

THIS IS A  
VIRTUAL  
MEETING  
VIA  
WEBEX

VILLAGE OF OAKWOOD  
COUNCIL MEETING  
February 23, 2021  
7:00 p.m.  
AGENDA



Scan to view  
Agenda online

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1. Call Meeting to Order

2. Pledge of Allegiance

3. Roll Call

Council President	Johnnie A. Warren	Mayor	Gary V. Gottschalk
Council-At-Large	Elaine Y. Gaither	Law Director	James Climer
Ward 1 Councilman	Chris C. Callender	Finance Director	Brian L. Thompson
Ward 2 Councilperson	Eloise Hardin	Service Director	Tom Haba
Ward 3 Councilperson	Melanie Sanders	Chief of Fire	Jim Schade
Ward 4 Councilperson	Patricia Rogers	Police Chief	Mark Garratt
Ward 5 Councilperson	Candace S. Williams	Building Inspector	Daniel Marinucci
		Housing Inspector	N / A
		Engineer	Ed Hren
		Recreation Director	Carlean Perez

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4. **MINUTES** – Finance meeting January 26, 2021  
Council meeting January 26, 2021  
Special Council meeting February 2, 2021  
Special Council meeting February 5, 2021  
Special Council meeting February 9, 2021  
Special Council meeting February 11, 2021  
Special Council meeting February 17, 2021

5. Correspondence to Clerk

6. Departmental Reports

MAYOR - GARY GOTTSCHALK	FIRE CHIEF - JIM SCHADE
LAW DIRECTOR – JAMES CLIMER	BUILDING INSPECTOR – DANIEL MARINUCCI
FINANCE DIRECTOR – BRIAN THOMPSON	HOUSING INSPECTOR – N / A
SERVICE DIRECTOR - TOM HABA	POLICE CHIEF – MARK GARRATT
ENGINEER REPORT- ED HREN	RECREATION DIRECTOR – CARLEAN PEREZ

7. **Floor Open for Comments from Village Residents** on meeting agenda and comments in general *Village residents, please state your name, address and the subject you wish to discuss for the record. Please limit your comments to five (5) minutes. Thank you! Please sign-in to speak*

8. Legislation

Ord 2021-04	AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS
<i>Premier TIF</i>	WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE, EXEMPTING THE
Introduced 1-20-2021 by	IMPROVEMENTS TO SUCH PARCELS FROM REAL PROPERTY TAXATION FOR
Mayor & Council as a whole	A PERIOD OF THIRTY YEARS, AUTHORIZING THE MAYOR TO ENTER INTO
1 <sup>st</sup> read 1-19-2021	AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT REGARDING
2 <sup>nd</sup> read 1-21-2021	SUCH EXEMPTION REQUIRING THE OWNERS OF SUCH PARCELS TO MAKE
3 <sup>rd</sup> read 1-26-2021 & tabled	SERVICE PAYMENTS IN LIEU OF TAXES ESTABLISHING AN URBAN
	REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT
	OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE
	SECTIONS 5709.41, 5709.42, AND 5709.43, AND DECLARING AN EMERGENCY

<p>Ord 2021-06</p> <p><i>Oakwood Ctr LLC-McBee</i></p> <p>Introduced 1-19-2021 by Mayor &amp; Council as a whole</p> <p>1<sup>st</sup> read 1-19-2021</p> <p>2<sup>nd</sup> read 1-21-2021</p> <p>3<sup>rd</sup> read 1-26-2021&amp; Tabled</p>	<p>AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE, EXEMPTING THE IMPROVEMENTS TO SUCH PARCELS FROM REAL PROPERTY TAXATION FOR A PERIOD OF THIRTY YEARS, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE BEDFORD CITY SCHOOL DISTRICT REGARDING SUCH EXEMPTION, REQUIRING THE OWNERS OF SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.41, 5709.42, AND 5709.43, AND DECLARING AN EMERGENCY</p>
<p>Ord 2021-09</p> <p>Introduced 1-29-2021 by Mayor &amp; Council as a whole</p> <p>Tabled 2-02-2021</p>	<p>AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM FOR SINGLE FAMILY PROPERTIES LOCATED IN THE VILLAGE</p>
<p>Ord 2021-10</p> <p>Introduced 1-26-2021 by Mayor (<i>Ward 4</i>)</p> <p>Tabled 2-02-2021</p>	<p>AN ORDINANCE AMENDING ORDINANCE 2019-22 AUTHORIZING THE ESTABLISHMENT OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM FOR SINGLE FAMILY PROPERTIES LOCATED IN WARD 4</p>

## 9. Adjournment

**VILLAGE OF OAKWOOD**  
**WORK SESSION**  
**AGENDA**  
**February 23, 2021**

1. Call Meeting to order
2. Discussion by Mayor and Department Heads of matters to be brought to the attention of Council if present.
3. Questions of Mayor and Department Heads concerning Legislation or potential Legislation to be considered at future Council meetings.
4. Discussion of items of draft Legislation or potential Legislation to be considered at future Council meetings.

***Legislation:***

Fiscal Officers Certificate Present

Ord 2020-WS-06	AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED
Introduced 9-08-2020	\$165,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE
by Mayor	PURPOSE OF PAYING COSTS OF ACQUIRING REAL ESTATE FOR VILLAGE
\$165,000 Notes	PURPOSES AND DECLARING AN EMERGENCY

Municipal Complex      Hardin

Disaster Recovery Plan      Hardin

Human Resources 22      Hardin

Five-Year Plan      Hardin

Council Committee Assignments

5. Matters Deemed Appropriate

6. Adjournment

To Codified? N 1st Read 1-20-21 2nd Read 1-24-21 3rd Read 1-26-21 Under Suspension tabled 1-26-21

BY:

ORDINANCE NO. -2021- 04

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE, EXEMPTING THE IMPROVEMENTS TO SUCH PARCELS FROM REAL PROPERTY TAXATION FOR A PERIOD OF THIRTY YEARS; AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT REGARDING SUCH EXEMPTION, REQUIRING THE OWNERS OF SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.41, 5709.42 AND 5709.43, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood (the "Village") has, pursuant to Ordinance No. \_\_-2020, acquired Permanent Parcel Number(s) 795-28-001, and pursuant to Ordinance No(s), ----- and -----, acquired title to additional parcels of real property located in the Village of Oakwood, more fully described as Permanent Parcel Nos. 795-17-032, 795-18-058, 795-18-034, 795-18-029 and; the Southerly sixty-five (65) feet of Permanent Parcel Numbers 795-18-057, 795-18-033, 795-18-032 and 795-18-031; and Permanent Parcel Numbers 795-18-030, 795-28-006, 795-28-013 and 795-28-005 (collectively, the "Property") as shown on Exhibit A hereto, all located within the Village, and has conveyed and re-conveyed title to the Property to Premier Oakwood, LLC (the "Developer"), for the purpose of urban redevelopment of the Property pursuant to the Development Agreement approved by the Oakwood Village Council in furtherance of the City's policy of urban redevelopment as evidenced by the Village of Oakwood Community Reinvestment Area Housing Survey performed by Chagrin Valley Engineering dated December 2018 which was approved by the Oakwood Village Council on or about January 19, 2019 in Ordinance No. 2019-09; and

WHEREAS, Developer has, pursuant to the Development Agreement between Village and Developer, effective \_\_\_\_\_, 2021, agreed to redevelop the Property by the construction of a commercial real estate project (the "Project"), consisting of buildings and other commercial real estate components consistent with the applicable zoning code, along with related landscaping and improvements, as further described on Exhibit B, thereby creating jobs and employment opportunities for the residents of the Village and Cuyahoga County; and

WHEREAS, certain infrastructure improvements are required in order for Developer to proceed with the development of the Property, which include grading, a public road, utilities, and other infrastructure as further described in more detail on Exhibit C attached hereto (collectively,



the "Improvements"). The Improvements include certain improvements to certain portions of the Property.

WHEREAS, Ohio Revised Code Sections 5709.41, 5709.42 and 5709.43 authorize this Council to declare all of the Improvements (as defined in Ohio Revised Code Section 5709.41) with respect to real property which has been owned by the Village and thereafter conveyed to a private person to be a public purpose, thereby authorizing the exemption of those Improvements from real property taxation for a period of years, and to provide for the making of service payments in lieu of taxes by the owner of such parcel and to establish a urban redevelopment tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, the Village has determined that it is necessary and appropriate and in the City's best interest to provide for service payments in lieu of taxes with respect to the Property pursuant to Ohio Revised Code Section 5709.42 (the "Service Payments") to pay a portion of the costs of the redevelopment of the Property and the Improvements; and

WHEREAS, the Property is located within the boundaries of the Bedford City School District (the "School District"); and the School District has been notified of the City's intent to pass this Ordinance in accordance with Ohio Revised Code Sections 5709.41(C) and 5709.83; and

WHEREAS, the Village and the School District have agreed to enter into a Compensation Agreement substantially in the form attached hereto as Exhibit D (the "Compensation Agreement") pursuant to which the School District has waived all required notices and/or consents.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OAKWOOD, STATE OF OHIO, that:

Section 1. This Council finds and determines that the Improvements described in Exhibit B hereto and further described in more detail in Exhibit C, to be constructed by the Developer or its designee, are declared to be a public purpose for purposes of Section 5709.41 of the Ohio Revised Code.

Section 2. The Mayor is hereby authorized to enter into the Compensation Agreement with the Bedford City School District in substantially the form attached hereto as Exhibit D, with such changes therein as are not adverse to the City, as evidenced by the Mayor's signature thereon.

Section 3. Pursuant to and in accordance with the provisions of Section 5709.41 of the Ohio Revised Code, 100% of the Improvements is hereby declared to be a public purpose for a period of thirty (30) years and exempt from taxation for a period of thirty (30) years, commencing with the effective date of this Ordinance and continuing for a period of thirty (30) years (the "TIF Exemption").

Section 4. As provided in Section 5709.42 of the Ohio Revised Code, the owner or owners of the Property are hereby required to, and shall make, semi-annual Service Payments to the Cuyahoga County Treasurer (the "County Treasurer") on or before the final dates for payment of real property taxes due and payable with respect to the Improvements. In accordance with Section 5709.42 of the Ohio Revised Code The County Treasurer is hereby requested to distribute

a portion of the Service Payments directly to the School District in the amount provided for in the School Compensation Agreement. The remaining Service Payments, when distributed to the Village by the County Treasurer, shall be deposited in the Oakwood Business Park Urban Redevelopment Tax Increment Equivalent Fund (the "Fund") established in Section 5 hereof. This Council hereby authorizes the Mayor, the Director of Finance and Village Law Director, and other appropriate officers of the City, to provide such information and certifications and to execute and deliver or accept delivery of such instruments as are necessary and incidental to collection of those Service Payments, and to make such arrangements as are necessary and proper for payment of those Service Payments.

Section 5. This Council hereby establishes pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, the Fund, into which shall be deposited all of the Service Payments distributed to the Village with respect to the Improvements, by or on behalf of the County Treasurer as provided in Section 5709.42 of the Ohio Revised Code, and hereby provides that the moneys deposited in the Fund shall be paid to the Developer to pay any or all acquisition, construction, installation or financing costs, and any or all other direct and indirect costs of the Project, or to reimburse the Developer for such costs, or retained by the Village in accordance with the Development Agreement previously approved by this Council.

The Fund shall remain in existence so long as Service Payments are collected and used for the aforesaid purposes, after which time the Fund shall be dissolved in accordance with Section 5709.43 of the Ohio Revised Code and any moneys remaining therein shall be paid to the City.

Section 6. Pursuant to Section 5709.41(E) of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Development Services Agency of the State of Ohio within fifteen days after its passage. On or before March 31st of each year that the exemption set forth in Section 3 hereof remains in effect, the Mayor or other authorized officer of this Village shall prepare and submit to the Director of the Development Services Agency of the State of Ohio the status report required under Section 5709.40(I) of the Ohio Revised Code.

Section 7. This Council determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 8. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective so that the Village can maximize the amount of Service Payments to be received from the Property and take advantage of time-sensitive economic development opportunities beneficial to the Village and its residents; wherefore, this Ordinance shall become immediately effective upon receiving the affirmative vote of two thirds



of all members elected to Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED \_\_\_\_\_, 2021

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED:

\_\_\_\_\_  
Clerk of Council

FILED WITH MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR, VILLAGE OF OAKWOOD

**EXHIBIT A  
PROPERTY**

Village of Oakwood

Permanent Parcel Numbers

The entirety of the following parcels:

795-17-032  
795-18-058  
795-18-034  
795-18-029  
795-28-001  
795-18-030  
795-28-006  
795-28-013  
795-28-005

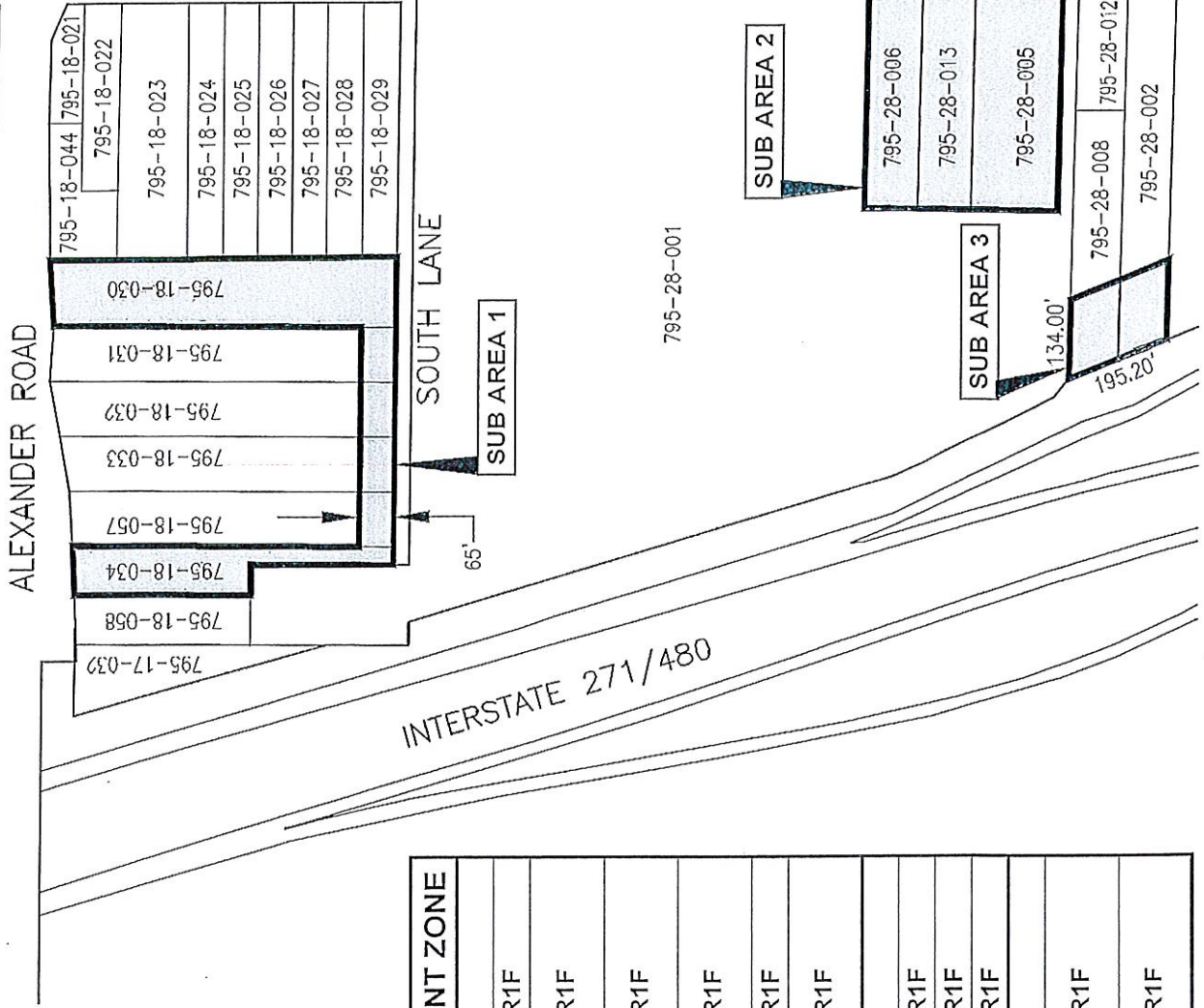
The Southerly sixty-five (65) feet of the following parcels:

