

VILLAGE OF OAKWOOD  
COUNCIL MEETING MINUTES  
October 13, 2020

ATTENDED

|                                    |                             |
|------------------------------------|-----------------------------|
| Johnnie Warren – Council President | Gary Gottschalk-Mayor       |
| Elaine Gaither- Council at Large   | Brian Thompson-Finance      |
| Chris Callender – Ward 1*          | Jim Climer - Law            |
| Eloise Hardin-Ward 2               | Tom Haba - Service          |
| Melanie Sanders – Ward 3           | Daniel Marinucci – CBO      |
| Patricia Rogers – Ward 4           | Mark Garratt – Police Chief |
| Candace Williams – Ward 5          | Ed Hren – Engineer*         |

ABSENT:

|                           |                          |
|---------------------------|--------------------------|
| James Schade – Fire Chief | Carlean Perez-Recreation |
|---------------------------|--------------------------|

\*=Late Arrival

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**Warren** opened the meeting at 7:07 pm  
Pledge of Allegiance and Roll call were completed.

Motion to approve minutes of September 22, 2020 Council meeting made by Rogers seconded by Callender SIX YES; Warren, Callender, Hardin, Sanders, Rogers, Williams ABSTENTION; Gaither  
Motion Passed

Motion to approve minutes of September 22, 2020 Finance meeting made by Rogers seconded by Callender SIX YES; Warren, Callender, Hardin, Sanders, Rogers, Williams ABSTENTION; Gaither  
Motion Passed

*Departmental Reports*

**Finance-Thompson:** We have our next Budgetary hearing on October 20<sup>th</sup> and our Finance Committee meeting on October 27<sup>th</sup>. **Warren** asked him to bring additional budgets to review in the event we have time to review them.

**Law-Climer:** We are back on track with the Human Resources Committee and making good progress updating the Employee Manual. We are within an agreement in principle on the Premier development with legislation on tonight's agenda. There are other economic developments underway. **Williams** asked about the Premier deal. **Climer:** There are no changes in the details. This includes the purchase price and carrying costs. The Planning Commission approved this two years ago. **Rogers** asked the purchase price and carrying costs? **Climer:** \$1,005,000 but the Mayor can comment on that, but we won't know the exact amount until the closing date. **Warren** asked about the closing date. **Climer:** About a month. **Sanders:** With contingencies we have the property rezoned to commercial development, is it still zoned residential? **Climer:** That happened in 2018. **Warren:** They were accumulating other parcels. What does this legislation do? **Climer:** This gives the Mayor the authority to complete the sale back to Premier. That won't occur until there is a development agreement in place. **Warren:** Why are we entertaining this now? **Climer:** This will be in place when the deal is ready. **Williams:** If we are preemptive in this passage, what happens? **Climer:** It won't affect anything.

**Service-Haba:** The tire roundup resulted in less than 200 tires. The paint, hazardous material, and computers were up quite a bit. We have been crack-sealing. We won't finish it all this year, but we are doing it every day. **Warren** asked him about asphalt plants. **Haba:** The company makes hot patch through the winter. **Warren** asked if it holds up. **Haba:** It holds up better than cold patch. We hot patched most of the roads; First Place, Forbes, Weber, and there are a few more to do.

*Council Meetings in Community Center*

**Williams** asked about in-person Council meetings setting up eight tables in the Community Center. Rock the House set up the last meeting.

### *Shred Day Recap*

**Clerk:** I want to thank Tom for filing in on the shred day. **Haba:** I appreciate that. **Warren** commented on how well his crew interacted with residents. He asked how many pounds of paper was shredded. **Clerk:** I haven't received that documentation yet, but will forward that info to Council when I receive it.

**Building-Marinucci:** I have communicated with Ed Hren and the Legal Dept. via memorandums about mobile homes and boats. Ed and I have had communications on how to act upon the ordinances. We have letters ready to go out. **Warren:** As a suggestion, you know the intent of Council relating to mobile homes, etc. He asked the Law Director to give recommendations as to our real intent for enforcement and compliance if we have to go to Court. **Climer:** It is fairly clear; you can't store a certain size mobile home, boat and other item anywhere within the front lot which is defined as the front line of the house. I interpret store as overnight parking if we choose to enforce it that way. The word, store, is not defined legally but in Websters, it's defined; put it somewhere for later use. **Warren:** We should just use more clarity as to what we want to say for enforcement. We may want to revisit including lot size. I have seen some as long as a single-family ranch on wheels. That is different from one you pull. Some residents may have a huge lot which would be unfair to expect the same storage restrictions as someone with a very small lot. We need to investigate further and make recommendations. **Climer:** I agree, and I would like to note caution, the more specific you are, may result in more unintended consequences. **Warren:** I understand. It just needs to be enforceable.

