over 80% of the people. **Warren:** What does that have to do with our project being passed? We will have applicants on Hickory and other places, but we tell them we have to see who is going to apply on Macedonia Road? **Mayor:** That is why you have the commission. **Warren:** You just said you are prioritizing the applications. **Mayor:** If it is apples and apples and it is closer to the project, then you choose that one closer. **Warren** asked the number of houses in front of the project. **Haba:** About 15-20 total. **Mayor:** You can argue about five on Alexander. You first are going to judge by the project itself. If someone has broken windows. **Warren:** You can't do that Mayor. **Mayor:** If someone has the same project on Garden, it has to be weighed. **Warren:** It is first come, first serve. **Mayor:** That can't happen. Some people tell us we never got the notification of an event, it blew off. **Williams:** Pat said time stamp is the most effective way. She is the chair. **Mayor:** What if someone can't get an estimate for three weeks? **Rogers:** Right. **Warren:** We will table the legislation and move on. **Rogers:** We have to work this out. **Warren:** I am firmly against this, Mayor. We will administer the program. **Mayor:** It isn't easy to get an estimator to come out. **Rogers:** I agree. Their application will be later than someone else. **Warren:** How much work can you do on the exterior of a house for \$4,000? **Marinucci:** Not a whole lot. **Warren:** It will be someone who has a \$7,000 project, in which he is paying \$3,000. **Marinucci:** The only way is if someone does the work themselves. **Mayor:** What about someone who has a tree ready to fall on their house? The guy may not be able to come out for three weeks to give an estimate. **Warren:** I don't think someone will have a tree ready to fall on their house. **Mayor:** You have had 25 mph winds. **Warren:** We will work it out. I understand there is no liability. We already isolated one part of the community, which I don't have an issue with or taking the benefit the first year. We can't say how beautiful or pristine with rolling brooks and doves flying around. We will talk about that later. **Callender:** When the committee gets together, we talk about that and bring it back as a whole? **Rogers:** We can all be part of that committee.

Mayor: The Heritage Home Program will be sending out the applications for homes 50 years old or older. The job creation tax credit will be before Council soon. We have 6-8 job creation tax credits, in which we recognize expanding companies or bringing in new payroll. As an incentive, we offer them payroll going back to them. In this case, it is Home Instead. As the case of Home Instead, we are going to renew it. In 5200 sq. ft. their payroll is \$5.5 million. That is unbelievable. We will continue that agreement at 40% payroll over \$4 million dollars and anything over that will be 25%. Solon was trying to get them back, but they are expanding here in Oakwood by 3200 feet. This will be before you at the next Council meeting.

Dakar

Mayor read the ballot language "Shall Article X of the Charter of the Village of Oakwood be amended by adding new Section 10.13 authorizing the Village Council to permit the construction and operation of video and audio recording, production and editing facilities, helicopter landing and take-off pads accessory to such uses, and passive parks and nature preserves in the area contained within the following boundaries which area is presently zoned R1F Residential: Solon Road on the North, Richmond Road on the East, Hawthorne Parkway on the South and the Oakwood Village border with the City of Bedford Heights on the West, subject to such standards and requirements as are to be established by ordinance of Council. That will be on the ballot May 5th. Arlene called me. In the paper there is an article; Lights Camera, Action. Mr. Schwartz of the Greater Cleveland Film Commission is bad mouthing Arlene, because he wants this project in Cleveland. I warned her long ago to leave this guy alone. We will out compete anyone else on this. The point is, she is disheartened. Kenny Lofton, former Cleveland Indians Center Fielder, was called by Mr. Schwartz. Good work on our Law Director. Now to let our residents know the importance of getting this passed. There must be a wetland study there. It will be regraded. That segways into the school board property across from Petitti's. They want that on the ballot in November for a zoning change. They had it estimated at \$600,000 for 8 acres. They never had a wetland study done. I suggested and they agreed for us to buy their land for \$1. We will be responsible for the wetland study, since we must do that on two pieces of land. We will have it on the ballot for light industrial and whoever the developer is, they will pay 50% of the wetland study. We are in a better position to sell that property. The Law Director is working on that. **Hardin:** Is this so we have control over what goes in there? **Mayor:** Yes. The School Board didn't even know the value. **Hardin** asked if there is a time line. **Mayor:** No, but we will see. **Hardin:** You mentioned wetland studies, who is paying for them? **Mayor:** We are paying for our properties and on that one split half and half. **Hardin** asked about the Solon Road property. **Mayor:** That is behind the apartments. We will get a better deal on the wetland study, since they are doing ours as well.