795-18-057  
795-18-033  
795-18-032  
795-18-031

# EXHIBIT A

## AREAS REZONED TO LIGHT INDUSTRIAL I-1

### FROM RESIDENTIAL R1F



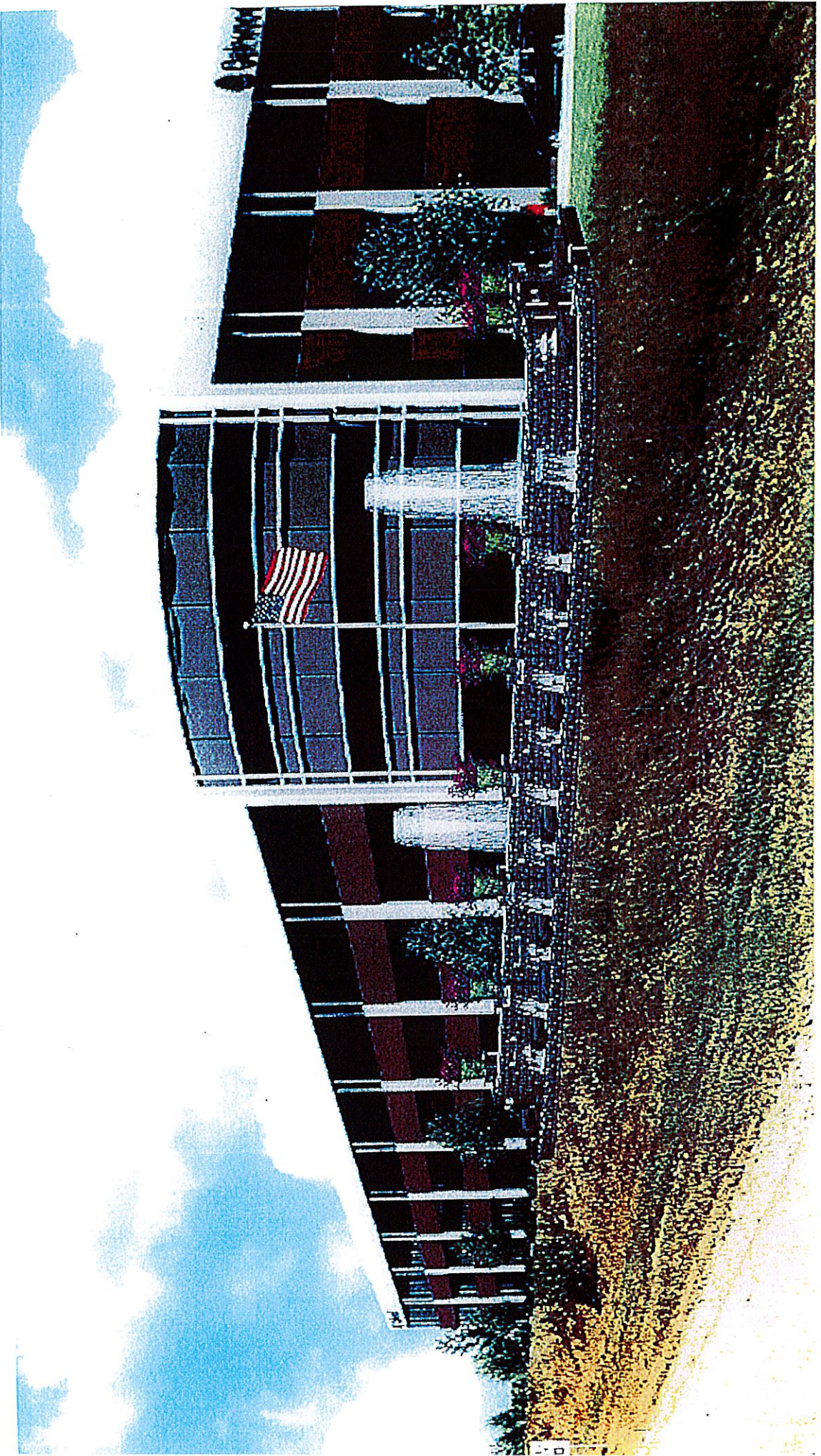
PARCEL NO.	PRESENT ZONE
<b>SUB AREA 1</b>	
795-18-030	R1F
795-18-031 South 65 Feet	R1F
795-18-032 South 65 Feet	R1F
795-18-033 South 65 Feet	R1F
795-18-034	R1F
795-18-057 South 65 Feet	R1F
<b>SUB AREA 2</b>	
795-28-005	R1F
795-28-006	R1F
795-28-013	R1F
<b>SUB AREA 3</b>	
795-28-002 West 134 Feet	R1F
795-28-008 West 134 Feet	R1F

## EXHIBIT B

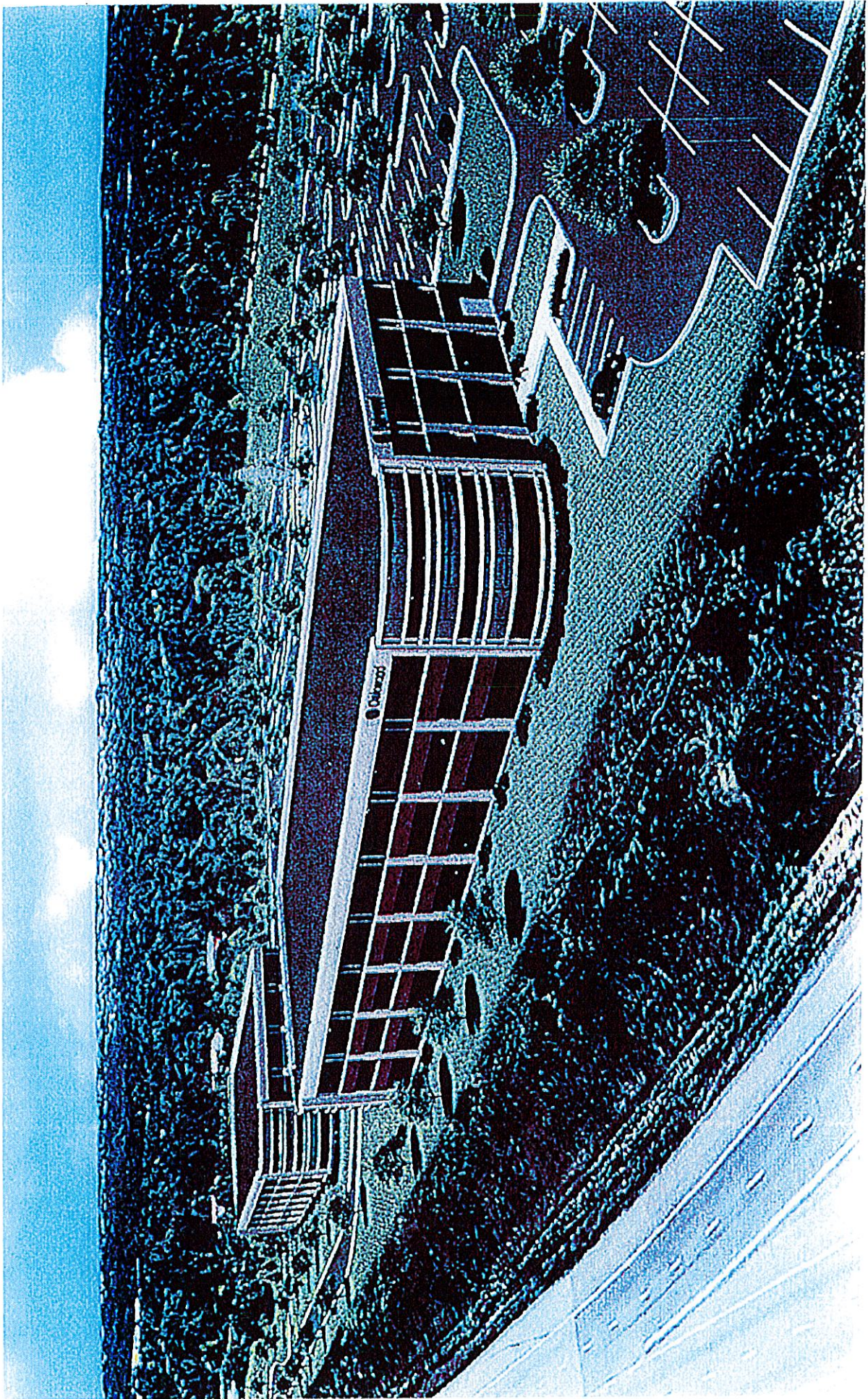
### Description of the Project

As provided for in the Development Agreement, improvements on the Project Site, to consist initially of a light manufacturing facility of 250,000 square feet ("Phase 1") to be expandable to 400,000 square feet ("Phase 1 Prime"), a second phase ("Phase 2") to consist of a second commercial building of approximately 100,000 square feet and a third phase ("Phase 3") to consist of a third commercial building of approximately 100,000 square feet.











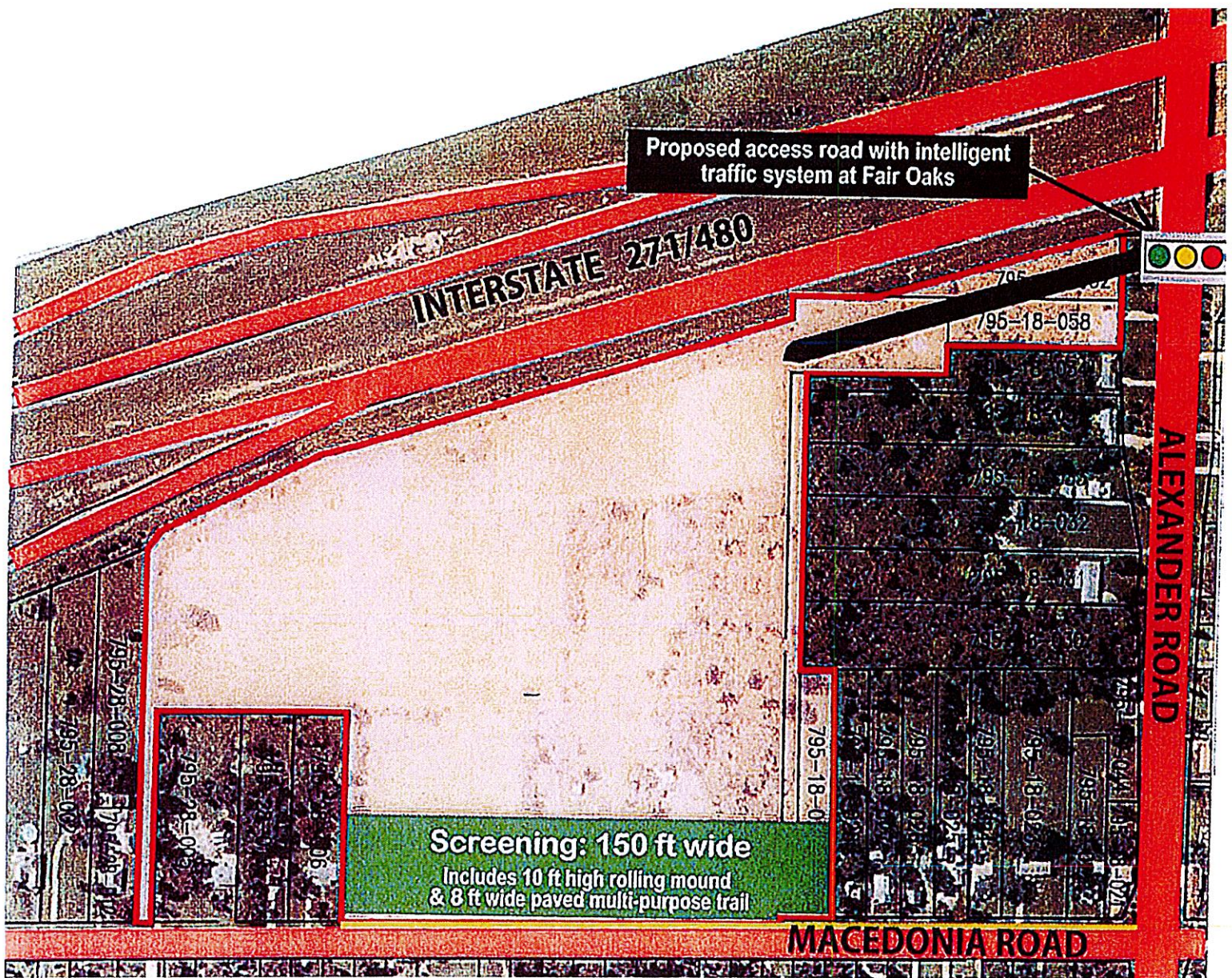
## EXHIBIT C

### Improvements

The Project shall include but not be limited to:

- The provision of utilities and utility connections to the Project Site including but not limited to storm water drainage, sanitary sewerage and water facilities along with all trenching and conduits for public utilities;
- Street and intersection improvements, bridges, pedestrian bridges, off-street public parking facilities;
- Construction of an access road onto the Project Site (680 feet long by 28 feet wide) including a right turn only lane onto Alexander Rd.;
- Reconstruction of the Alexander Rd/Fair Oaks Rd. intersection at the entrance to the Project Site along with signalization for said intersection;
- The purchase of property adjoining Rte 271 on Alexander Rd. as well as two homes including demolition for the above-referenced main access road;
- The acquisition of land or interests therein including but not limited to the purchase of undeveloped property along Alexander Rd. to be used as temporary access onto the Project Site to facilitate construction in late 2020 until the main access road is complete. (Includes the purchase of land, temporary fencing and re-beautification of the property when this alternative access is no longer needed);
- Screening/landscaping of the access road route;
- Dredging, grading, demolition draining, paving, resurfacing, sidewalks, curbs, landscaping, fire hydrants, street lighting and traffic control devices with respect to the foregoing;
- Environmental remediation including but not limited to wetlands mitigation of the area;
- Designing and landscaping of a 10 foot high/100 foot wide/800 foot long curvilinear, undulating mound along Macedonia Rd. with lawn and irrigation to screen the view of the Project buildings from the residents who live on Macedonia Rd.;
- The maintenance of landscaping;
- The purchase of rezoned property consisting of the rear 65 feet of four homes on Alexander Rd. including the removal of vegetation and landscaping of new rear yard boundary;
- The purchase and demolition of three homes on south Macedonia Rd. as well as other properties potentially adding to the Project Site;
- The extension of mounding for areas added to the Project Site, including those mentioned immediately above, to be compatible with the design and purpose of the original mounding and landscaping of same;
- Construction of an 8 foot wide asphalt all-purpose trail along the Project Site adjacent to Macedonia Rd. extending to Alexander (approximately 900 feet long);
- Payments to the Board of Education of the Bedford City School District and Oakwood Village for agreeing to development incentives.





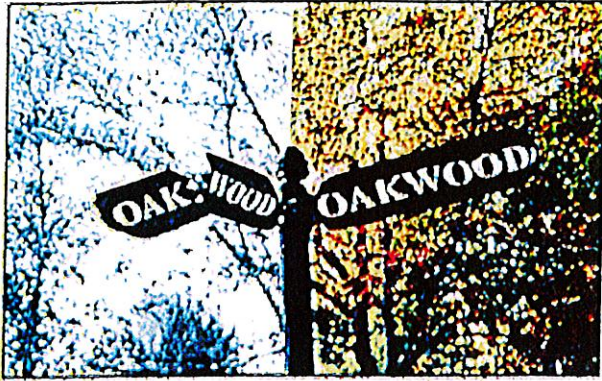
### *Supplemental Costs to Premier Development*

\$ 230,000	Realignment of Alexander Rd/ Fair Oaks Intersection & Signalization to Handle Daily 900 More Cars
850,000	Construction of Access Road to Project Site (680' x 28')
580,000	Purchase Property for Main Access Road
310,000	Cost of Property & Construction of Temporary One-Lane Access to Project Site for Spring 2021 Start Up
400,000	Mounding/Landscaping with Irrigation System to Screen Project from Macedonia Rd Residents
300,000	Wetlands Mitigation
120,000	Landscaping Maintenance (Labor/Materials) for 5 Years
590,000	Purchase of 3 Homes on South Macedonia Rd for Parking Spaces
75,000	Purchase Backyards of 4 Homes on Alexander Rd for Parking Spaces
130,000	8' Wide All Purpose Trail on Macedonia Rd.

**\$ 3,600,000**

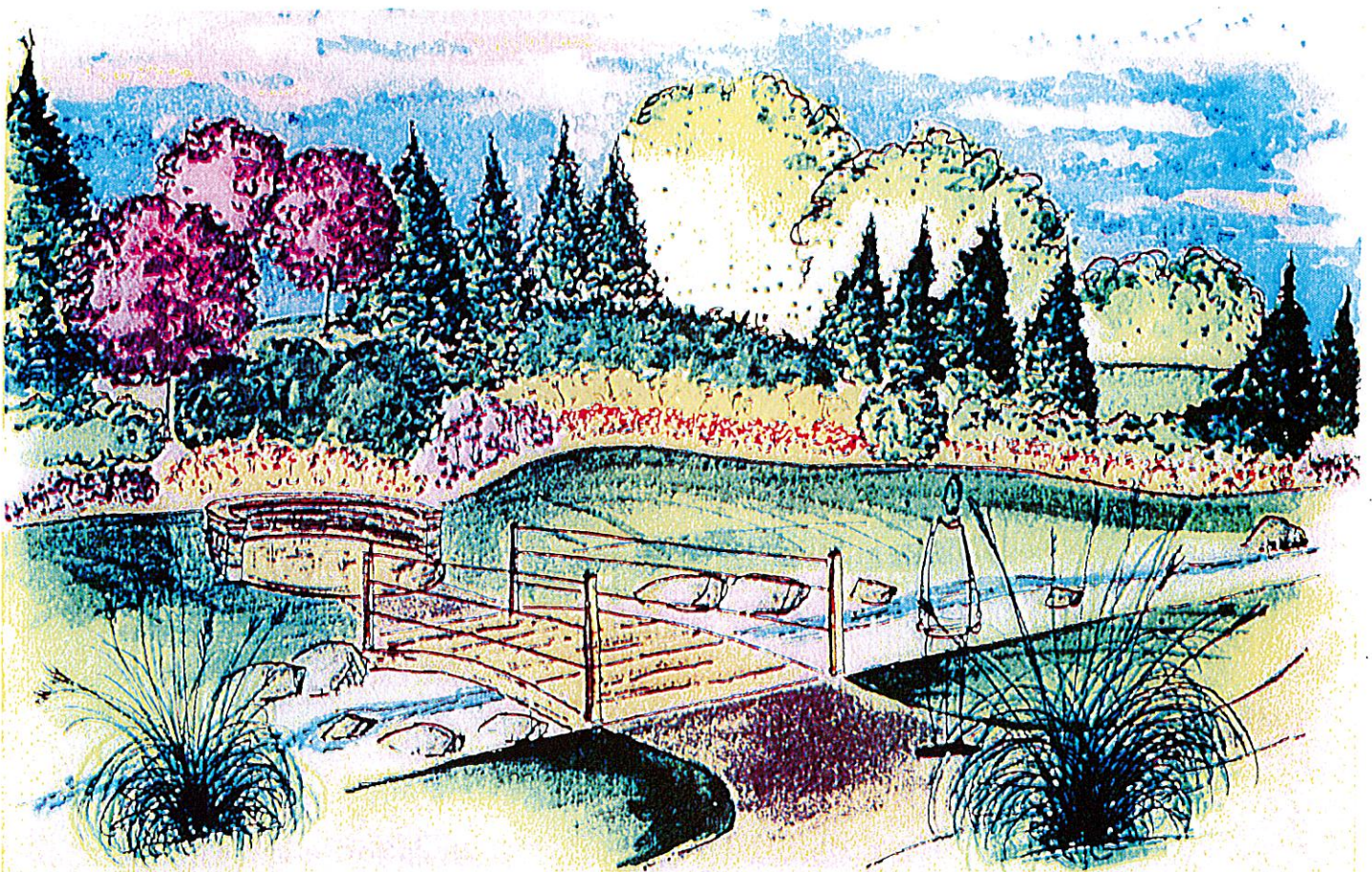


The Village of Oakwood is at a  
**CROSSROADS**



VOTE YES	
ISSUES	<b>54</b> &52, 53
ITS ABOUT OUR FINANCIAL VIABILITY, SAFETY, STREETS & SERVICES <i>Protect our quality of life !</i>	

KNOW WHAT IS AT STAKE!