**Police-Garratt:** One officer graduated from Police Academy for motorcycle unit. The bike has been working residential areas and PR work. I remember riding that bike back in the day. He is targeting speeding areas and people blowing through stop signs. You will see more of the bike as weather permits. Officer Buscinki had a very cool detail upon graduating. Cleveland asked him to escort the Presidential motorcade from the airport to downtown for the debate. He worked with Secret Service upon departure as well. We haven't done that until now.

### *Mayoral Report- Premier*

**Mayor:** Premier Sale of the land is the first item on the agenda for \$1.015 million. They will also pay the carrying costs of \$96,000 for a total of \$1.11 million. I need passage tonight. The sale will not take place immediately as the Law Director mentioned, pieces of parcels rezoned are yet to be purchased by us. Oakwood needs to be in the Chain of Title for all the land involved in this project. The TIF can then be passed which is payments to us in lieu of taxes to the County. We are looking for \$1/4 million on a \$60 million project. This should finalize within 2-3 weeks. There is a lot of TIF money at stake and I don't want to jeopardize that. **Rogers:** How much property was involved at Premier? **Mayor:** We are waiting for. There are a number of spot areas of which none were very large. There is one in the way of the main entrance off Alexander. The key is level. Level 1 is least problematic, and level 3 is the most. We will see what they say. **Rogers:** Does that affect the building? **Mayor:** No. If we didn't have the other access to this site, Mr. Yarborough's property purchased by Premier. One company wants to be in the one building by fall 2021.

### *John's Trailer Property*

**Mayor:** I met with the company out of Cleveland for the John's Trailer location. It went extremely well. They are looking to purchase 25 acres there and have it approved by the end of the year. The Army Corps of Engineers came out. It looks like about 35% is wetlands in addition to a waterway on the property. A Geotech study was done so \$1/2 to \$1 million will be needed to make the land usable. We will buy it for \$1 and we will resell it to them for \$1. They are very interested even though it isn't a premier site being next to Waste Management. This will be that company's world headquarters.

### *Wetland Study*

**Mayor:** The Tartabini site, Premier site and the John's Trailer site were reviewed. **Warren:** This is important for us. **Mayor:** About \$300-\$500,000 will have to be expended by Premier to mitigate the wetlands there. We are optimistic on the Army Corp of Engineers. We will know the confirmed results in a few weeks. **Warren:** Would mitigation be cheaper if we found somewhere in Oakwood to do that? **Mayor:** We are looking at the back of our park area. **Warren:** We may have control of the landfill for a potential place of mitigation. Half of that isn't developable anyway. **Mayor:** Our adviser from HCW, our wetland specialist, doesn't think that will be as workable. We will meet with them to ensure they are developable with the least amount of mitigation cost.

*Roseland Lanes Founder*

**Mayor:** Rosalie Scimone, wife of the team who built the Roseland Lanes in Oakwood August 1961, passed away at 98 years old. The service is at St. Mary's on Saturday with a police escort to Oakwood with additional Police cars passing Roseland Lane pausing a minute in honor of that family and what they have meant to the Village.

*Trunk or Treat*

**Mayor:** You were looking at a Trunk or Treat for Halloween. The cost will be about \$1,100 for candy and the mailing. For that same amount of money, it could provide up to 40 seniors with ham, cheese, apple cider, and pie over the holidays or for the Santa delivery. We could serve more with a possible second shut down due to the virus. It is your decision.