Rezoning Proposed

Mayor: The School Board property, the Chagrin Valley property and the Keyes house are to be rezoned. I directed the engineer to cost out an access road. That is yet another item for November as well as the Tartabini property reassessment for a wetland study. **Hardin:** That is private property. **Warren** asked about the Tartabini property. **Mayor:** They had it assessed at \$1.4 million to mitigate which is a disaster. That is an issue. Therefore, it would make sense for them to pay for that assessment. That will be on the ballot in November. There are also a few slivers of property zoned office research there, but we want it to be light industrial, which makes the most sense. It isn't heavy industrial. It is an office building with light assembly like computers or pharmaceutical packaging, research and development. **Warren** asked about Medical Service zoning. **Hren:** That is zoned general business. **Climer:** Most of Broadway is general business. **Warren** asked about rezoning to general business. **Mayor:** That is too broad. The farm land was rezoned light industrial. **Warren:** Could it be corporate headquarters with that zoning? **Mayor:** Yes. **Climer:** It incorporates general business as well. Light Industrial has five categories as permitted uses, and anything listed within. **Mayor:** That will be on the ballot in November as well as no warehouse distribution in November. Because of all this, I wish the Charter Review to wait until 2020. **Mayor** talked about Euclid Mall becoming warehouse, which eventually will be automated. It is essential these items get on the ballot. Because of this, I asked the Law Director to show you there are no consequences if the Charter Review is delayed. Due to the five-six zoning changes on the ballot in November, we can't have Charter changes as well. These are infinitely more important than Charter changes in light of bringing in revenue to the Village. I expect the next two years a recession or inflation no matter who the president is. We are way overdue, which will hamper development. We have 300,000 sq ft building world headquarters, but we need a zoning change. About 85% of your revenue stream comes from employment. It is important to get these things passed, whether it be Chagrin Valley Engineering, Tartabini or the School Board property if it is developable and passed, then next year the Charter Review can take place. **Williams:** We had this discussion and we made a compromise; we wouldn't put anything on the ballot this November. We would wait until 2020. We wanted them to convene now and begin their work. **Mayor:** I wasn't clear on that. **Williams:** We keep stalling, but we had that conversation. **Mayor:** I have

had a lot on my plate. As long as we avoid having that on the ballot in November. **Climer** asked if everyone put in their appointments. **Williams**: Yes. **Clerk**: We still have missing appointees. **Climer** asked the Clerk to send him all the appointees, once they are turned in. **Warren**: I don't have mine in. **Williams** asked for a timeframe to get those in. **Mayor**: I haven't made picks yet either. I will have two.

Open Floor Comments, hearing none, floor closed

Legislation

2019-10 An ordinance authorizing the Mayor to enter into a refuse collection and recycle processing service agreement with Waste Management of Ohio, Inc. and declaring an emergency

Motion to untable made by Hardin seconded by Callender
YES: Warren, Callender, Hardin, Akins, Rogers, Williams

Motion to suspend made by Callender seconded by Hardin
YES: Warren, Callender, Hardin, Akins, Rogers, Williams

Motion to adopt made by Rogers seconded by Hardin
YES: Warren, Callender, Hardin, Akins, Rogers, Williams

2019-16 An emergency ordinance enacting new chapter 150 "Village of Oakwood Credit Card Policy" and amending section 140.09 of the codified ordinances of the Village of Oakwood relating to use of the Recreation Department Credit Card

Climer requested this remain tabled at this time.

2019-21 A resolution of condolences to the family of Roygan Yvonne Spencer

Motion to suspend made by Hardin seconded by Williams
6 YES: Warren, Callender, Hardin, Akins, Rogers, Williams

Motion to adopt made by Hardin second by Callender
6 YES: Warren, Callender, Hardin, Akins, Rogers, Williams

2019-22 An ordinance authorizing the establishment of an exterior home repair assistance program for single family properties located in Ward 4 and declaring an emergency

First reading

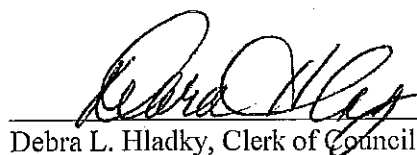
Hardin: By the next meeting the administration will have a presentation to Council? **Rogers**: Yes. **Warren**: For the structure of the program. **Williams** asked if the \$55,000 not being allocated the first year, will be spread out over the remaining four years? **Climer**: That is what I understand. **Rogers** agreed. She suggested speaking to Dan Marinucci regarding the process. **Williams** asked about the application process. **Warren**: We will have to have a special meeting to address the structure.

Motion to adjourn made by Williams seconded by Hardin
6 YES: Warren, Callender, Hardin, Akins, Rogers, Williams

Adjourned at 8:15pm

Adopted April 9, 2019


Johnnie Warren, Council President


Debra L. Hladky, Clerk of Council

VILLAGE OF OAKWOOD
WORK SESSION
MINUTES OF
February 26, 2018

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***Arrived after roll call**

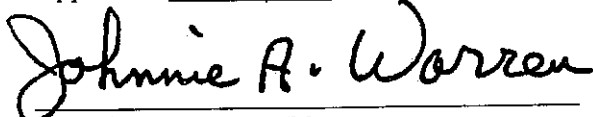
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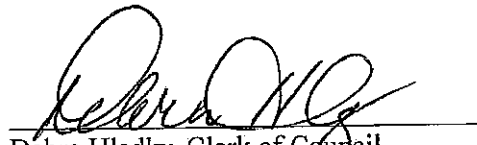
** Arrived after roll call*

No meeting held

Approved: _____

4.9.2019


Johnnie Warren, President


Debra Hladky, Clerk of Council