**BY PASSING ISSUE 54**, this picturesque setting along the project site on Macedonia Road in Ward 4 will totally screen the future view of the two office buildings far away on the other side of this 10 foot high rolling mound. You will not find anything like this picture postcard landscaping beautifying a residential street anywhere in Ohio and it will all be paid for, including the maintenance, by the developer.







**Exhibit D**

**School Compensation Agreement**

## EXHIBIT D

### COMPENSATION AGREEMENT

This Compensation Agreement (the "Agreement") is made and entered into as of \_\_\_\_\_, 2020, by and between the VILLAGE OF OAKWOOD, OHIO (the "Village"), a municipal corporation organized and existing under the constitution, its Charter, and the laws of the State of Ohio with its principal offices at Oakwood Village Hall, 24800 Broadway, Oakwood Village, Ohio 44146, and the BOARD OF EDUCATION OF THE BEDFORD CITY SCHOOL DISTRICT (the "School District"), a public school district with its principal offices located at 475 Northfield Road, Bedford, OH 44146.

#### WITNESSETH:

WHEREAS, pursuant to Ohio Revised Code Section 5709.41, .42, and .43 (together with related provisions of the Ohio Revised Code, the "TIF Act"), the Village may, among other things, (i) declare the increase in assessed value of real property located in the Village to be a public purpose, thereby exempting such increase from real property taxation for a period of time; (ii) provide for the making of service payments in lieu of taxes by the owners of such real property; and (iii) provide for compensation payments to the affected school districts out of such service payments in lieu of taxes; and

WHEREAS, the Village proposes to establish a tax increment financing district with respect to certain property located at or near the intersection of Alexander and Macedonia Roads in the Village, as more fully described in Exhibit A attached hereto (the "Premier Property") including future additions to or extensions of the Premier Property, to exempt from real property taxation the Premier Property pursuant to Section 5709.41 of the Ohio Revised Code (the "TIF Statute") and to require the owners of parcels included in the Premier Property (collectively, "Owners"), to make Service Payments In Lieu of Taxes ("Service Payments") and to use such Service Payments to pay a portion of the cost of certain private and public infrastructure improvements; and

WHEREAS, the Village proposes to enact Ordinance No. \_\_\_\_\_ (the "TIF Ordinance") on or after December \_\_, 2020, and therein (a) declare to be a public purpose the improvement to the Premier Property and authorize the execution of a Development Agreement (the "Development Agreement") between the Village and Premier Oakwood, LLC, as the Owner of the Premier Property, providing for, among other things, the exemption of the increase in value of the Premier Property subsequent to the passage of the TIF Ordinance (each improvement having the meaning as set forth in the TIF Act and collectively referred to herein as the "Improvements") relating to the Premier Property consistent with the objectives stated in the TIF Ordinance and the payment of Service Payments with respect to such Improvements, and (b) authorize the execution of this Agreement; and

WHEREAS, the Village and the School District will derive substantial and significant benefits from the Improvements; and

WHEREAS, on \_\_\_\_\_, 2020, and prior to the passage of the TIF Ordinance, the Board of the School District adopted a resolution granting its approval of this Agreement and the exemption of the real property taxes on the Improvements as provided in the TIF Ordinance and waived any further requirements of the TIF Act and Sections 5709.82 and 5709.83 of the Ohio Revised Code on the condition that the Village execute and deliver this Agreement; and

WHEREAS, the TIF Ordinance provides for a 30-year, 100% exemption from real property taxes with respect to the Improvements on the Premier Property (the "TIF Exemption") and for the payment of Service Payments; and

WHEREAS, to facilitate the construction of certain public and private improvements to the Premier Property and to compensate the School District for a portion of the real property taxes that the School District would have received had the Premier Property been improved and not been exempted from taxation, the Village and the School District have determined to enter into this Agreement, which Agreement is in the vital and best interest of the Village and the School District and will improve the health, safety and welfare of the citizens of the Village and the School District;

NOW THEREFORE, in consideration of the premises and covenants contained in this Agreement, the parties agree as follows:

Section 1. School District Approval and Agreement. In consideration of the compensation to be provided to it under this Agreement, the School District hereby approves the TIF Exemption in the amount of up to 100% for up to 30 years, as provided for in the TIF Ordinance, and waives any payment of income tax revenues derived from new employees at the Premier Property as provided in Section 5709.82 of the Ohio Revised Code.

Section 2. Compensation Payments to School District.

(a) The parties agree that, as consideration for the School District's agreement in Section 1 above:

(i) commencing with the first collection year in which Service Payments are received by the Cuyahoga County Treasurer (the "Treasurer") with respect to any portion of the Premier Property, and ending with the fifteenth collection year in which Service Payments are received by the Treasurer with respect to that portion of the Premier Property, the School District shall not receive any portion of the real property taxes that would have been distributed to the School District but for the TIF Exemption. For avoidance of doubt, the Premier Property will be improved by different phases of building such that improvements will be added to the tax duplicate in differing years.

(ii) commencing with the sixteenth collection year in which Service Payments are received by the Treasurer with respect to that particular portion of the Premier Property, and ending with the collection year in which the TIF Exemption ends, the Village shall cause the Treasurer to pay semi-annually to the School District, but solely from Service Payments received by the Treasurer, an amount



equal to 100% of the amounts, if any, the School District would have received but for the TIF Exemption. In addition, the Village shall cause the Developer to pay to the School District the amount of Forty Thousand Dollars (\$40,000) annually in each of the years 2024 through and including 2038.

(b) The payments specified in subsection (ii) shall be made only to the extent that the Treasurer actually receives Service Payments in an amount equal to the real property taxes that the School District would have received, but for the TIF Exemption. Amounts to be received by the School District in accordance with subsection (ii) of this Section 2 are collectively referred to herein as “TIF Revenue Payments.” In the event that in any year the amount of Service Payments actually received by the Treasurer are not equal to the TIF Revenue Payments to be received under this Section 2, such amounts shall be carried forward and will be payable from amounts received in future years after reimbursement of the School District for the applicable percentage of taxes that the School District would have received in such future year. In the event that the valuation of the Premier Property is challenged by an Owner or by the School District and the result of such challenge is an increase or decrease in the assessed valuation of such parcel which increase or decrease is finally determined, either through all appeals or after expiration of any appeal period, in a later collection year, the TIF Revenue Payments due to the School District in the year of such final determination and thereafter shall be increased or decreased to reflect such increased or decreased valuation.

Section 3. Timing of Payments. The Treasurer shall distribute the TIF Revenue Payments to the School District in accordance with law. The payments due under Section 2(a)(ii) shall be paid to the School District not later than January 31 of each collection year that the TIF Exemption is in effect, commencing with the calendar year in which the first Service Payments are distributed by the Treasurer. The records of the Village relating to the amount of any TIF Revenue Payment or other payment shall be made available to the School District for audit annually by the treasurer of the School District or by an independent auditor of the School District’s choice and at its sole expense.

Section 4. Sharing of Information. The Village agrees to cooperate to share information with the School District as to its receipt of Service Payments upon request of the School District, subject to any restrictions imposed by law, and shall provide the School District with a copy of information it sends to the State to comply with annual reporting requirements in connection with the exemption under the TIF Ordinance.

Section 5. Amendment. This Agreement may be amended or modified by the parties only in writing, signed by both parties to the Agreement.

Section 6. Entire Agreement, Waiver of Notice. This Agreement sets forth the entire agreement and understanding between the parties as to the subject matter hereof and merges and supersedes all prior discussions, agreements, and undertakings of every kind and nature between the parties with respect to the subject matter of this Agreement. The School District hereby waives any notice requirements set forth in the TIF Act or in Sections 5709.82, 5709.83 and 5715.27(D)

of the Ohio Revised Code with respect to the TIF Exemption and waives any defects or irregularities relating to the TIF Exemption.

Section 7. Notices. All payments, certificates and notices which are required to or may be given pursuant to the provisions of this Agreement shall be sent by the United States ordinary mail, postage prepaid, and shall be deemed to have been given or delivered when so mailed to the address set forth in the first paragraph of this Agreement, to the attention of the Mayor or the Superintendent, as applicable. Either party may change its address for receiving notices and reports by giving written notice of such change to the other party.

Section 8. Severability of Provisions. The invalidity of any provision of this Agreement shall not affect the other provisions of this Agreement, and this Agreement shall be construed in all respects as if any invalid portions were omitted.

Section 9. Counterparts. This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any party to this Agreement may execute this Agreement by signing any such counterpart.

*Remainder of Page Intentionally Left Blank*

*Signature Page Follows*

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed and delivered on the date set forth above.

VILLAGE OF OAKWOOD, OHIO

BOARD OF EDUCATION OF THE  
BEDFORD CITY SCHOOL DISTRICT

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Superintendent

By: \_\_\_\_\_  
Treasurer

By: \_\_\_\_\_  
President of the Board of Education

Approved as to legal form:

\_\_\_\_\_  
Law Director



**SECTION 5705.41**  
**CERTIFICATE OF AVAILABILITY OF FUNDS**

The undersigned, Director of Finance of the Village of Oakwood, Ohio (the "Village"), hereby certifies in connection with the Compensation Agreement between the Village and the Bedford City School District, dated \_\_\_\_\_, 2020, that:

The amount required to meet the contract, obligation, or expenditure for the attached, has been lawfully appropriated for the purpose, and is in the treasury or in process of collection to the credit of an appropriate fund, free from any outstanding obligation or encumbrance.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Director of Finance

Dated: \_\_\_\_\_, 2020

To Codified? W 1st Read 1/20/21 2nd Read 1/24/21 3rd Read \_\_\_\_\_ Under Suspension 4/6/21 1/26/21

ORDINANCE NO. -2021-06

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE, EXEMPTING THE IMPROVEMENTS TO SUCH PARCELS FROM REAL PROPERTY TAXATION FOR A PERIOD OF THIRTY YEARS, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE BEDFORD CITY SCHOOL DISTRICT REGARDING SUCH EXEMPTION, REQUIRING THE OWNERS OF SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.41, 5709.42 AND 5709.43, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood (the "Village") has acquired title to certain parcels of real property located in the Village, more fully described as Permanent Parcel Nos. 795-50-014, 795-50-013, 795-49-010, 795-15-048, 795-50-012, 795-50-011, 795-49-005, 759-49-006 and 795-49-007 (collectively referred to as the "Property"), as shown on Exhibit "A" attached hereto and incorporated herein, for the purpose of urban redevelopment of the Property pursuant to a Development Agreement approved by the Oakwood Village Council in furtherance of the City's policy of urban redevelopment as evidenced by the Village of Oakwood Community Reinvestment Area Housing Survey performed by Chagrin Valley Engineering and dated December 2018 which was approved by the Oakwood Village Council on or about January 19, 2019 in Ordinance No. 2019-09; and

WHEREAS, Interstate-McBee, LLC (the "Owner") is interested in redevelopment of the Property by the construction of a commercial real estate project consisting of buildings and other commercial real estate components consistent with the applicable zoning code, along with related landscaping and improvements, as further described in Exhibit "B" attached hereto and incorporated herein, thereby creating jobs and employment opportunities for the residents of the Village and Cuyahoga County; and

WHEREAS, certain public infrastructure improvements are required in order for Owner to proceed with the development of the Property, which include infrastructure described in more detail on Exhibit "C" attached hereto and incorporated herein (collectively, the "Improvements") which Improvements include improvements to certain portions of the Property; and

WHEREAS, Ohio Revised Code Sections 5709.41, 5709.42 and 5709.43 authorize this Council to declare all of the Improvements (as defined in Ohio Revised Code Section 5709.41)

with respect to real property which has been owned by the Village and thereafter conveyed to a private person to be a public purpose, thereby authorizing the exemption of those Improvements from real property taxation for a period of years and to provide for the making of service payments in lieu of taxes by the owner of such parcel and to establish an urban redevelopment tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, the Village has determined that it is necessary and appropriate and in the Village's best interest to provide for service payments in lieu of taxes with respect to the Property pursuant to Ohio Revised Code Section 5709.42 (the "Service Payments") to pay a portion of the costs of the redevelopment of the Property and the Improvements; and

WHEREAS, the Property is located within the boundaries of the Bedford City School District (the "School District"); and the School District has been notified of the City's intent to pass this Ordinance in accordance with Ohio Revised Code Sections 5709.41(C) and 5709.83; and

WHEREAS, the Village and the School District have agreed to enter into a Compensation Agreement substantially in the form attached hereto and incorporated herein as Exhibit "D" (the "Compensation Agreement");

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OAKWOOD, STATE OF OHIO, that:

Section 1. This Council finds and determines that the Improvements described in Exhibits "B" and "C", to be constructed by the Owner or its designee, are declared to be a public purpose for purposes of Section 5709.41 of the Ohio Revised Code.

Section 2. The Mayor is hereby authorized to enter into the Compensation Agreement with the Board of Education of the School District in substantially the form attached hereto and incorporated herein as Exhibit "D", with such changes therein as are not adverse to the Village, as evidenced by the Mayor's signature thereon.

Section 3. Pursuant to and in accordance with the provisions of Section 5709.41 of the Ohio Revised Code, 100% of the Improvements are hereby declared to be a public purpose for a period of thirty (30) years and exempt from taxation for a period of thirty (30) years, commencing with the effective date of this Ordinance and continuing for a period of thirty (30) years (the "TIF Exemption").

Section 4. As provided in Section 5709.42 of the Ohio Revised Code, the owner or owners of the Property are hereby required to and shall make semi-annual Service Payments to the Cuyahoga County Treasurer (the "County Treasurer") on or before the final dates for payment of real property taxes due and payable with respect to the Improvements. In accordance with Section 5709.42 of the Ohio Revised Code, the County Treasurer is hereby requested to distribute a portion of the Service Payments directly to the School District in the amount provided for in the Compensation Agreement. The remaining Service Payments, when distributed to the Village by the County Treasurer, shall be deposited in the Interstate-McBee Urban Redevelopment Tax Increment Equivalent Fund (the "Fund") established in Section 5



hereof. This Council hereby authorizes the Mayor, the Director of Finance and the Village Law Director and other appropriate officers of the City to provide such information and certifications and to execute and deliver or accept delivery of such instruments as are necessary and incidental to collection of those Service Payments and to make such arrangements as are necessary and proper for payment of those Service Payments.

Section 5. This Council hereby establishes pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, the Fund, into which shall be deposited all of the Service Payments distributed to the Village with respect to the Improvements, by or on behalf of the County Treasurer as provided in Section 5709.42 of the Ohio Revised Code, and hereby provides that the moneys deposited in the Fund shall be paid to the Owner to pay any or all acquisition, construction, installation or financing costs, and any or all other direct and indirect costs of the Project, or to reimburse the Owner for such costs, or retained by the Village in accordance with the Development Agreement previously approved by this Council. The Fund shall remain in existence so long as Service Payments are collected and used for the aforesaid purposes, after which time the Fund shall be dissolved in accordance with Section 5709.43 of the Ohio Revised Code and any moneys remaining therein shall be paid to the Village.

Section 6. Pursuant to Section 5709.41(E) of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Development Services Agency of the State of Ohio (the "Director") within fifteen days after its passage. On or before March 31st of each year that the exemption set forth in Section 3 hereof remains in effect, the Mayor or other authorized officer of this Village shall prepare and submit to the Director the status report required under Section 5709.40(I) of the Ohio Revised Code.