**Williams:** In regard to Premier, this wasn't on our Work Session last time. What caused it to go right to the regular session? **Mayor:** Several people asked me about that including yourselves. We want to make sure everything is in place including the Chain of Title. **Williams:** When do you expect it to go through? **Mayor:** I expect the sale to go through in 2-3 weeks. There are two companies, one from Solon and another; both are nationwide and leaders in their field. One wants to be in the first building by fall of next year which is why we need to move on this. The appropriations for roadwork are being considered by the County and we want to make sure we get in on that for the roadwork development. **Williams:** Keep in mind we want to see it in work session first. Also, are you suggesting for Trunk or Treat we are in an either-or situation? When you offer the senior suggestion, you are missing the fact, we were trying to serve children and their families. **Mayor:** I hear you. If we are in a lockdown situation again, we will have more people in need of food. It is your call. At least we know we are serving Oakwood residents. In this case, you don't have control. **Williams:** Financially we are not in an either-or situation, it is just a suggestion. **Mayor:** It is more about the principle. We have cut back particularly in my department. **Gaither:** This is the first time I have heard about funds for either project. **Mayor:** I am not involved with this. Ask your Councilmembers. **Williams** asked where we pull funds for community events hosted by Council? **Thompson:** We usually use 7799 account under Miscellaneous Contractual. **Gaither:** Have we been using that fund for events? This is the first time I am hearing about this. **Thompson:** Yes. **Williams:** What line item did we use for the Black Lives Matter and the Community Health Fair with Voter Registration? **Thompson:** The 7799 Miscellaneous Contractual. **Gaither:** This is the first time I am hearing about this event. **Warren** asked the total of those two events. **Thompson:** Will look into it. **Williams:** Would there be a need for a line item for Council? **Gaither:** Are those Council funds? **Williams:** We haven't been doing it. **Warren:** We are just finding out about this new funding because we have never done any of this. The appropriate thing to do is to have an agenda, projection, and a budget then Council votes on it as a body. I thought the Mayor was funding these events. This is the people's money. We discuss the plan collectively, come up with a budget, and on a majority vote, we decide whether we move forward or not. **Williams:** Are you establishing a new procedure. **Warren:** You are an educator, do you run your home without a budget? You just mentioned at the last Council meeting about families doing their due diligence expending so you can't just have anybody suggest doing an event with a budget and everybody not being on the plan. To answer your question, yes. **Williams:** We did the Black Lives Matter event, we discussed it as a Council. We did a poll. We didn't discuss a budget, but we went forward with the event. We assumed the Mayor was paying for it and we didn't talk about a budget. **Rogers:** That was a Village function, that wasn't a Council event. Trunk or Treat is a Recreation event. That falls under Recreation. The Mayor cancelled many of his events and yet you want to do this. **Warren:** We have to cross the threshold of due diligence and responsibility. No one should be able to come to Finance and say I am giving this event, and this is what we are going to do and I will let you know how much it will cost. Nobody has pocketbooks like that. If you can't do it at home, you shouldn't be doing it with the people's money. If you want to call it a new procedure, the answer is yes. If you want to call it something we did before, no we didn't. I thought it was a Mayoral event. Any expenditures of Council must be done by motion. I can poll Council right now if they want to move forward without an expense projection or a plan, I can do that. **Williams:** Don't talk to me like that. We received an email sent about Councilmanic decision, but you made a decision without having a discussion. I am trying to get clarity. **Warren:** Are you clear now? **Williams:** You keep making reference to nobody should use the people's money. We have been doing community events for the community. **Warren:** We are not doing our due diligence without knowing the budget and the plan. **Williams:** I heard what you said. **Warren:** We need a budget, projection what is going to happen, where and present it to Council for a vote. **Williams:** What are you presenting to Council to vote on, the budget or the event? **Warren:** The budget and the event. **Gaither:** When the events took place, I thought they were under the Mayor's direction. I have never known a Council to put on an event under the direction on Council. This is the first time I am hearing money coming from the Council budget for an event. That is new to me. **Warren:** This is new to all of us. **Gaither:** I am aware when Eloise put on her event, she paid for it. I did not know Council was paying for any event. I believed events were being paid out of the Mayor's budget. **Warren:** As of the last