Section 7. This Council determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 8. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the Village, and for the further reason that this Ordinance is required to be immediately effective so that the Village can maximize the amount of Service Payments to be received from the Property and pursue economic development opportunities benefitting the Village and its residents for which time is of the essence; wherefore, this Ordinance shall become immediately effective upon receiving the affirmative vote of two thirds of all members elected to Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED \_\_\_\_\_, 2021

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED:

\_\_\_\_\_  
Clerk of Council

FILED WITH MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR, VILLAGE OF OAKWOOD

**EXHIBIT A  
PROPERTY**

Village of Oakwood

Permanent Parcel Numbers

The entirety of the following parcels:

795-50-014  
795-50-013  
795-49-010  
795-15-048  
795-50-012  
795-50-011  
795-49-005  
795-49-006  
795-49-007



## EXHIBIT B

### Description of the Project

The Owner is proposing to build a series of two (2) buildings, the first being a 200,000 square foot office/warehouse facility (expandable to 300,000 square feet) and the second a 100,000 square foot manufacturing facility both of which are to be located off Oak Leaf Road on property known as Permanent Parcel Nos., 795-50-014, 795-50-013, 795-49-010, 795-15-048; 795-50-012, 795-50-011, 795-49-0005, 795-49-006 and 795-49-007 within the Village's Community Reinvestment Area No. 1.

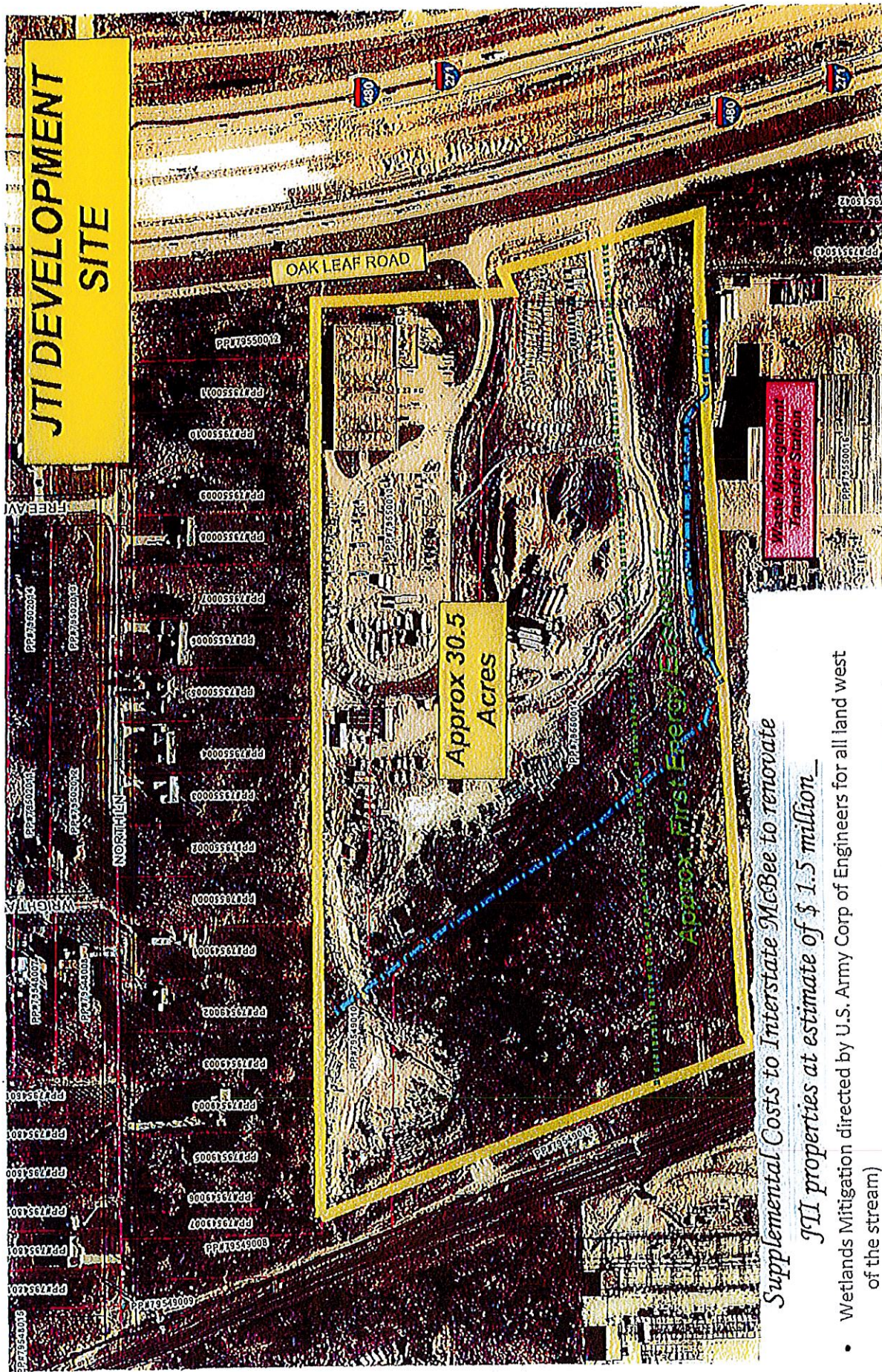
## EXHIBIT C

### Improvements

The Project shall include but not be limited to:

- Construction of the buildings upon the Project Site, replacement thereof and repairs thereto;
- The provision of utilities and utility connections to the Project Site including but not limited to storm water drainage/detention/retention improvements and measures, sanitary sewerage, water mains and connections, fire hydrants, gas, telecommunications and all trenching and conduits for public utilities;
- Environmental remediation including but not limited to wetlands mitigation for the Project Site;
- Relocation of a stream running through the Project Site which has been determined by the Army Corps of Engineers to be a regulated waterway;
- Stabilization of the subsoil for building pads and other purposes which geotechnical evaluations have determined to be unstable due to previous fill activities;
- Land acquisition including, but not limited to, the possible purchase of two rezoned properties on North Lane including screening and beautification;
- Demolition, abatement and other rehabilitation expenses related to existing buildings and structures;
- Construction of an access road onto the Project Site from Oak Leaf Road as well as screening and beautification of same;
- Mounding, screening and landscaping of the adjacent Waste Management facility which periodically emits noxious odors and is unsightly;
- Screening of all adjacent properties not otherwise mentioned;
- The maintenance of all screening and landscaping;
- Permitting and other fees and costs;
- Reconstruction of Fair Oaks Road and Oak Leaf Road to be constructed and paid for by the Village;
- Financing and other carrying costs associated with the Project;
- Professional services and other soft costs associated with the Project including, but not limited to, engineering, legal and consulting services;
- Professional services associated with the establishment and administration of tax increment financing (TIF) arrangements;
- Payments in Lieu of Taxes (PILOTS) and similar arrangements with the Board of Education of the Bedford City School District and/or other public entities associated with the TIF or otherwise;
- Payments to the Board of Education of the Bedford City School District and Oakwood Village for agreeing to development incentives.





### *Supplemental Costs to Interstate McBee to renovate*

*JTI properties at estimate of \$ 1.5 million\_*

- Wetlands Mitigation directed by U.S. Army Corp of Engineers for all land west of the stream)
- Relocation of stream deemed "regulated waterway" by Army Corp of Engineers
- Stabilization of "unstable subsoil due to previous fill activities from a geotech study
- Mounding & landscaping to screen Waste Management Transfer Station facility
- Avoid construction around First Energy high power lines



Exhibit D  
Compensation Agreement



## EXHIBIT D

### COMPENSATION AGREEMENT

This Compensation Agreement (the "Agreement") is made and entered into as of \_\_\_\_\_, 2021, by and between the VILLAGE OF OAKWOOD, OHIO (the "Village"), a municipal corporation organized and existing under the constitution, its Charter, and the laws of the State of Ohio with its principal offices at Oakwood Village Hall, 24800 Broadway, Oakwood Village, Ohio 44146, and the BOARD OF EDUCATION OF THE BEDFORD CITY SCHOOL DISTRICT (the "School District"), a public school district with its principal offices located at 475 Northfield Road, Bedford, OH 44146.

#### WITNESSETH:

WHEREAS, pursuant to Ohio Revised Code Section 5709.41, .42, and .43 (together with related provisions of the Ohio Revised Code, the "TIF Act"), the Village may, among other things, (i) declare the increase in assessed value of real property located in the Village to be a public purpose, thereby exempting such increase from real property taxation for a period of time; (ii) provide for the making of service payments in lieu of taxes by the owners of such real property; and (iii) provide for compensation payments to the affected school districts out of such service payments in lieu of taxes; and

WHEREAS, the Village proposes to establish a tax increment financing district with respect to certain property located on or near Oak Leaf Road in the Village, as more fully described in Exhibit "A" attached hereto and incorporated herein (the "Interstate-McBee Property") including future additions to or extensions of the Interstate-McBee Property, to exempt from real property taxation the Interstate-McBee Property pursuant to Section 5709.41 of the Ohio Revised Code (the "TIF Statute") and to require the owners of parcels included in the Interstate-McBee Property (collectively, "Owners"), to make Service Payments In Lieu of Taxes ("Service Payments") and to use such Service Payments to pay a portion of the cost of certain private and public infrastructure improvements; and

WHEREAS, the Village proposes to enact Ordinance No. \_\_\_\_\_ (the "TIF Ordinance") on or after \_\_\_\_\_, 2021, and therein (a) declare to be a public purpose the improvement to the Interstate-McBee Property and authorize the execution of certain agreements between the Village and Interstate-McBee, LLC, as the Owner of the Interstate-McBee Property, providing for, among other things, the exemption of the increase in value of the Interstate-McBee Property subsequent to the passage of the TIF Ordinance (each improvement having the meaning as set forth in the TIF Act and collectively referred to herein as the "Improvements") relating to the Interstate-McBee Property consistent with the objectives stated in the TIF Ordinance and the payment of Service Payments with respect to such Improvements, and (b) authorize the execution of this Agreement; and

WHEREAS, the Village and the School District will derive substantial and significant benefits from the Improvements; and

WHEREAS, on \_\_\_\_\_, 2021, and prior to the passage of the TIF Ordinance, the Board of the School District adopted a resolution granting its approval of this Agreement and the exemption of the real property taxes on the Improvements as provided in the TIF Ordinance and waived any further requirements of the TIF Act and Sections 5709.82 and 5709.83 of the Ohio Revised Code on the condition that the Village execute and deliver this Agreement; and

WHEREAS, the TIF Ordinance provides for a 30-year, 100% exemption from real property taxes with respect to the Improvements on the Interstate-McBee Property (the "TIF Exemption") and for the payment of service payments in lieu of taxes with respect to such Improvements ("Service Payments"); and

WHEREAS, to facilitate the construction of certain public and private improvements to the Interstate-McBee Property and to compensate the School District for a portion of the real property taxes that the School District would have received had the Interstate-McBee Property been improved and not been exempted from taxation, the Village and the School District have determined to enter into this Agreement, which Agreement is in the vital and best interest of the Village and the School District and will improve the health, safety and welfare of the citizens of the Village and the School District;

NOW THEREFORE, in consideration of the promises and covenants contained in this Agreement, the parties agree as follows:

Section 1. School District Approval and Agreement. In consideration of the compensation to be provided to it under this Agreement, the School District hereby approves the TIF Exemption in the amount of up to 100% for up to 30 years, as provided for in the TIF Ordinance, and waives any payment of income tax revenues derived from new employees at the Interstate-McBee Property as provided in Section 5709.82 of the Ohio Revised Code.

Section 2. Compensation Payments to School District.

(a) The parties agree that, as consideration for the School District's agreement in Section 1,

(i) commencing with the first (1<sup>st</sup>) collection year in which Service Payments are received by the Cuyahoga County Treasurer (the "Treasurer") with respect to the Interstate-McBee Property, and ending with the tenth (10<sup>th</sup>) collection year in which Service Payments are received by the Treasurer with respect to the Interstate-McBee Property, the Village shall cause the Treasurer to pay semi-annually to the School District, but solely from Service Payments received by the Treasurer, an amount equal to forty percent (40%) of the real property taxes that would have been distributed to the School District but for the TIF Exemption.

(ii) commencing with the eleventh (11<sup>th</sup>) collection year in which Service Payments are received by the Treasurer with respect to the Interstate-McBee Property, and ending with the fifteenth (15<sup>th</sup>) collection year in which Service Payments are received by the Treasurer with respect to the Interstate-



McBee Property, the Village shall cause the Treasurer to pay semi-annually to the School District, but solely from Service Payments received by the Treasurer, an amount equal to ten percent (10%) of the real property taxes that would have been distributed to the School District but for the TIF Exemption.

(iii) Commencing with the sixteenth (16<sup>th</sup>) collection year in which Service Payments are received by the Treasurer with respect to the Interstate-McBee Property and continuing until the TIF Exemption ends, the Village shall cause the Treasurer to pay semi-annually to the School District, but solely from Service Payments received by the Treasurer, an amount equal to one hundred percent (100%) of the amounts, if any, the School District would have received but for the TIF Exemption.

(b) The payments specified in subsection (a) shall be made only to the extent that the Treasurer actually receives Service Payments in an amount equal to the real property taxes that the School District would have received, but for the TIF Exemption. Amounts received by the School District in accordance with subsection (a) of this Section 2 are collectively referred to herein as "TIF Revenue Payments." In the event that in any year the amount of Service Payments actually received by the Treasurer are not equal to the TIF Revenue Payments to be received under this Section 2, such amounts shall be carried forward and will be payable from amounts received in future years after reimbursement of the School District for the applicable percentage of taxes that the School District would have received in such future year. In the event that the valuation of the Interstate-McBee Property is challenged by an Owner or by the School District and the result of such challenge is an increase or decrease in the assessed valuation of such parcel which increase or decrease is finally determined, either through all appeals or after expiration of any appeal period, in a later collection year, the TIF Revenue Payments due to the School District in the year of such final determination and thereafter shall be increased or decreased to reflect such increased or decreased valuation.

Section 3. Additional Payments. In addition, the Village shall cause Interstate-McBee to pay to the School District Twelve thousand and 00/100 Dollars (\$12,000.00) per year commencing in the second year in which Interstate-McBee receives tax abatements as provided herein and continuing thereafter for a total of fifteen (15) years of payments.

Section 4. Timing of Payments. The Treasurer shall distribute the TIF Revenue Payments to the School District in accordance with law. The payments due under Section 2(a) shall be paid to the School District not later than January 31 of each collection year that the TIF Exemption is in effect, commencing with the calendar year in which the first Service Payments are distributed by the Treasurer. The records of the Village relating to the amount of any TIF Revenue Payment or other payment shall be made available to the School District for audit annually by the treasurer of the School District or by an independent auditor of the School District's choice and at its sole expense.

Section 5. Sharing of Information. The Village agrees to cooperate to share information with the School District as to its receipt of Service Payments upon request of the School District, subject to any restrictions imposed by law and shall provide the School District with a copy of information it sends to the State to comply with annual reporting requirements in connection with the exemption under the TIF Ordinance.

Section 6. Amendment. This Agreement may be amended or modified by the parties only in writing, signed by both parties to the Agreement.

Section 7. Entire Agreement, Waiver of Notice. This Agreement sets forth the entire agreement and understanding between the parties as to the subject matter hereof and merges and supersedes all prior discussions, agreements, and undertakings of every kind and nature between the parties with respect to the subject matter of this Agreement. The School District hereby waives any notice requirements set forth in the TIF Act or in Sections 5709.82, 5709.83 and 5715.27(D) of the Ohio Revised Code with respect to the TIF Exemption and waives any defects or irregularities relating to the TIF Exemption.

Section 8. Notices. All payments, certificates and notices which are required to or may be given pursuant to the provisions of this Agreement shall be sent by the United States ordinary mail, postage prepaid, and shall be deemed to have been given or delivered when so mailed to the address set forth in the first paragraph of this Agreement, to the attention of the Mayor or the Superintendent, as applicable. Either party may change its address for receiving notices and reports by giving written notice of such change to the other party.

Section 9. Severability of Provisions. The invalidity of any provision of this Agreement shall not affect the other provisions of this Agreement, and this Agreement shall be construed in all respects as if any invalid portions were omitted.

Section 10. Counterparts. This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any party to this Agreement may execute this Agreement by signing any such counterpart.

*Remainder of Page Intentionally Left Blank*

*Signature Page Follows*



IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed and delivered on the date set forth above.

VILLAGE OF OAKWOOD, OHIO

BOARD OF EDUCATION OF THE  
BEDFORD CITY SCHOOL DISTRICT

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Superintendent

By: \_\_\_\_\_  
Treasurer

By: \_\_\_\_\_  
President of the Board of Education

Approved as to legal form:

\_\_\_\_\_  
Law Director

**SECTION 5705.41**  
**CERTIFICATE OF AVAILABILITY OF FUNDS**

The undersigned, Director of Finance of the Village of Oakwood, Ohio (the "Village"), hereby certifies in connection with the Compensation Agreement between the Village and the Bedford City School District, dated \_\_\_\_\_, 202\_, that:

The amount required to meet the contract, obligation, or expenditure for the attached, has been lawfully appropriated for the purpose, and is in the treasury or in process of collection to the credit of an appropriate fund, free from any outstanding obligation or encumbrance.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Director of Finance

Dated: \_\_\_\_\_, 202\_

To Codified?    1st Read \_\_\_\_\_ 2nd Read \_\_\_\_\_ 3<sup>rd</sup> Read \_\_\_\_\_ Under Suspension \_\_\_\_\_

ORDINANCE NO. 2021-09

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM FOR SINGLE FAMILY PROPERTIES LOCATED IN THE VILLAGE.**

**WHEREAS**, it is the finding of the Mayor and Council, based upon a variety of information and factors including a Housing Study performed by Chagrin Valley Engineering dated December 2018 and significant economic development planned for the Village, that it would be beneficial to the residents of the Village to provide incentives and assistance to owners of single-family housing units within the Village in performing exterior repairs and maintenance to their properties; and,

**WHEREAS**, the Village has successfully implemented an Exterior Home Repair Assistance Program in Ordinance No. 2019-22 for residents of Ward 4;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Oakwood, County of Cuyahoga , and State of Ohio that:

SECTION 1: The Mayor and Council hereby authorize the establishment of the Oakwood Exterior Home Repair Program (hereinafter "the Program") for the years 2024 through and including 2028 to be administered by the Mayor or his authorized designee.

SECTION 2: Participants eligible for the Program shall be owners of single family residences located in all Wards of the Village other than Ward 4 who shall submit applications on forms developed by the Administrator for reimbursement of 75 % of qualifying expenses for exterior upgrades or repairs up to a total reimbursement of \$3,000.00 (75% of total project costs of \$4,000.00) for owner-occupied properties and 50% of qualifying expenses for exterior upgrades or repairs up to a total reimbursement of \$2,000.00 (50% of total project costs of \$4,000.00) for nonowner-occupied properties. Participation shall be limited to a total yearly expenditure of \$80,000.00 for the years 2024 through 2028. All applications and expenditures shall be subject to approval by Council. Further criteria are set forth in Exhibit "A" attached hereto.

SECTION 3: Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 2 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the Village. The Director of Finance is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 2 hereof and is further directed to issue vouchers of the Village in the amounts and for the purposes expressed in Section 2 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 4: This ordinance shall take effect at the earliest time allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Johnnie A Warren, President of Council

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

Presented to the  
Mayor \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor, Gary V. Gottschalk

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2021 - 09 was duly and regularly passed by this Council at the meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2021.

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

### **POSTING CERTIFICATE**

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2021 – 09 was duly posted on the \_\_\_\_ day of \_\_\_\_\_, 2021, and will remain posted for a period of fifteen (15) days thereafter as provided by the Village Charter.

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

DATED: \_\_\_\_\_



## **Exhibit A**

### **OAKWOOD EXTERIOR HOME REPAIR PROGRAM**

#### **Purpose**

To maintain and improve the physical condition and aesthetics of single family properties located in the Village thereby benefitting the entire Village.

#### **Program Summary**

- Participants eligible for the program shall be owners of single-family residences in the Village with the exception of Ward 4 which has already benefitted from an exterior home repair program approved in Ordinance No. 2019-22. Owners shall submit applications on forms developed by the Program Administrator.
- Participants may be eligible for reimbursement of 75 % of qualifying expenses for exterior upgrades or repairs up to a total reimbursement of \$3,000.00 (75% of total project costs of \$4,000.00) for owner-occupied properties or 50% of qualifying expenses for exterior upgrades or repairs up to a total reimbursement of \$2,000.00 (50% of total project costs of \$4,000.00) for nonowner- occupied properties.
- Participation shall be limited to a total yearly expenditure of \$80,000.00 for the years 2024 through 2028.
- Eligibility is limited to one (1) award per address during the term of the program.
- All work must be performed by qualified contractors who are licensed, bonded, insured and registered with the Village of Oakwood.
- Any applications not acted upon by Council because authorized funding has been committed for the year will be carried over to the following year unless withdrawn by the applicant.
- All applications and expenditures shall be subject to approval by Council.

#### **Eligible Repairs and Improvements**

Eligible projects may include exterior improvements such as roof repairs, siding replacement, siding repairs and/or painting, window replacements, installation or repair of driveways, new shutters, gutters and downspouts, pruning or removal of nuisance trees, etc. Improvements must comply with all applicable planning, zoning, building and other code regulations including all inspections and payment of any associated permit fees.

#### **Reimbursement**

Property owners are eligible for reimbursements as outlined above after submitting an application to the Program Administrator or his designee, an inspection of the improvements by the Chief Building Official or his designee, proof that all contractors and suppliers have been paid in full for services and materials provided for the project and Council approval.

To Codified?    1st Read \_\_\_\_\_ 2nd Read \_\_\_\_\_ 3<sup>rd</sup> Read \_\_\_\_\_ Under Suspension.

ORDINANCE NO. 2021-10

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE AMENDING ORDINANCE 2019-22 AUTHORIZING THE ESTABLISHMENT OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM FOR SINGLE FAMILY PROPERTIES LOCATED IN WARD 4.**

**WHEREAS**, it is the finding of the Mayor and Council, based upon a variety of information and factors including a Housing Study performed by Chagrin Valley Engineering dated December 2018 and significant economic development planned for Ward 4, that it would be beneficial to the residents of Ward 4 and the Village as a whole to provide incentives and assistance to owners of single family housing units within Ward 4 in performing exterior repairs and maintenance to their properties; and

**WHEREAS**, Council has determined that economic circumstances and other developments within the Village have necessitated modifications to the Exterior Home Repair Assistance Program for residents of Ward 4 established in Ordinance 2019-22;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1: That Ordinance 2019-22 which presently reads as follows:

SECTION 1: The Mayor and Council hereby authorize the establishment of the Ward 4 Exterior Home Repair Program (hereinafter “the Program”) for the years 2019 through and including 2023 to be administered by the Mayor or his authorized designee.

SECTION 2: Participants eligible for the Program shall be owners of single family residences in Ward 4 who shall submit applications on forms developed by the Administrator for reimbursement of 75% of qualifying expenses for exterior upgrades or repairs up to a total reimbursement of \$3,000.00 (75% of total project costs of \$4,000.00) for owner-occupied properties. Participation shall be limited to a total yearly expenditure of \$80,000.00 for the year 2019 and total yearly expenditures of \$148,750.00 for the years 2020 through 2023 from line item 101.7799.57161. All applications and expenditures shall be subject to approval by Council. Further criteria are set forth in Exhibit “A” attached hereto.

SECTION 3: Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 2 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the Village. The Director of Finance be and is hereby further



authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 2 hereof and is further directed to issue vouchers of the Village in the amounts and for the purposes expressed in Section 2 hereof, said amounts to be charged to the appropriately designated Fund.\_

SECTION 4: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the inhabitants of the Village or Oakwood being that the foregoing repairs and upgrades are necessary to preserve the environment and economic well-being of the Village and therefore this Ordinance shall take effect and be in force immediately upon its adoption and approval by the Mayor provided it receives at least five affirmative votes of the members of Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

be and hereby is amended to read as follows:

SECTION 1: The Mayor and Council hereby authorize the establishment of the Ward 4 Exterior Home Repair Program (hereinafter "the Program") for the years 2022 through and including 2025 to be administered by the Mayor or his authorized designee.

SECTION 2: Participants eligible for the Program shall be owners of single family residences in Ward 4 who shall submit applications on forms developed by the Administrator for reimbursement of 75 % of qualifying expenses for exterior upgrades or repairs up to a total reimbursement of \$3,000.00 (75% of total project costs of \$4,000.00). Participation shall be limited to 27 applications and a total yearly expenditure of \$80,000.00 per year totaling \$320,000.00 which, when combined with expenditures during 2019 and 2020, is a total program cost of \$403,250.00. All applications and expenditures shall be subject to approval by Council. Further criteria are set forth in Exhibit "A" attached hereto. Additionally, Council authorizes the total sum of \$96,750.00 to be expended during the years 2022 through 2025 for the beautification of the following intersections: a) Macedonia Road and Drake Road, b) Macedonia Road and High Road, c) Alexander Road and Hickory Road, and d) Alexander Road and Fair Oaks Road.

SECTION 3: Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 2 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the Village. The Director of Finance be and is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 2 hereof and is further directed to issue vouchers of the Village in the amounts and for the purposes expressed in Section 2 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 4: The present version of Ordinance 2109-22 be and hereby is repealed.

SECTION 5: This Ordinance shall take effect at the earliest time permitted by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Johnnie A Warren, President of Council

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

Presented to the  
Mayor \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor, Gary V. Gottschalk

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2021 -10 was duly and regularly passed by this Council at the meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2021.

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

#### **POSTING CERTIFICATE**

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2021 – 10 was duly posted on the \_\_\_\_ day of \_\_\_\_\_, 2021, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.

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

DATED: \_\_\_\_\_



**VILLAGE OF OAKWOOD**  
**COUNCIL FINANCE MEETING MINUTES**  
**January 26, 2021**

**ATTENDED**

Johnnie A Warren – Council President

Brian Thompson-Finance

Elaine Gaither – Council-at-Large\*

Eloise Hardin-Ward 2

Melanie Sanders – Ward 3

Patricia Rogers – Ward 4

Candace Williams – Ward 5

**ABSENT**

Chris Callender-Ward 1

Mayor Gary Gottschalk

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Meeting opened at 6:06 by Warren

Pledge of Allegiance recited

**Thompson:** Council should have the big monthly report. **Clerk:** I did not receive it until late this afternoon, and it was too large to email. I didn't get it into Dropbox in time for this meeting. Those who wanted it in printed format have it.

**Thompson:** We will review that once everyone has that. The majority of that is in the General Fund with \$319,852 in January, ending the year at \$327,611. **Hardin:** What were we down due to Covid? **Thompson:** Approximately \$850,000.

About \$550,000 was from net profits from companies and the balance is straight income tax revenue. You can see the comparison on the summary report. Revenue Budget Report is the name of the document. You also have the 2019-2020 comparison as well. **Clerk:** That was emailed directly from Brian. **Thompson:** Correct. Some Council stated they don't see it. **Hardin:** These figures are critical based on the amount we lost. Can you tell us what we should have and make sure everyone has the documents to review timely. I am open to recommendations. This is frighteningly low to start the year.

**Thompson:** That has been our average over two-three years. As we discussed we should have \$300,000-\$600,000.

**Hardin:** Maybe I am missing something, what account does this balance relate to. **Thompson:** All General Fund operations.

**Warren:** The point is, even through the pandemic, the fund balance increased a little bit rather than decreased. The year end summary made a net difference of \$558,630.78. **Thompson:** Yes. That relates to cash in the bank.

**Warren:** That is what threw me off, we weren't talking specifically the Cash Fund, but the overall balances was always around \$500,000 which equates to a plan to try to get that up. On the second page of the summary sheet which contains the reconciliation of Oakwood Village bank accounts has listed \$558,630.78. **Thompson:** Yes. **Warren:** Then you take out the funding. **Thompson:** Those are adjustments for deposits in transit. That is a true final cash balance year ending 2020 in all funds. **Hardin:** What are the minuses? **Thompson:** There are a few deposits in transit. The deposits dated the end of December but hit the bank statement the following year. **Warren:** They are taking credit for money before they get it. **Thompson:** No way. Those are dollars that came in year end but with the holidays, the deposit showed up on a January statement. The reconciliation shows that. **Warren:** You made the deposit in 2020 but they didn't hit the statement until 2021. **Thompson:** Yes. **Hardin:** Now I understand. **Warren:** Total funding balance for 2020 and ending are what? **Thompson:** All fund totals began with \$498,576 including special funds and General Funds. Ending balance all funds is \$558,630. **Hardin:** What do you use to factor your bottom line? **Thompson:** That is \$558,630 we are discussing. That is General Fund and special operating funds for special purposes; Rec Fund, Sewer Fund, SCMR, etc. **Hardin:** This is the bottom line. **Thomson:** Yes, even with Covid. **Hardin:** We will have to give you an at-a-boy. **Thompson:** The challenge isn't over yet. **Hardin:** The objective was to have \$700,000.

*Premier Funds*

**Hardin** asked about the \$1 million. **Thompson:** I am optimistic on the Premier deal to close within 30 days. Once they pay us the \$1 million and carrying costs, we can take that note off our books. **Hardin** asked about carrying costs.

**Thompson:** About \$75,000. **Warren:** Are there bonds fees for this? **Thompson:** They aren't really on the high end. I can get back with you on the breakout. **Warren:** We are charging them that as well correct? **Thompson:** Yes, it is in writing.

**Warren:** We will get everything back we put into it. **Williams** asked about documents for that. **Thompson:** I am open to

any upcoming date. We have to get the hard copies to everyone. We will then move forward. **Williams:** Do you have a date in mind for the 2021 budget? **Thompson:** We have a timeline to do that by March 31<sup>st</sup>. If you want to go from department to department, we will have to plan those meetings out. I can get with Debbie on dates and poll Council. **Warren** suggested taking what we had last year, what we proposed based on 2020 taking ¼. If you propose any changes at year's end, just darken those numbers which may have changed including net totals. We can then compare one page to the next including a summary of what was changed. That will be the easiest way to do it. He asked Thompson to prepare November, December, January summaries compared to 2019 November, December, and 2020 January to review. We ended up surprisingly with an increase which is an additional \$60,054.60. **Williams:** I want to make sure we make a priority, so we don't end up with it on a formal meeting to review. **Warren:** That is why I asked him to simplify it so we don't have to go through the entire budget, but just to review those items which may have changed including revenue streams. **Hardin:** We spent a lot of time in each department. I understand this is a year like no other. Is that why you suggest doing the percentage again? **Warren:** I am not saying that. I suggest, since we don't know what our revenue will be, we will take 25% which was \$2,500,000. He has time to give us a 2021 budget to approve. It may end up being \$9 million. We are asking him to show us what changes may be from the proposed 2021 full budget. **Hardin:** This is a supplementary budget to look at? **Warren:** I want to look at proposed changes. He may reduce amounts of the budget; he will review it. I just suggested how to present the changes in bold. **Thompson:** We also need to expeditiously propose the dates. **Warren:** Do you expect any changes to the budget. **Thompson:** Everything we reviewed for 2021, I scaled down by \$750,000 already. I am confident it will be close to those numbers. I will evaluate those core numbers from RITA. **Williams:** I am talking about proposed 2021 budget in which we only approved 25%. If you foresee any changes in that budget. **Warren:** That is what I was asking. **Thompson:** That is why we approved the 25% so we could go back and review that number. **Williams:** You need the revenue numbers, correct? **Thompson:** They go hand-in-hand. The expense projections is based on the RITA projections. **Williams:** Are you anticipating changes to the 2021 budget? **Thompson:** There could be. **Warren:** I want to know how long it will take to put that information together. We want to get this budget passed way before March 31<sup>st</sup>. **Thompson** projected end of February. **Warren** asked when he can have the full 2021 budget. **Thompson** asked to meet the end of February to discuss it, having that to Council by February 19<sup>th</sup>. **Williams:** I want to be sure we don't get documents on a Friday when we meet on Tuesday. We need more time than that. **Thompson** asked if one week is good. **Williams:** At least that if not two weeks. **Warren:** If it is as simple as, him making minor changes, don't you agree? **Williams:** I do and I don't. We reviewed the numbers months ago. I am not sure what questions I will have after I receive the proposed revenue for 2021. We may see numbers that are off due to the proposed revenue. We need time to digest the information in the midst of a pandemic and how it will affect our budget. **Warren:** We are going to review his projections. **Williams:** I am saying, I want him to project the revenue and the budget to balance the two. We don't know what the pandemic will continue to do with our budget. **Thompson:** The Mayor is expecting net profits from life-science companies coming regaining at least ½ the net profits we lost in 2020. **Williams:** We expect those in 2021? **Thompson:** Yes. **Williams:** Will you have those numbers for us too? **Thompson:** Yes.

### *Contingency Budget*

**Williams:** Will you have a contingency budget? **Thompson:** We don't really operate on contingency budgets in government funding. Once we get the budget, I certify it to the County. It may not make sense. We can accomplish that in the end by making changes to the projections in 2021. It should impact the General Fund. **Williams:** I am confused about that. We haven't been operating on that but if we are trying to move toward that. **Thompson:** It is never a requirement to certify a contingency budget to the County. We did a temporary budget and by April 1<sup>st</sup>, we will have a full budget to the County. They won't come back to me asking for a contingency budget. If we make amended changes throughout the year forecasting, we can certify that to the County. **Williams:** I think you are missing my point. Contingency budget is when we have a shortfall the Village has funds not allocated but specifically for emergencies. That doesn't tie into the certified budget to the County. I am talking about the budget plan for the future. We have been talking about it for some time and we just need to work on that. **Warren:** How do you make a contingency budget on things you don't control? **Williams:** In the beginning, Brian looked at recommendations of Village budgets for our size and what to have as a contingency budget. That is a good start. **Warren:** That is where we are right now. **Williams:** How do we project getting to that amount over the next several years. Just because we are trying to find the information, doesn't mean we actually have the contingency budget over the next several years. **Warren:** A contingency budget isn't contingent upon anything based on the pandemic. You don't know how many businesses will be in Oakwood that were part of our budget historically. How many new businesses are going to produced? You can have a contingency budget, but we aren't even in a position to base our revenue and budget on that. We only have control over what expenses we have but our revenues, we aren't. Our revenues, at least 68%, are based on payroll. **Williams:** That has nothing to do with creating a plan for how you build a contingency budget. **Warren:** We have to review and put together a five-year plan before we can see a contingency



budget, contingent upon our five-year plan. **Williams:** We talked about that two years ago so now you are telling me we should wait a few more years. We can't keep doing this. **Warren:** We don't know how much money we need unless we know what we plan to do in the future. **Williams:** A lot of government entities do this. This is not new. How can they do it. There are best practices about how to do this. It isn't our job to know the details of that, but governments do this all the time. This is not a foreign idea. **Warren:** Good.

#### *Job Descriptions*

**Williams:** I have a few more things. Can you make sure we have all the job descriptions Brian? **Thompson:** The last one I gave you was the Building Dept. I am waiting on our EMS/Paramedics. I will review the check list to see which ones you may not have gotten and follow through. I think there are only a couple departments.