two months. **Williams:** Is there a reason you chose a certain budget to use? **Thompson:** On the other events, it was billed as a Village promotional. *Hardin re-entered the meeting.* **Warren:** We have to approve any event by motion, and we can't approve any event if we don't know what you are doing. **Hardin:** I agree. When I made the expenditure, it was based on a project which had already started. The Mayor felt it was a good idea. I will say to the newer Council people. I don't mean to mislead you but that is how that happened. In the past, I sent a postcard about being safe. Council was not aware of that. At least we have latitude to send communication out. I have been on this Council a long time. With newer people coming on Council, we need to put it in writing. Do you want each person to have a line item or go through Deb? Or do we want to have each expenditure be approved by Council? **Warren:** This type of expenditure should be approved by Council. **Hardin:** Home days was a collaborative expenditure. Are you saying every time we want to spend a certain dollar amount of anything other than a newsletter, we seek approval? **Williams:** It has been confusing. We were asked to run the expenses through Brian. **Warren:** If it is a community event, all of Council must be involved and Council should make a motion. **Hardin:** You said a community event vs a Ward event? **Warren:** This is new territory for all of us since we haven't had many Ward events. These are community events, and any expenditures should be approved by Council. If a Councilperson wants to have an event, Council has responsibility to know what that is and the estimated cost. Somebody may do something contrary to the wishes of Council. **Gaither:** Does Council have a budget for those kinds of things? **Rogers:** No we didn't. **Warren:** We do not. **Gaither:** We never had a budget in the past to do these things as a Council. **Sanders:** I apologize if I made some assumptions. I assumed expenses were going through Council. I assumed there was a budget for this. I haven't done any traveling this year so I assumed I had that allotted amount so I thought I could pull funds from that for this event. **Warren:** It is not assigned to you but to Council. The budget is identified for specific purposes. You can't just take funds from one line item from another. Mayor can't take money specified for roads and use it for something else. It is purposed for a specific use and if it isn't used, it is absorbed. **Williams:** Pat said she considers this recreation. Where are the guidelines? **Warren:** This is a maiden voyage. We have never done any community events nor used Council budget for it. Usually all community events are done by the Mayor. The Mayor makes us aware of them, we participate and show up for them. If we want to sponsor a community event, we have to realize it is councilmanic and Council has to vote on it. There has to be an appropriation for that purpose which must be set up and determine how it should move forward. For this immediate event, whoever wants to sponsor it, should present it to the body of Council; their budget, their plan and what they expect to pay. **Rogers:** We have a Recreation Director who plans these things. We are a legislative body. **Warren:** That is true. **Rogers:** This is a bigger discussion; it should be on Work Session.

#### *Premier continued*

**Hardin:** I want to go back to the Mayor for clarification. The item on the agenda, what are we being asked to approve tonight, the sale to Premier? **Mayor:** Yes. That is the land and carrying costs. **Warren:** Sometimes, in development when you are trying to get your financing together, we have to show control of the property. The bank isn't going to fund construction of the building if you don't control the property. **Hardin:** The original legislation was to buy it. This is to sell it back. **Warren:** The original legislation was to buy it with the purpose of selling it back. **Hardin:** Right. I missed hearing any feedback from my counterparts. I did hear from the Law Director and the Mayor so he can move on this to line up the TIFs. **Mayor:** Correct. **Climer:** The type of TIF used here requires all properties subject to the TIF show the Village in the chain of title. A couple other titles need transferred in and out of our name if only for a day for \$1 sale and \$1 sale back. **Hardin:** This is legal cleanup. **Climer:** We are contractually bound to sell back the main body of the property. Because we have it, we are already in the chain of title. There are a few other outlying parcels Premier owns and needs to transfer in and out of our name in the chain of title in order to qualify for the type of TIF the Village wishes to use. **Hardin:** I am listening, and I am sure it is a lot of work. You are doing a lot to make things happen. Remember when we get to Forbes Road, no matter what happens, I will not support it unless no traffic comes into Forbes Road. I will continue to help and support what you need. These are future tax dollars, that without your due diligence we wouldn't have. Remember the impact it has on residents. **Mayor:** I told you I want to get together with you on this matter. What you are requesting makes sense. It will be easy to explain in person rather than over the phone. **Hardin:** You cannot explain anything to me that spills traffic onto Forbes. **Mayor:** I will explain it to you, so you feel comfortable.

#### *Open Floor comments*

**Mini Thomas 24815 Broadway Avenue:** I am in temporary housing in Bedford. I asked at the last meeting about an assessment for my new house being built on Solon Road. Is anything happening with that and is anything happening with Cleveland Water? I have been in temporary housing for a year. I was told my house was going to be completed in December. I need water. We need to vacate our current housing at the end of November. I appreciate what you are doing however, I am in a situation; I need someone to help get water on Solon Road. **Warren:** We are working on getting you

water. We don't anticipate it being much longer after we talk with Cleveland Water. We have to find out how to do it. Our Engineer, Ed Hren, and I found a proposal which could possibly reduce it closer to \$10,000. **Hren:** The Council President and I are looking to petition Cleveland Water to allow a tap into the existing main without extending it across the entire frontage of Ms. Thomas property. I put together an exhibit for Mr. Warren to take to Cleveland Water. There are a lot of extenuating circumstances with this situation which are unique. Our compelling point is, they should authorize the tapping of the existing main. **Warren:** I will be meeting with the Director of Utilities or a commissioner of the Water Dept. Mr. Hren sent me the drawing today. We have a couple options. Our desire is to get water for you. It is dependent upon the Water Dept. doing the tap. **Thomas:** I pray they move on this. I am desperate. **Warren:** We will find a way to get it done. If it comes to it, I may have to go to the Mayor. **Thomas:** I will be back in a few weeks and will follow up in a week. **Warren:** I want you to follow up. I built a house in Oakwood; I know what it takes. **Callender:** As Council President is saying he is very connected with Public Works and he will get in front of the commissioners. Ed Hren is one of the top engineers around.

*Close Floor*

*Legislation*

2020-80 An ordinance authorizing the Mayor to sell to Premier Oakwood LLC certain real estate property consisting of approximately 23.29 acres of land located on Macedonia Road in the Village of Oakwood bearing permanent parcel numbers 795-28-001 and 795-18-029 on the records of the Cuyahoga County fiscal officer.

**Climer** read the ordinance as 2020-77. **Clerk:** The agenda was changed, and this legislation is number 80 and the next one is 81. **Climer:** It stands corrected.

MOTION to suspend made by Gaither seconded by Rogers

YES: Warren, Gaither, Callender, Hardin, Rogers, Williams NO: Sanders

MOTION to adopt made by Gaither seconded by Rogers

YES: Warren, Gaither, Callender, Hardin, Rogers, Williams Abstained by Sanders

Motion passed

2020-81 An emergency ordinance enacted by the Village of Oakwood, Cuyahoga County, Ohio hereinafter referred to as the "Municipality", in the matter of the hereinafter described improvement and requests the cooperation of the County of Cuyahoga, Ohio hereafter referred to the "County"

**Climer:** This is for the resurfacing of Broadway Avenue from Alexander to Richmond Road

MOTION to suspend made by Rogers seconded by Sanders

YES: Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

MOTION to adopt made by Rogers seconded by Callender

YES: Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

Motion passed

MOTION Motion to approve the Engineer's recommendation regarding the petition for assessment for improvement of proposed extension of the existing twelve-inch (12") water main on Solon Road from its existing termini at the westerly parcel line permanent parcel number 795-41-052 to a point, approximately 302 feet westerly said point being the southerly prolongation of the westerly line of permanent parcel no. 795-41-069, said extension shall include water connections and all necessary appurtenant structures as required by the Cleveland Water Department

**Climer:** I am going to request this be tabled. It was intended to address Ms. Thomas' situation. **Hardin:** Will it be better to have this in place now? **Warren:** No, because we want something more palatable. **Climer:** We will pass a resolution to accept Ms. Thomas' petition to access the cost to extend the water line. **Warren:** We want to minimize the cost as much as possible.

Motion to table made by Callender seconded by Rogers  
YES: Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams  
Motion Tabled

MOTION TO ADJOURN made by Hardin seconded by Gaither  
YES SEVEN: Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams  
Adjourned 8:40pm

Adopted \_\_\_\_\_

\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

\_\_\_\_\_  
Johnnie Warren, Council President

DRAFT

VILLAGE OF OAKWOOD  
COUNCIL WORK SESSION MINUTES  
September 22, 2020

ATTENDED

|                                    |                             |
|------------------------------------|-----------------------------|
| Johnnie Warren – Council President | Gary Gottschalk-Mayor       |
| Brian Thompson- Finance Director   | Jim Climer - Law            |
| Elaine Gaither- Council at Large   | Mark Garratt – Police Chief |
| Chris Callender – Ward 1           | Ed Hren – Engineer          |
| Eloise Hardin-Ward 2               |                             |
| Melanie Sanders – Ward 3           |                             |
| Patricia Rogers – Ward 4           |                             |
| Candace Williams – Ward 5          |                             |