#### *HealthCare Team*

**Williams:** Do you know where we are with the Health Care team. **Thompson:** I did get some information over the weekend for our claims. The next step is the comparable analysis for communities and plans. A lot of communities are involved in their year-end process. I would say a couple more weeks for that exhibit. **Williams:** Thank you. We never got the full Covid-19 budget. Can you send that to us? **Thompson:** I sent it to Council before, but I can print it out in hard copies and where we are.

#### *Transparency*

**Williams:** Considering the GFOA best practices, can we post our financial documents on the website? **Thompson:** That is voluntary. We have a lot of transparency now with Standards and Poor. We have our cash reports certified by a CPA firm to the state and audits which everyone can review. We have the 50-page report which can be obtained. It is voluntary for the GFOA. We have a lot of transparency in place. **Williams:** What will it take to get our financial documents, especially when we have meetings for the community to review documents we are discussing, on our website for more transparency? **Thompson:** I am open. We do display them in the hallway. We can scan those to be pulled up monthly for our financials. **Williams:** Ok. **Thompson:** I will work with Debbie on putting that on the website.

#### *Finance Meetings*

**Clerk:** The Human Resources Committee finished their overview. We are waiting for Law to come back with the final document. Ms. Hardin if you could chime in on this please. I believe it will take a few months for him to review that. Is that right? **Hardin:** Yes. **Clerk:** Could we use the upcoming 6pm meeting prior to Council usually held for HRLMC to review financials while we are waiting for Law to review those documents? **Hardin:** Absolutely.

**Hardin:** I like to make it a matter of record, our condolences to the Fire Chief on the passing of his wife.

Meeting adjourned 6:58p

Motion to adjourn made by Rogers seconded by Hardin.

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

Adjourned 6:58pm

Adopted \_\_\_\_\_

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Debra L. Hladky, Clerk of Council

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Johnnie Warren, Council President

**VILLAGE OF OAKWOOD**  
**COUNCIL MEETING MINUTES**  
January 26, 2021

**ATTENDED**

Johnnie A Warren III, Council President	Gary Gottschalk-Mayor
Elaine Gaither-Council-at-large	Jim Climer-Law
Chris Callender – Ward 1*	Brian Thompson-Finance
Eloise Hardin – Ward 2	Daniel Marinucci – CBO
Melanie Sanders – Ward 3	Tom Haba - Service
Patricia Rogers – Ward 4	Chief Garratt-Police
Candace Williams – Ward 5	
ABSENT: James Schade-Fire Chief Carlean Perez-Recreation <u>*=Late Arrival</u>	Ed Hren – Engineer

Meeting opened 7:03 by Warren.  
Pledge of Allegiance and attendance taken.

*Minutes*

Motion to approve minutes of January 12, 2021 HRLMC made by Hardin seconded by Rogers.

VOTE: YES: Hardin, Sanders, Rogers, Williams Abstain: Warren, Gaither

Motion Passed

Motion to approve minutes of January 12, 2021 regular Council minutes made by Hardin seconded by Williams.

VOTE: YES: Hardin, Sanders, Rogers, Williams Abstain: Warren, Gaither

Motion Passed

Motion to approve Special Council minutes of January 20, 2021 made by Gaither seconded by Rogers.

VOTE: YES: Warren, Gaither, Hardin, Rogers, Abstain: Sanders, Williams

Motion Passed

Motion to approve minutes of January 21, 2021 special Council minutes made by Gaither seconded by Sanders.

VOTE: YES: Warren, Gaither, Hardin, Sanders, Rogers Abstain: Williams

Motion Passed.

*Departmental Reports*

**Police-Garratt:** I reported eight months ago we had our preliminary certification from the Ohio Collaborative Board. As of January 21, 2021, I am proud to say we have achieved our final certification set forth voluntarily throughout the State through the Ohio Governor's Office and several other boards which makes up the Policing Board – the Ohio Collaborative Police Advisory Board. We achieved our final certificate. With Covid it was more challenging, but I am proud to say we are certified under that board. **Warren:** Congratulations. **Williams:** What does that mean for our Village? **Garratt:** This board was set forth to a high standard ensuring trainings are up to date. This task force includes 24 members representing the Governor, Legislature, Attorney General, Supreme Court, local Law Enforcement, organized labor, communities, faith-based communities, municipalities, and prosecuting attorneys. The community can rest assured our Police Dept. follows the standards and is up to date on all training currently voluntary but eventually will be mandated. It shows your Police Dept. is up to snuff. Being we are registered through the State with the final certificate of the Ohio Collaborative Board should make you proud. As you know, I am very much involved the Police and the Officers being involved in the community. This is a huge accomplishment for us. It shows we care about the community and work with the community. **Williams:** I just want to be clear.



**Law-Climer:** We have several pieces of legislation coming up in the next week or two on Premier and Interstate McBee.

**Building-Marinucci:** Council received an email from Mary Davis. Since that time, Engineering, Legal and my office have had a joint conference regarding the appropriate course of action. I spoke to the owner today regarding those issues. I am requesting, along with Ed Hren, having a survey of what was done. I provided names of surveyors for Empire Tree. Hren we get that information it will be turned over to the Engineer. **Hardin** asked about it. **Marinucci:** It is for Mary Davis. It is an issue in which work was performed by Empire Tree. **Warren:** They put in a parking lot. **Marinucci:** A draining system too. **Warren** asked about the plans and specifications. **Marinucci:** They have not been approved. It will go through Ed Hren. **Warren:** They are doing that after the fact, am I correct? **Marinucci:** Yes. **Warren:** What is our position especially with a commercial job to that extent, to remedy for compliance and penalties for doing the job without a permit. No one can confirm they put in the proper base. **Marinucci:** This is not a black and white issue. The Village has been involved since the beginning. The Service Dept. and Ed Hren in the early stages of it. **Warren:** What does that have to do with pulling the permit? **Marinucci:** They did not pull a permit. **Warren:** What does that have to do with them not presenting plans and specifications. The Village doesn't even have the right to exempt their own requirements. **Rogers:** Ed Hren was not part of it from the beginning. **Warren** asked the Law Director to comment. **Climer:** They can be cited for improper construction and a stop work order can be put into place. **Warren:** Can you research that and send us an email tomorrow concerning the penalties for non-compliance of not pulling a permit and not presenting plans and specifications? **Climer:** I will do that. **Warren:** If there are fines and penalties. The next question is how we confirm compliance to our codes and ordinances after it is already done. This would not be an issue if they had done that and Ms. Davis would not be a victim of the owner of that tree service putting in the parking lot, not having proper support, grading, walls, excavation; we have to look into these things. **Williams:** I never saw anything on this if it was addressed to all of Council. **Rogers:** No, it was not addressed to all of Council. **Marinucci:** That project started and every time it rained the area flooded out. The owner put together a drawing and submitted it. He invested \$15-\$20,000 of his money to drain that whole area. There are three properties which abut his property. Mary Davis is on the right; I don't know the owner of the middle property or the left. The middle property takes the bulk of the square footage. By him putting that drain in with the concurrence of our Service Dept. it drains the whole area. Those three property owners are receiving a benefit of their rear yards by him draining them. **Warren:** That is good for him to drain it but the elevation of his property cannot encroach onto the adjacent properties. I had a long conversation with Ed Hren. Mr. Hren said he would have had to put that drain in anyway, but he never presented plans. Unless he presented plans by a certified Engineer will he be able to evaluate the drainage of that parking lot, compliance with the side and rear yards. The construction is already in and we do not know how much base he put in the parking lot and a top course he installed. We must figure out how to ensure he is compliant in all these items. We cannot give accolades for noncompliance of our codes and ordinances. There is no gratification or accolades to anyone who breaks our codes or does not comply. Inadvertently the drainage of that property would have resulted in those adjacent properties receiving water anyway. **Marinucci:** He represented he will put in topsoil, plant grass, and clean up the whole area in a discussion I had with him. **Hardin:** Why was this brought to Council. **Warren:** He was giving a report because a resident complained about the business, her neighbor, allegedly encroached on her property and cut trees down. The bottom line is the guy put in a parking lot and never submitted plans for it. He just put it in. **Hardin:** There isn't anything being asked of us. **Warren:** Correct. **Marinucci:** That is based upon the meeting with the Law Director and Engineer regarding the requirements and what is expected of the owner. I told the owner the requirements and passed that by Ed Hren. So, everyone should be on the same page. The information given is short, Ed will not approve it.

**Service-Haba:** On Martin Luther King Day we had a couple glitches on rubbish pick up. Most of the Village should have the large recycling cans now with yellow lids. If any do not have one within the next month, give me their address and we will check into it. **Rogers:** They have not been delivered in Ward 4 yet. **Hardin:** They did one side of each street in Ward 2; Lynbrook and Dennisport and the one whole side of Forbes. **Haba:** I will call him this week. **Rogers:** I haven't seen any in Ward 4. **Callender:** Thank you for the continued removal of trees. **Haba:** The Mayor asked us, and we took 9-10 truck loads out. The guys got poison ivy breakout. **Mayor:** No wonder the Service Dept. isn't talking to me.

**Finance-Thompson:** From our Finance meeting tonight, we looked at the 2020 end of the year. We started out the year with \$498,000 ending 2020 with \$558,000. Although we are not out of the woods, we will reconvene and move forward with our 2021 budget.

*Mayoral Report-Mayor:* With great reservation, I have no report. **Hardin:** Thank you for completing our work with the Human Resource Committee. Thank you for the methodology used to move through it quickly and smoothly. I look forward to the final product. Thank you for your assistance. We couldn't have done it without you and your firm. **Climer:** It is not often I hear that.

*Legislation*

Ord. 2021-03

*Premier CRA*

Introduced 1-19-2021 by

Mayor & Council as a whole

3rd reading

AN EMERGENCY ORDINANCE DETERMINING THE PERIOD OF TAX EXEMPTION FOR AN IMPROVEMENT TO REAL PROPERTY OWNED BY PREMIER OAKWOOD, LLC. LOCATED IN OAKWOOD COMMUNITY REINVESTMENT AREA NO. 1 AND AUTHORIZING THE MAYOR TO ENTER INTO A MUNICIPAL REVENUE SHARING AGREEMENT WITH THE BOARD OF EDUCATION OF THE BEDFORD CITY SCHOOL DISTRICT

Motion to adopt made by Rogers seconded by Callender

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

Motion Passed

Ord 2021-04

*Premier TIF*

Introduced 1-19-2021 by

Mayor & Council as a whole

3rd Reading

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE, EXEMPTING THE IMPROVEMENTS TO SUCH PARCELS FROM REAL PROPERTY TAXATION FOR A PERIOD OF THIRTY YEARS, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT REGARDING SUCH EXEMPTION REQUIRING THE OWNERS OF SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.41, 5709.42, AND 5709.43, AND DECLARING AN EMERGENCY

**Climer:** I ask this to be tabled because there are some late additions to the property by the Developer which should be included in this TIF. This form of TIF requires Oakwood to be in the chain of title at some point prior to the passing of the TIF. We expect those to be completed, unfortunately they are not. **Hardin:** We will amend this after it is given back to us then move it forward? **Climer:** I don't believe we have to amend it for the additional parcels. However, we have to wait for those properties to be included in the chain of title prior to passage. We understand that will take place within the next week or two. **Williams:** This is only a formality of the title? **Climer:** Correct. **Williams:** Do we have specific tenants and specific contracts with numbers? **Mayor:** Not like Interstate McBee. I am meeting with two companies, one from out of state within the next week and a half. We are looking to have the first 200,000 sq. ft. building begin within the next 1 ½ weeks. The goal is to get this moving toward with a \$40 million payroll by year six. They are now buying additional land, that is the reason for the hold up. These two companies each are looking at 200,000-250,000 sq. ft. buildings. It is important to say the land is back in the hands of Premier. I can't name the names. These are substantial companies, the biggest yet to look at Oakwood. **Williams:** Are you targeting companies that can meet that revenue? How do we arrive at the numbers if we don't have specific contracts? **Mayor:** Without them owning the land, it is amazing we have two companies looking at a payroll the size of \$11-\$15 million. This is without serious promoting yet. McBee is one single entity. **Williams** asked him to clarify the information in his packet. On one of these the landscaping maintenance is \$125,000 including labor and materials. **Mayor:** After five years, when the planting material is more settled and they are still paying for the watering of the material, we would just replace material that may be dead. **Williams:** We will cover the cost of the labor and materials after



five years? **Mayor:** Yes. It won't be more than \$15-\$20,000/year. **Williams:** The Janet Kinney donation is after they reach a certain revenue. **Mayor:** We will receive those funds this coming year; \$40,000 total. We are looking for one building being up by the end of the year. The only caveat by the end of the sixth year by 2026, if their buildings are not full, instead of 100%, we would get 85% donation. **Williams:** For 2020 we did receive, or we will in 2021. **Mayor:** We received \$20,000 in 2020 and \$40,000 in 2021. **Warren:** The ordinance makes reference to the various parcel numbers as exhibit A. If they are adding more parcels to that development shouldn't those be included in exhibit A. **Mayor:** The answer to that is, that little portion will not be TIF property. **Climer:** I understand those parcels are part of the ordinance but those transfers just didn't happen by the time the ordinance was drafted. **Mayor:** A TIF wouldn't matter on the smaller parcels.

Motion to table made by Gaither seconded by Sanders

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

Ordinance Tabled

Ord 2021-05

*Oakwood Ctr LLC-McBee*

Introduced 1-19-2021 by

Mayor & Council as a whole

3rd Reading

AN EMERGENCY ORDINANCE DETERMINING THE PERIOD OF TAX EXEMPTION FOR AN IMPROVEMENT TO REAL PROPERTY OWNED BY OAKWOOD CENTER, LLC. LOCATED IN OAKWOOD COMMUNITY REINVESTMENT AREA NO. 1 AND AUTHORIZING THE MAYOR TO ENTER INTO A MUNICIPAL INCOME TAX REVENUE SHARING AGREEMENT WITH THE BOARD OF EDUCATION OF THE BEDFORD CITY SCHOOL DISTRICT

**Climer:** A few corrections had to be made to the Agenda. **Mayor:** The one is a TIF and the other is a CRA. **Warren:** They are both referenced as work session items. **Hardin:** For clarification purposes can we just remove the 'ws' and move forward. **Climer:** We need to clear that up. This is 2021-05. **Warren** read 2021-05 as the correct heading. **Climer:** Correct, that is the CRA. It should be numbered 2021-05. **Clerk:** I really need backup on reviewing the agenda prior to it going out. That hasn't happened although I send it out prior to the agenda for feedback. What is correct is what was attached. **Hardin:** We have it correct in our packet. Thank you. **Climer** read the ordinance into the record as it appears above. **Warren:** The second meeting we had on January 20<sup>th</sup> was correct. When it was prepared the incorrect ordinance was inserted on today's agenda. We already went through two readings on the 20<sup>th</sup> and 21<sup>st</sup>. The actual ordinance is the one we discussed at those meetings. **Hardin:** Are we back on track with 2021-05. **Climer:** Correct, we are.

Motion to adopt made by Hardin seconded by Gaither.

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

Ord 2021-06

*Oakwood Ctr LLC-McBee*

Introduced 1-19-2021 by

Mayor & Council as a whole

2<sup>nd</sup> Reading

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE, EXEMPTING THE IMPROVEMENTS TO SUCH PARCELS FROM REAL PROPERTY TAXATION FOR A PERIOD OF THIRTY YEARS, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE BEDFORD CITY SCHOOL DISTRICT REGARDING SUCH EXEMPTION, REQUIRING THE OWNERS OF SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.41, 5709.42, AND 5709.43, AND DECLARING AN EMERGENCY

**Climer:** I ask this be tabled. We anticipated the property be in the hands of Interstate McBee and transferred to the Village by now, but this hasn't occurred. We do not want to jump the gun on the TIF.

Motion to table made by Gaither seconded by Rogers

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

Ordinance Tabled

**Williams:** What are we reading here? **Climer:** The heading needed to be read three times, we read the correct heading. **Williams:** Thank you. About the Interstate McBee project, will North Lane have a tree line? **Mayor:** There will be landscaping similar to Macedonia to make it look nicer. No building will be on that property, only parking. **Williams:** Are there studies for contaminants or soil clean up? **Mayor:** They have been very clean. They just don't have any room where they are now for growth. That is why they have to relocate.

MOTION TO ADJOURN made by Callender seconded by Williams.