ABSENT:

|                        |                           |
|------------------------|---------------------------|
| Brian Thompson-Finance | Carlean Perez-Recreation  |
| Daniel Marinucci - CBO | James Schade – Fire Chief |
|                        | Tom Haba-Service          |

\*=*Late Arrival*

Warren opened meeting at 8:40pm

*Council Community Events*

**Williams** asked to include the Finance Director. *It was determined the Finance Director was not in Work Session.*

**Warren** will make him aware of our discussion. When members of Council want to hold a community event, the question is, how shall the event be initiated. Everything we do is by motion as a body. We are not like the big cities which have large budgets for each councilmember. It is a different dynamic. I propose, if any Councilmember has suggestions for community events, they should bring it to Council as a body, giving us a summary of what the plans are and a budget.

**Gaither:** The one event proposed should come under the auspices of the Recreation Dept. We are infringing on a different department. **Warren:** That is true. It was always held under Recreation. Council may want to forward this to that department to see if they want to host the event. **Sanders:** I don't have a problem directing it to the Recreation Dept.

Having that line item in Council budget for events is a way for us to get involved with our residents and make ourselves known. It makes us available and residents get more familiar with us, engaging us in the community. It is extremely important, and I intend to have more community events in the future. If we need to partner with others, that is fine.

**Gaither:** What kind of budget are we talking about for Council? This is new territory. If we are, we are talking about creating another line item in the Council budget, how much? **Sanders:** I agree, that should be agreed to by everyone.

**Warren:** Whatever Council does should be as a body. We don't have the luxury of holding a Ward event. If that is the case, Ms. Gaither and I would have to have a budget to accommodate the entire community because we are voted on by the entire community. We need to work together and not seek individual recognition but do it as a whole body representing the community. That is not our primary function, responsibility, or expectation. That is done by the Recreation Dept and Senior programs. **Sanders:** I don't think it was for recognition. **Warren:** You said you want to do it for your Ward, that is individualized. **Williams:** We do represent Wards. **Sanders:** Yes, we do. **Williams:** If you do an event for the community, it isn't about any particular person getting recognition. It's no different than Mr. Callender facilitating the Black Lives Matter event. **Warren:** It was a community event. **Williams:** We can hold events where one person is the leader **Warren:** I was addressing Ms. Sanders when she indicated she wanted to hold other things for her Ward. I was explaining we are a body; we don't do Ward things unless you want to do what Ms. Hardin did and pay for it yourself. **Rogers:** You can get your name out there at the Mayor's events. **Sanders** laughed. **Williams:** We are not talking about events or budgets, we are saying this isn't the way we have always done it. **Warren:** We are talking about.

**Williams:** Maybe we can do something different. There are a lot of other communities that do things other than the Mayor's events. It isn't me trying to get recognition, it is in addition to. The only reason we talked about the Trunk or