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

Adjourned 8:00 pm

Adopted \_\_\_\_\_

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

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

**VILLAGE OF OAKWOOD**  
**COUNCIL WORK SESSION MINUTES**  
January 26, 2021

**ATTENDED**

Johnnie A Warren III, Council President	Gary Gottschalk-Mayor
Elaine Gaither-Council-at-large	Jim Climer-Law
Chris Callender – Ward 1*	Brian Thompson-Finance
Eloise Hardin – Ward 2	Daniel Marinucci – CBO
Melanie Sanders – Ward 3	Tom Haba - Service
Patricia Rogers – Ward 4	Chief Garratt-Police
Candace Williams – Ward 5	
ABSENT: James Schade-Fire Chief Carlean Perez-Recreation <u>*=Late Arrival</u>	Ed Hren – Engineer

Meeting opened by Warren at 8:00 pm

**Fiscal Officers Certificate Present**

Ord 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

Tabled

Ord 2021-WS-05      AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM FOR SINGLE FAMILY PROPERTIES LOCATED IN THE VILLAGE

**Mayor:** This is before Council for discussion. **Hardin:** My objective is these numbers have some equity as it relates to the Village. I understand priorities. Do we have the same program extended to the remainder of the Village? The numbers submitted total the single-family dwellings. Did members of Council receive the study completed per the ordinance? **Warren** asked about it. **Mayor:** The Engineer's study. **Climer:** That was the study which was done for the new CRA. **Hardin** asked if Council received a copy of that. It is germane to that study. Some parts of the Village were built earlier in the Village. The age of our structures comes into play in the amount offered in each Ward. The percentages of single-family homes are there. We added the percentage in Ward 4 as 25%. Is that correct? **Mayor:** Yes. **Warren:** I see the percentages of the Wards, but I see no further detail. **Climer:** The percentages listed in the ordinance is the Ward percentage compared to the other four Wards participating in the Village-wide program, not the entire Village. **Warren:** I guess the percentages were taken from a mathematical process as it relates to the Village. The disparity in each Ward is based on what? **Mayor:** The number of homes in that Ward vs the total number of homes in the affected area in the four Wards. In Ward 1, there are 258 divided by 932. Ward 2 would be 253 divided by 932 and so forth. That is how the percentages came out which is 27% to Ward 1, 25% to Ward 2, 23% to Ward 3 and 15% to Ward 5 based on homes which are in-fact owner occupied. As it turns out, after the entire program, the number of homes affected, if in fact each took the maximum of \$3,000 per home, it would be the same percentage. Some Wards have less homes than others. **Williams:** Is it necessary to proportion these percentages to the Wards?



Councilwoman Hardin mentioned some homes are much older in some Wards than others. I am not necessarily in agreement with the apportioning of the numbers. I see the idea behind it, but the percentages don't necessarily work factoring in the age of the homes. These numbers, as far as the expenditures of \$990,000, is far better than what we started with. It is still a huge disparity between approving \$650,000 for one Ward and \$990,000 for the other 4 Wards. **Warren:** It was all incorporated as part of the agreement with the Developer to provide those funds. That was a deal between the Developer, the Village, and residents of Ward 4 because Ward 4 residents were solely impacted by that development. **Williams:** They are not solely impacted but are you saying the Developer will pay those amounts for Ward 4? **Warren:** Is not that correct Mayor? **Mayor:** Not on the Exterior Maintenance Program. That will be coming from the revenue. **Warren:** In this program it is not coming from a special allocated revenue source. It is coming from the General Fund. **Hardin:** Correct. **Warren:** It still maxes out to \$3,000 per household. You are saying some homes are in far more disrepair than others, but this is simply a supplemental grant. If improvement is for \$10,000, the reimbursement grant is still only \$3,000 from the Village. I mentioned this in my newsletters and talked to others about it. We have other agencies we have been dealing with and referring residents to which allows them to receive a partial grant, but they are required to contribute a certain percentage of the cost of the work. This will work very well with CHS and other programs. This will simply supplement. **Williams:** Is Brian on the call? No response. Can you tell me. I need clarification. When we get income from these projects, that money goes into a specific fund, but it is still the Village income, correct? **Mayor:** The net proceeds of the McBee project will be in its own line item. **Williams:** Is the money from Premier Development in its own line item? **Mayor:** That is going into the General Fund. **Williams:** So, when we expend the funds for Ward 4, that is coming from the General Fund. **Mayor:** No, but you have to have at least the net income from the businesses from that project site. Both these projects will be funded by the businesses on the project site themselves. **Williams:** So, there are specific line items, is that what you are saying? **Mayor:** As an example, Ward 4 in 2021, there is no company, there are no businesses so there will be no proceeds for the Ward 4 Exterior Maintenance Program in 2021. That is why we waited until 2024 for the proceeds for the Interstate-McBee Project. That is why it can go on for eight years. **Williams:** Those funds go into a special line item. **Mayor:** The Finance Director can have a special line item for these projects. **Warren:** Council will have to appropriate based on the budget for those specific projects. We will approve funds. **Williams:** That is why I needed clarification. We haven't determined that specific place, correct? **Mayor:** Correct. **Warren:** It is General Fund appropriated in a special line item. If this money comes into fruition, we will have an appropriation. The Mayor and Finance Director will propose the program. Council will either approve or disapprove the amount of the program. It will be specific to those programs with its own line item. The money is from the General Fund. **Williams:** I don't know if Section 3 is necessary. If we say we are approving \$80,000 a year, are we saying we have to make sure only 20% of Ward 1 and 35% of Ward 2 gets that. Is it necessary to do that? **Mayor:** At least for the first few years we will use the factor of the age of the homes then re-evaluate it and amend it down the road. This is the best way to divide the funds. By the way, Interstate McBee is guaranteeing a start up payroll of \$6 million which means \$150,000 minus expenses with a guaranteed net of \$80,000 at least the first three years before you no longer have to pay Cleveland which gives us \$150,000 annually. At that time, maybe one Ward shows more aging than another. Regarding the Ward 4 program, in the years 2019 and 2020, only 37 applications were made. **Hardin:** We can think about this. I ask we don't move it to the agenda yet. There are a couple things. Is it relevant to assign a particular exterior repair to a project? The truth of the matter is, Premier is going to generate millions of dollars which will benefit all the Village. **Mayor:** Remember, you need a source to have the program. This is the source to begin with. **Warren:** We can always set up a program in theory for the future with contingency revenue. If another business goes out of business or leaves the Village which exceeds that of these projects, we are not going to be able to move forward with it anyway. **Williams:** That is the point Ms. Hardin, and I are trying to make. You keep talking

about it in terms of tying it to a project. All that matters is the money is going to come into the Village in the General Fund. Do we have the ability to extend that amount? **Mayor:** That is again, why we want to have a source. We needed a second project to justify it. **Warren:** We need to at least get the information and build the way the project is going to go. If there is a disparity among Wards allocation, we can work all that out. When we are ready to move forward in 2024, we move forward. **Williams** asked the Mayor to explain what he meant by being careful with Premier monies. **Mayor:** Yes. As Council President was saying, there could be other companies leaving. I want to assure the Councilmembers we want to support this project for the rest of the Village, there could be a source. We can't count on Premier as a source. There are all kinds of dynamics happening. Covid could be around another year causing us not to increase our revenues. This made sense. At least you can count on this in 2024. You can't count on any money from Premier. There are other things happening in Oakwood. If we get another project, we can look at that. Our Finance Director indicated we had a shortfall of \$800,000 of which \$500,000 was net income. We hope to overcome at least 50% of that pretty quickly. However, we have to be careful at this point. As Council President said, you have to justify the expenditure. Interstate McBee could justify it, Premier could not. **Hardin:** The theory is correct and that is the rationale to set up the program. My point is you can't spend what you don't have. In the legislation you tie the program with the specific line item. It isn't tied to a line item; it is the General Fund. Can we afford to do any of this and when? **Mayor:** By tying it with new money, it could be used as a source. We wanted Premier to go into the General Fund otherwise, there could be other problems. Using this line item would be an excellent and justifiable source.

- Ord 2021-WS-06      AN ORDINANCE AMENDING ORDINANCE 2019-22 AUTHORIZING THE ESTABLISHMENT OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM FOR SINGLE FAMILY PROPERTIES LOCATED IN WARD 4
- Ord 2021-WS-07      AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT DEVELOPMENT AGREEMENT WITH PREMIER OAKWOOD LLC AND DECLARING AN EMERGENCY

**Warren:** We had to wait until the School Board passed their legislation? **Mayor:** Yes. **Hardin:** This is the last leg required by Council, correct? **Mayor:** Now it is between us and the entity itself. We already touched on these items. There are four items in the development agreement. The commitment to construct three buildings, they wanted to put up two. I advocated for three. Oakwood would give up the TIF proceeds if they hit the \$40 million payroll within six years in 2026. That is why they are buying extra land. It is to our advantage to get collections from the income tax rather than TIF because the monies are much greater. We gave them a carrot trying to get to the goal. My conservative estimate is \$32 million after seven years. Interstate McBee is \$10 million and they will never get to it within five years. The distribution of the TIF proceeds have been covered in the handout. With respect to Premier we are getting 35% for the first 15 years and 50% on the next 15 years. Interstate McBee we are getting 25% on the first 15 and 50% on the second 15 years. Included is the right for me to reject anybody they are bringing in on the Premier Development when I test the company out for the tax credit. We don't want to just bring in companies, we want companies with payroll. Lastly the donations for the Bedford School Board for both Premier and McBee. Also, we are donating two pieces of property of ours at a value of \$31,200 for both of them which are about .86 of an acre and another three parcels with no value from the County since those are located by the railroad tracks with a total acreage of less than 3 acres totaling \$31,200. That covers the development agreements. **Williams** asked about donations and landscaping maintenance. It says \$20,000 for 2020, \$20,000 for 2021, \$25,000 for 2022 and \$30,000 for 2023-2039. Is that

how you came to \$40,000 for this year? Are these separate amounts? It also says \$20,000 for the youth program. Is this a total of \$40,000? **Mayor:** Yes. **Williams:** For landscaping maintenance, the Developer pays water costs for the entire life of this. **Mayor:** Yes, which will be substantial which covers a lot of land irrigation.

Motion to move the 2021-WS-07 legislation to the next regular agenda by Hardin seconded by Gaither  
YES-Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

Ord 2021-WS-08      AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT  
DEVELOPMENT AGREEMENT WITH INTERSTATE-MCBEE LLC AND  
DECLARING AN EMERGENCY

**Mayor:** I touched on this when I went through the points.

Motion to move the 2021-WS-08 legislation to the next regular agenda by Rogers seconded by Hardin  
YES-Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

**Mayor:** If we are having an emergency reading, we can't wait another 1 ½ months. Can we have meetings Wednesday, Thursday and Friday unless Council wishes to have these read along with the TIF legislation and approve them under an emergency. What is Council's pleasure? I would like to have these resolved by the end of the week. Two of the companies need answers sooner than later. We hope to have dirt moving on the Premier project within 1-2 weeks. Before that, we will have our \$1 million back. **Williams:** Dirt can't be moved until something happens with the title correct? **Mayor:** We are going to make sure that is done by Friday. It is as important to them as it is to us. I don't expect the two smaller parcels to have a TIF. Isn't it nice we aren't spending \$2.6 million to buy the property from McBee, but only for \$1? **Williams:** I was just wondering. We are having these pop-up meetings and tabling this legislation because something wasn't ready. Are we 100% sure this chain of title will be resolved by Friday. Do you have a confirmation of that Law Director? **Mayor:** That is a reasonable question. I will have an answer by tomorrow. **Warren:** The contingency is unless we can get Ms. Williams question answered, Council can put this on the special Council meeting. Nothing requires us to pass under suspension if we aren't satisfied or have the answers we want. **Williams:** I just want to make sure the titles are ready. **Warren:** Reviewing this legislation will not impact the closing of the deal. We can go ahead and act on the legislation. My point is, as a result, we can move it to the regular agenda. We can have a special meeting and if it is on the agenda, we can have a first reading if we don't get the information we want. We can then have a second meeting; it will then be the second reading. It doesn't hurt moving the legislation forward. **Hardin:** Right. I understand. We can still deal with these even if the other two aren't ready. **Warren:** Correct. **Mayor:** If you have that information are you prepared to vote on an emergency. **Williams:** I am prepared to vote no matter what. The only way I get a confirmation of a special meeting is via email. As a Councilperson I need to be aware and prepared to be at a special meeting. If someone would call. Sometimes I am not getting notice to be there because I may not check my email that day. I ask for better coordination when we call special meetings. **Warren:** We all get emails for the regular meetings. All of us got the emails. **Williams:** We all know about the regular meetings Johnnie. **Warren:** The first special meeting wasn't until Thursday. After two days I read my emails at least every other day. We will set up the first special meeting before we leave so everyone will know. **Williams:** That has nothing to do with my comment. I would appreciate a call so I can be present. **Warren:** Can you call for a special meeting? **Clerk:** Yes. **Hardin:** What are you saying are we doing one meeting on Friday? **Mayor:** We can have one on Thursday if we aren't ready we won't have it, we will just



cancel it. We will have one on Thursday and one on Friday. **Warren:** Ok. **Hardin:** Is that ok with the rest of Council. **Climer** (returned to the call after technical difficulty): Chances are, Premier will be ready by Friday, worst Monday, or Tuesday. It is unlikely we will have the McBee property transferred by then but there is nothing to stop us from approving the development agreement. **Mayor:** That would be good. **Warren:** We will have a special meeting with all four items on the agenda. If the information isn't ready, they will just be tabled. We can have first reading on Thursday if items aren't ready, then on Friday, second reading if items aren't ready. **Climer:** Correct. **Warren:** It will not require five minutes for a first reading. **Clerk:** The meeting is Thursday. Will it just be the two items on that agenda? **Warren:** All four items are to be on the special meeting. We don't want to have to add the other two. **Clerk:** The other two are tabled so are they moving to the next meeting as tabled? **Warren:** They will move to the special meeting as tabled. **Climer:** That is fine.

#### *Fouche Proposed Property Purchase/Consolidation*

**Hardin** asked about the Fouche matter. **Mayor:** We are ready to address it as the next item. Joe Fouche came to me. He owns some property on Northam which is not buildable since the frontage is only 40 feet. He can do some consolidation and put up a house for his mother who currently lives in Oakwood in a two-story house. For health reasons she would be better in a one-story house. He wants to buy two properties (referring Council to the map handout). It is parcels 104 and 105, which are Village parcels. That would be consolidated with parcels up to 109. He would put the house on 109 and 108 with the driveway off Blackburn on an easement for a driveway only. That would be the entrance of this property since Northam ends at 096. We worked on a deed restriction for single-family residential only. The size of the house would be at least 3,000 sq. ft if not 4,000. A swimming pool is also proposed. If ownership changed, it would still be zoned only single-family dwelling. The Law Director looked into this to ensure it is possible and to ensure to protect the interests of the Village. Parcels 105 and 104 were taxed at a market value a month ago of about \$12-\$15,000. Then suddenly, they changed it to \$50,000. There is no justification to this. There isn't a street there or development there. **Warren** asked if it is valued at \$50,000 each. **Mayor:** No, total. However, I can submit to you on Alexander Road at the Premier site, one undeveloped lot is 1.9 acres, and, on each side, there are houses. The value of that undeveloped lot with a street equipped with water, sewer and natural gas is valued at \$10,600. **Hardin:** This is unreasonable. **Mayor:** Exactly. I don't know why the County did that. There isn't even a road to get to this property and no houses on either side. These parcels by themselves are 40 ft wide. You have to have 90' wide lot to put a house up. You would need at least one other lot to put a house up if you have just those two lots. I'd like to have Joe at the next meeting to confirm what we are talking about and moving it from the Work Session to the first reading. The first question is what you will charge for lots 104 and 105. I will have that document on Alexander Road to review. The acreage on these two lots is a little less than 1/2 acre on both. I will give you an example of an empty lot which is 2 acres and is valued at \$10,600. **Williams:** We are creating this drive from Blackburn because there is no street. That will become a permanent drive. **Mayor:** That is a good question. If in fact down the road some of the other sites will be developed, but I don't see that happening. If that is the case, they would have to vacate that easement. **Williams:** Where would the access be from that point if that were to happen? **Mayor:** We would have to extend Northam as far as it could go. The extension at Northam where it is now to Mr. Fouche's property to 104 would cost about \$120,000. **Hardin:** He is paying for that himself. **Mayor:** I don't know the cost of the driveway to the easement. It can't be a whole lot; it will just be a simple driveway to his property on Northam on the right-of-way. **Hardin:** It is at his expense. **Mayor:** Yes, exactly. **Williams:** In case someone were to build on that parcel he would have to extend it down to his property. **Climer:** Northam is the right-of-way right now. Nothing is built on it. If the Village or another Developer would decide to build a road on that right-of-way, it would pass Mr. Fouche's property, the person putting in the street would serve his house as well. **Williams:** Thank you. What are you asking of us? **Mayor:** What you want to charge for parcels 104 and

105 and if anything, 131 where he is putting the driveway which is an undeveloped lot. It isn't buildable anyway, that will be an extension of Blackburn. If you go down there, you will see what I mean. **Warren:** We need to determine the value of 104 and 105 and what would be a reasonable for those two parcels. The other issue is to make sure we expeditiously move this reading to our Special Agenda and pass it under suspension. **Williams:** These three parcels are Village owned and not part of any land banks. **Warren:** They are land banked by being Village owned. **Climer:** We can pass the sale of land by suspension of the rules but not by emergency measure per the Charter. It also requires a referral to the Planning Commission for report and recommendation. **Hardin:** Do we refer it then have a price? **Warren:** We have to have a price first. **Climer:** Yes, to finalize the contract. We would propose an ordinance to approve the contract for the sale and refer it to Planning Commission. It isn't to say it can't happen quickly, but this is a step which must be taken to have a valid title. **Warren:** When is the Planning Commission meeting? **Mayor:** The first Monday of the month. I like the Chairman's idea of having this on the Special Agenda Friday and Council coming up with a price. I will show you the verification of the land price on Alexander. If we can't catch it on that day, maybe within a week. **Williams:** Can someone supply us what the Cuyahoga County mandate is for parcels in Oakwood and can we have transactions from property sales within the last five years for the amounts? **Mayor:** You will get County records on the value of the property on Alexander from Ed Hren and these two parcels on Northam. **Williams:** Does that include land bank property costs? **Mayor:** It is market value. **Climer:** I can get the tax duplicate and information from the Fiscal Officer's website on these two parcels which will include land values since there is no building on it. **Warren:** We don't have to go through them. The County only assesses the value. **Williams:** I am asking for us to come to an amount. Do we have anything that lists what properties cost from the County land bank; any transactions we have done in the last five years for adjoining parcels to residents. What have we sold them for? **Climer:** We have sold a number of them. **Warren:** Why can't we just give her that information. **Climer:** It was pieces of land. **Williams:** What can we use to gauge that by. **Warren:** We don't have a lot to gauge. **Williams:** That is the information I am asking for. **Warren:** I said we didn't have a lot to gauge. Moving forward we can get the Councilperson the price of comparable 40' lots which were sold from the Village. We should have that by Friday. **Mayor:** Every one of those had streets. **Warren:** I understand. That is a base mark we can work from. She is asking for the information which is only fair we provide it. It doesn't dictate but gives an idea. **Williams:** This is not our regular job of evaluating land. I want an idea as to how we set that cost. **Warren:** I agree. I understand, I proposed to put this on the Special meeting. **Hardin:** I think he said you can but just not pass it under emergency. **Climer:** That is correct. It can be on the Agenda for a Special meeting. I suggest we will need a Special meeting of the Planning Commission for Premier and Interstate-McBee. Fouche's can be on that agenda also. **Warren:** I was suggesting putting it on the Special meeting. Debbie have the Fouche ordinance on the Special meeting on Friday and we will have it on the next week's agenda. **Clerk:** Ok. **Warren:** You are saying the Planning Commission has to meet on all three issues. **Climer:** Yes. We pass a resolution referring it to the Planning Commission with the ordinance approving the contract attached to it. They give their approval or not and it comes back to us as an ordinance. **Warren:** We will have it on the Special meeting. We must have three readings, don't we? **Climer:** Not on a resolution. **Warren:** We still must pass it once we agree to the sale. We can have the other items on Thursday and on Friday. **Hardin:** Mercifully. **Warren** asked the Law Director for information on land sales of similar lots that sold in the last five years to Council. Can you follow up on that Debbie? **Clerk:** Yes. **Climer:** I will attempt to get some comparables too. **Warren:** That is what I said.