Treat is because the Magic event was cancelled because it was indoors. **Sanders:** That is correct. **Williams:** We are talking about a one-time thing since we are during Covid. Just because we haven't done this, it doesn't mean we can't start to do those things. **Gaither:** We need to know the kind of things you want to do. **Warren:** I don't know where the conversation is going but there has to be a protocol for expenditures of Council. It can't be done by Council members calling the Finance Director and telling him we want to do an event then get the money. It has to go to a vote of Council and if we choose to put aside a budget for that, fine, but as a Council body. **Hardin:** Bedford Heights is doing a movie night like we did but if a member of Council or all of us has an idea, it is their idea, they will do the work. There is a lot of work in planning these things. If someone wants to put together an idea, they should have the latitude to put together a budget. I don't see anything wrong with any Councilmember heading an event or program sponsored by the entire Council. It has to be stated the Councilperson's name, Ward 2 or Eloise Hardin heading an event on behalf of Council. Everyone then understands it is a Council event. It has to come before Council for the concept and budget. **Gaither:** If we want to do this, we need to know how much money needs to go into our budget for Council before we do anything. **Hardin:** There were a lot of calls put into the Law Director, so we remained legal. It is a community effort. **Williams:** I am good with that. I can hear some people say, it isn't our responsibility or our expectation to do these events. We are all community leaders. I am weary we are going to vote on every event. Just because you don't think it is your responsibility or expectation, I may get a no vote on something the community may need. I feel comfortable Council establishing a line item for use in Council events. If you choose not to use it, that is up to you. **Gaither** asked what events? **Callender** asked, a budget for each Councilmember or a total budget. **Warren:** A total budget. **Hardin:** If I want to put on an event supporting a cause off the charts, I cannot put it under the sponsorship of Council. If it is something I want to do, and something goes awry all of Council is liable. I apologize to the new Councilmembers. **Climer:** There is nothing wrong with Council appropriating a sum of money to be used for events sponsored by Council. I have had these conversations with a few Council members. It would have to be appropriated and used for a public purpose, recreation, relationship building. A Council vote on use of funds for a particular item will help demonstrate that. You need to be very careful to avoid a couple statutes; ORC 9.03 which clearly prohibits public funds which promote a position, candidate or party. That gets a little trickier in an election year. You have to be careful how you phrase the sponsorship. You don't want to raise the application to benefit the candidacy whether it be spreading their name, recognition, gaining favor among voters, etc. How and on what you spend monies should involve a Council vote. **Hardin:** I recall conversations where each Council member was asked their opinion on the event on an individual basis. Your comments, Mr. Law Director, made credence to the comments we made to each other on a one-on-one basis. If we do it by vote, that confirms I am in agreement of the event. **Climer:** I don't think it should be a formal resolution. **Warren:** A motion. **Climer:** Yes, as long a Council approved the expense. **Clerk:** Council needs to be careful about a round-robin meeting. It would be a meeting not being held in a public forum but where one Councilmember calls another and that one calls another and by the time they are done, they have a vote. All voting has to be in a public format whether by motion or otherwise. **Hardin:** We are allowed to talk to one another. I don't think it was a query for a vote. **Climer:** You are absolutely right Deb. You cannot daisy chain anything to avoid a quorum. That entails public issues outside a public meeting. **Williams:** I don't think that was the case because we didn't establish, we needed a vote for this. **Warren:** We are talking about going forward. **Climer:** You cannot have a debate on public issues outside a public meeting. **Warren** asked the Clerk to put together a synopsis of the protocol for Council sponsored public events. For the sake of clarity, can you summarize what you heard or do you want to bring this up at a later meeting. Time is of the essence for the Halloween event. It has to be done in a manner conducive with the State and Federal laws. **Callender:** Can we speak to Carlean and go through the Recreation Department? **Sanders:** We can do that. People will only have days to be aware of the event. **Clerk:** I would suggest it be put through Recreation. We are in Work Session, so Council can't really do any formal vote. In regular session we could. **Warren:** And see what they say. **Sanders:** I will do that. **Hardin:** You brought up a good point, we have new members of Council. Debbie's statement is so true we must have a quorum for discussion. To my knowledge that didn't happen. Did you give us a copy of the Sunshine Law? **Clerk:** It was sent electronically, thank you. **Williams:** That never happened.

2020-WS-04      An emergency ordinance enacted by the Village of Oakwood, Cuyahoga County, Ohio hereinafter  
*Forbes*            referred to as the "Municipality", in the matter of the hereinafter described improvement and request the  
*Improvement*    cooperation of the County of Cuyahoga, Ohio, hereinafter referred to as the "County"

**Hren:** This is similar to the Broadway resurfacing. This is for Forbes from First Place to Richmond Road. Cuyahoga Public Works will be involved and the City of Bedford Heights. The estimated costs are \$930,000 of which the Federal Government will put forth \$620,000, the County \$155,000 with \$77,500 paid by Bedford Heights and \$77,500 paid by

Oakwood. We will try to secure further funding from the Department of Development and Public Works attempting to go to zero out of pocket for Oakwood. This won't take place until 2023. The County may move it up to 2022. **Williams:** Do you mean grants for outside funding? **Hren:** Yes.

Motion to move 2020-WS-04 to the next regular agenda made by Hardin seconded by Gaither

YES SEVEN: Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

Fiscal Officers Certificate Present

2020-WS-06 An ordinance providing for the issuance and sale of not to exceed \$165,000 of notes, in anticipation of the issuance of bonds for the purpose of paying costs of acquiring real estate for Village purposes and declaring an emergency

**Warren:** This is the purchase of the property and white building. It will stay on Work Session. Council agreed.

2020-WS-10 A resolution authorizing change order no. 1 from Chagrin Valley Paving, Inc. increasing the contract by \$580.22 for the 2019 Oakwood asphalt pavement repairs project located within the Village of Oakwood

**Hren:** This is the paving program from last year. They were awarded the contract but need the change order for \$580.22 more than the awarded contract. It was \$79,600. This will equate to \$80,180.22. It happens on occasion.

Motion to move 2020-WS-10 to the next regular meeting made by Hardin seconded by Gaither

YES SEVEN: Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

2020-WS-11 A resolution authoring the Engineer to begin the preparation of plans and specifications and to advertise for bids for the Garden Road and Hickory Road sanitary sewer repair project in the Village of Oakwood and declaring an emergency

**Hren:** This is a long-awaited project. We have had chronic backup issues on Garden Road. There are massive amounts of inflow and infiltration. This will allow us to prepare plans and specifications to perform the repairs to keep clean water, particularly when it rains, out of the system. We received a grant from the Public Works Commission, Small Government Subcommittee for \$152,800. The total project is \$422,000. Any additional funds would come from the Cuyahoga County Department of Public Works from the funds collected under our real estate taxes for sewer maintenance. We would be reimbursed by the County and we are asking the Northeast Ohio Regional Sewer District to utilize some of the cost share dollars. Regardless, the net cost to the Village will be zero on this project.

Motion to move to the next regular session made by Rogers seconded by Callender

YES SEVEN: Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

**Hren:** I noticed an OPWC Grant application for 2021 is not on the agenda. I would like to have it on the next Council meeting if possible, to authorize me to apply to the OPWC for funding to resurface Fair Oaks Road. The marginal road which runs along I-271 between Alexander and Broadway including the installation of the traffic signal at Alexander and Fair Oaks. The applications are due November 5<sup>th</sup>. The legislation can follow but I want to make Council aware of that. If we need to have it go through Work Session next time that is fine. **Hardin** asked if there is a traffic signal there now.

**Hren:** No there is not. That is in anticipation of the development of Premier. Our goal is to link the signal with Oak Leaf at Fair Oaks so when the additional traffic comes in those signals are synchronized to improve traffic flow. **Clerk:** I don't remember receiving the legislation. I apologize. **Hren:** That may have not made it to you. **Williams** asked about cost estimates. **Hren:** About \$900,000 total cost. We will typically go to Public Works Commission through District 1 funding which is Cuyahoga County. We will ask for 75%; about \$700,000. We will then try to secure other dollars from Community Development through the County. This is the big dollars first. We were going to use some of the dollars from the TIF the Mayor talked about with Premier for that intersection. **Williams** asked if we have to pay back the \$700,000.

**Hren:** Those dollars are from a grant. We self-score it for ranking. We have followed these 30 years so we have a good idea what we can ask for. **Warren:** Other communities aren't doing much anyway. We have this down to a science when

we go down for funding. **Williams:** You estimated our cost less than \$400,000? **Hren:** We will ask ODOT for funds due to the construction. The traffic count plays into this, the condition of the road is deplorable (poor) and the dollar amount we ask for. That will give us the number of points. **Warren:** Worst scenario is, we cannot do it. We also go to Small Government for funds. Money is recaptured from communities which were given a grant but never did the project. They are reallocated to communities which did not get the funds on the first round. We have been able to capitalize on that in the past on the contingency list. He asked if we want to move this to the next regular meeting or work session. **Williams:** I am ok moving it to the regular session.

Motion to adjourn made by Gaither seconded by Hardin  
YES SEVEN: Warren, Gaither, Callender, Hardin, Rogers, Williams NO: Sanders  
Adjourned at 9:31pm

Adopted \_\_\_\_\_

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Debra L. Hladky, Clerk of Council

\_\_\_\_\_  
Johnnie Warren, Council President

DRAFT