Motion to adjourn made by Callender seconded by Hardin

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

Adjourned at 9:08pm

Minutes approved \_\_\_\_\_

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

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

DRAFT



**VILLAGE OF OAKWOOD**  
**COUNCIL SPECIAL MEETING MINUTES**  
**February 2, 2021**

**ATTENDED**

Johnnie A Warren III, Council President	Gary Gottschalk-Mayor
Elaine Gaither-Council-at-large	Jim Climer-Law
Chris Callender – Ward 1	
Eloise Hardin – Ward 2	
Patricia Rogers – Ward 4	
ABSENT:	
Melanie Sanders – Ward 3	Candace Williams – Ward 5
<u>*=<i>Late Arrival</i></u>	

Meeting opened 6:08 by Warren.  
Pledge of Allegiance and attendance taken.

**Warren:** This is a Special meeting. We will only deal with the specific items on today's agenda and upon completion of the agenda we will close the meeting and move forward.

Ord 2021-04

*Premier TIF*

Introduced 1-20-2021 by

Mayor & Council as a whole

1<sup>st</sup> read 1-19-2021

2<sup>nd</sup> read 1-21-2021

3<sup>rd</sup> read 1-26-2021 & tabled

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE, EXEMPTING THE IMPROVEMENTS TO SUCH PARCELS FROM REAL PROPERTY TAXATION FOR A PERIOD OF THIRTY YEARS, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT REGARDING SUCH EXEMPTION REQUIRING THE OWNERS OF SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.41, 5709.42, AND 5709.43, AND DECLARING AN EMERGENCY

**Climer:** I request this ordinance remain tabled for reasons expressed last week.

Ord 2021-06

*Oakwood Ctr LLC-McBee*

Introduced 1-19-2021 by

Mayor & Council as a whole

1<sup>st</sup> read 1-19-2021

2<sup>nd</sup> read 1-21-2021

3<sup>rd</sup> read 1-26-2021 & Tabled

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE, EXEMPTING THE IMPROVEMENTS TO SUCH PARCELS FROM REAL PROPERTY TAXATION FOR A PERIOD OF THIRTY YEARS, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE BEDFORD CITY SCHOOL DISTRICT REGARDING SUCH EXEMPTION, REQUIRING THE OWNERS OF SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.41, 5709.42, AND 5709.43, AND DECLARING AN EMERGENCY

**Climer:** I request this ordinance also remain tabled for the same reasons.

Ord 2021-09                    AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF AN EXTERIOR  
Introduced 1-29-2021 by     HOME REPAIR ASSISTANCE PROGRAM FOR SINGLE FAMILY PROPERTIES  
Mayor & Council as a whole   LOCATED IN THE VILLAGE

**Hardin** asked this be tabled to give members time to review the numbers.

MOTION to table made by Hardin seconded by Gaither  
VOTE: YES: Warren, Gaither, Callender, Hardin, Rogers  
Ordinance Tabled

Ord 2021-10                    AN ORDINANCE AMENDING ORDINANCE 2019-22 AUTHORIZING THE  
Introduced 1-29-2021 by     ESTABLISHMENT OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM  
Mayor & Council as a whole   FOR SINGLE FAMILY PROPERTIES LOCATED IN WARD 4

MOTION to table made by Hardin seconded by Rogers.

**Warren** asked if this can be moved to the next Work Session. **Hardin:** There is already a motion to table it. **Warren** called for a motion to remove the motion to table. At our next Regular Session, we can vote to send 2021-09 to the next Work Session. **Hardin:** We can do the same for 2021-09. **Warren:** Let's make this simple. Just table it.

MOTION to rescind the previous motion made by Rogers no second was voiced.

MOTION to table 2021-10 made by Rogers seconded by Hardin.  
VOTE: YES: Warren, Gaither, Callender, Hardin, Rogers  
Ordinance Tabled

Ord 2021-11                    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT  
Introduced 1-29-2021 by     DEVELOPMENT AGREEMENT WITH PREMIER OAKWOOD, LLC AND  
Mayor & Council as a whole   DECLARING AN EMERGENCY  
First Reading

Ord 2021-12                    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT  
Introduced 1-29-2021 by     DEVELOPMENT AGREEMENT WITH INTERSTATE-MCBEE LLC AND  
Mayor & Council as a whole   DECLARING AN EMERGENCY  
First Reading

Res 2021-13                    A RESOLUTION REFERRING AN ORDINANCE VACATING SOUTH LANE TO  
Introduced 1-29-2021 by     THE PLANNING COMMISSION IN ACCORDANCE WITH THE CHARTER OF  
Mayor & Council as a whole   THE VILLAGE OF OAKWOOD  
First Reading

Res 2021-14                    A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REPORT  
Introduced 1-29-2021 by     AND RECOMMENDATION A PROPOSED ORDINANCE AUTHORIZING THE  
Mayor & Council as a whole   MAYOR TO ENTER INTO A CONTRACT TO SELL VILLAGE LAND  
DESIGNATED ON THE RECORDS OF THE CUYAHOGA COUNTY FISCAL  
OFFICER AS PERMANENT PARCEL NOS. 795-07-104 AND 795-07-105

Second Reading

**Hardin:** Is it appropriate to discuss the price or will the Planning Commission give us the recommended price? **Mayor:** This is a matter for Council. **Hardin:** What is your directive? **Warren:** Because there was no agreed price but a proposed amount for consideration and there are other issues with the parcels, maybe we should discuss it again to come up with a sales price closer to what everyone can agree with. **Hardin:** Ok. Do we have to set a price before it goes to Planning Commission? **Climmer:** Yes, we do. **Warren:** If he doesn't agree with the price, the deal doesn't move. **Hardin:** The Engineer usually gives us a price initially. The most I have heard for an acre is \$5,000 but this isn't a full acre. **Mayor:** It is less than ½ an acre. **Hardin:** I think the price was \$2,000-\$5,000. **Mayor:** Yes. **Rogers:** We had some parcels which sold for \$100 which were unbuildable. **Warren:** There were certain situations where a parcel was between two neighbors and some split the lot. I spoke with the Engineer. Currently I don't believe the existing parcels have been transferred. **Hardin:** He will be responsible for the initial access road. If anybody tried to build there, they will have to build a road themselves. Is it reasonable to sell the lots for \$100? **Warren:** The last price he proposed was \$2,000 a lot; \$4,000 for the two lots. **Hardin:** It is up to Council. It will be a gorgeous home. **Warren:** They are nonperforming lots and even consolidated, they are not buildable since they are not 90' which is the minimum lot width. I have no issue with it and happy they will be utilizing those lots. If everybody is comfortable with \$4,000 for the two lots, then we can move forward. **Hardin:** If you are saying he offered \$2,000 then so be it. We don't want to hold him up. I spoke with him the other day. **Callender:** Has the Engineer made a recommendation? **Warren:** When I passed this by him the \$2,000 per lot was reasonable based upon the sales of the various lots we had in the past. If we put a price on the lots and pass the legislation it can go to PC. **Climmer:** We don't have sufficient attendance to pass this tonight. There is a Charter provision that says for the sale or purchase of property it can only be passed by suspension of the rules or three readings. **Hardin:** That answers that. **Mayor:** You can still pass the actual purchase price then on the third reading it can go to the Planning Commission. **Climmer:** We can plug the purchase price into the contract. **Warren:** You are saying it has to go to a Planning Commission meeting, right? Let's get the other Councilmembers in the next meeting. This will be second reading.

Res 2021-15

Introduced 1-29-2021 by  
Mayor & Council as a whole

A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REPORT AND RECOMMENDATION A PROPOSED ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PREMIER DEVELOPMENT PARTNERS, LLC AND PREMIER OAKWOOD, LLC TO TRANSFER AND RETRANSFER TITLE TO CERTAIN REAL PROPERTY IN THE VICINITY OF THE INTERSECTIONS OF ALEXANDER AND MACEDONIA ROAD AND ALEXANDER AND FAIR OAKS ROADS IN THE VILLAGE

First reading

**Mayor:** It is concerning we have two members missing from tonight's meeting on such important matters. I am asking for a Special meeting on Friday because I don't trust them on any reading. This will be on the Premier properties to the Planning Commission then a third reading and we will have to schedule a Planning Commission meeting. This all has to do with the transfer of \$1 million and I am meeting with a company next week. This has to be done. This is for the matters on Premier next Wednesday or Thursday. **Warren:** I have no problem. We can always call a Special meeting. **Hardin:** It will involve Premier and Fouche correct? **Mayor:** The Army Corps of Engineers hasn't brought the price to mitigate the wetlands to McBee. We are dealing with Premier right now. **Warren:** We can have a Special meeting on those items as second reading. On the Regular agenda on Tuesday, all these items can be on it and all those related to land sales will be on the third reading. We will refer the ones which have to be before the Planning Commission moving forward. Right now, we will



be able to have these ready to resell the property for the \$1 million and get our money back to the Village. **Climer** reiterated; items 2021-11, 2021-12, 2021-13 and 2021-15 will be on Friday's Special meeting. **Clerk:** Thank you. **Rogers:** What about 2021-14? **Warren:** All the other items have second reading so when we get to the next Regular Council meeting, everything will be third reading. **Rogers:** Ok. **Warren:** Toss around the amount for the Fouche proposed purchase for item 2021-14. **Hardin:** We will get input from the Engineer too. **Warren:** Yes, we will. **Rogers:** What did we decide? **Warren:** It was proposed at \$2,000 a lot; \$4,000 for the two. Friday's meeting will be at 6:00 pm.

MOTION TO ADJOURN made by Hardin seconded by Rogers.  
YES VOTES: Warren, Gaither, Callender, Hardin, Rogers

Adjourned 6:29 pm

Adopted \_\_\_\_\_

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

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

**VILLAGE OF OAKWOOD**  
**COUNCIL SPECIAL MEETING MINUTES**  
**February 5, 2021**

**ATTENDED**

Johnnie A Warren III, Council President	Gary Gottschalk-Mayor
Chris Callender – Ward 1	
Eloise Hardin – Ward 2	
Patricia Rogers – Ward 4	
Candace Williams – Ward 5	
<b>ABSENT:</b>	
Elaine Gaither-Council-at-large	Melanie Sanders, Ward 3
	Jim Climer-Law

Meeting opened 6:06 by Warren.  
Pledge of Allegiance and attendance taken.

**Hardin** asked what reading these were. **Warren:** This is second reading.

**Ord 2021-11**                    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT  
Introduced 1-29-2021 by    DEVELOPMENT AGREEMENT WITH PREMIER OAKWOOD, LLC AND  
Mayor & Council as a whole    DECLARING AN EMERGENCY  
Second Reading

**Ord 2021-12**                    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT  
Introduced 1-29-2021 by    DEVELOPMENT AGREEMENT WITH INTERSTATE-MCBEE LLC AND  
Mayor & Council as a whole    DECLARING AN EMERGENCY  
Second Reading

**Res 2021-13**                    A RESOLUTION REFERRING AN ORDINANCE VACATING SOUTH LANE TO  
Introduced 1-29-2021 by    THE PLANNING COMMISSION IN ACCORDANCE WITH THE CHARTER OF  
Mayor & Council as a whole    THE VILLAGE OF OAKWOOD  
Second Reading

**Res 2021-14**                    A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REPORT  
Introduced 1-29-2021 by    AND RECOMMENDATION A PROPOSED ORDINANCE AUTHORIZING THE  
Mayor & Council as a whole    MAYOR TO ENTER INTO A CONTRACT TO SELL VILLAGE LAND  
Second Reading                DESIGNATED ON THE RECORDS OF THE CUYAHOGA COUNTY FISCAL  
OFFICER AS PERMANENT PARCEL NOS. 795-07-104 AND 795-07-105

**Res 2021-15**                    A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REPORT  
Introduced 1-29-2021 by    AND RECOMMENDATION A PROPOSED ORDINANCE AUTHORIZING THE  
Mayor & Council as a whole    MAYOR TO ENTER INTO A CONTRACT WITH PREMIER DEVELOPMENT  
Second reading                PARTNERS, LLC AND PREMIER OAKWOOD, LLC TO TRANSFER AND  
RETRANSFER TITLE TO CERTAIN REAL PROPERTY IN THE VICINITY OF THE  
INTERSECTIONS OF ALEXANDER AND MACEDONIA ROAD AND  
ALEXANDER AND FAIR OAKS ROADS IN THE VILLAGE

MOTION TO ADJOURN made by Hardin seconded by Rogers.  
YES VOTES: Warren, Callender, Hardin, Rogers, Williams

Adjourned 6:11 pm

Adopted \_\_\_\_\_

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

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

DRAFT



**VILLAGE OF OAKWOOD**  
**COUNCIL MEETING MINUTES**  
February 9, 2021

**ATTENDED**

Johnnie A Warren III, Council President	Gary Gottschalk-Mayor
Elaine Gaither-Council-at-large*	Jim Climer-Law
Chris Callender – Ward 1	Brian Thompson-Finance
Eloise Hardin – Ward 2	Chief Garratt-Police
Melanie Sanders – Ward 3*	Tom Haba - Service
Patricia Rogers – Ward 4	Daniel Marinucci– CBO
Candace Williams – Ward 5	
ABSENT: James Schade-Fire Chief Carlean Perez-Recreation *= <u>Late Arrival</u>	Ed Hren – Engineer

Meeting opened 7:05 by Warren.  
Pledge of Allegiance and attendance taken.

*Departmental Reports*

**Law-Climer:** We recently received favorable decision in the case of Shawnee vs Oakwood Village. The Defense Counsel submitted a Summary Judgement to have the case thrown out of court. It was basically a case in which a Police Officer responded to a shoplifting complaint at Sam's Club. The suspect was charged. The errors were dismissed in the case and the Officer clearly had probable cause to issue the citation. Therefore, he was not wrong. The case was dismissed.

**Police-Garratt:** Our new Officer, Kevin Knuckles, is now graduated out of his 12-weeks of training with us. He is on his own and being checked by an officer. Also, our training schedule for February-March is interrogations, investigations, weapons armor class, leadership class, search and seizure, traffic stops, report writing, de-escalation training and duty to intercede. **Callender** asked if the trainings are remote, in-person or both. **Garratt:** Both. The in-house training includes social distancing, but some have to be on-line.

**Building-Marinucci:** Empire Tree has been notified of what has to be done. The Building Dept. has given him names and we contacted both Ed Hren and the surveyor. He got one bid in for the work with two more proposals coming. He understands he has to get it done. I will have a start date shortly. **Hardin:** What project? **Marinucci:** Empire Tree is dealing with an issue of a parking lot and draining system in violation of the code. **Rogers:** In Ward 4. **Marinucci:** He has to bring everything up to Code. **Hardin:** This is a resident paying for this. **Marinucci:** This is not on the Village at all.

*Solar Panels*

**Hardin:** I asked a few weeks ago for your staff to look into solar panels. **Marinucci:** I spoke to Robert. Solar panels are allowed by the Code. There are different methods he can choose from. **Hardin:** Some communities have access to grant funds. Have we researched that? **Marinucci:** I am not aware of it. **Hardin:** Robert was looking into that. **Sanders:** Two things; a report was produced with properties in violation, is there an updated report? **Marinucci:** I will have a report printed.

*Bugarcic Supermarket*

**Sanders:** Is there an update on the Bugarcic Supermarket? **Marinucci:** There is a lot going on with that. **Warren:** It is snow covered right now. **Marinucci:** There is too much in limbo right now. **Sanders** asked him to elaborate. **Marinucci:** There are too many unknowns and we have been working on it extensively. **Warren:** Besides the excavation and footers, did you receive plans? **Marinucci:** The plans submitted were denied. There is fire separation and smoke compartments, and a means of egress but the foundation was approved. Everything went to Planning Commission a few times for the size, number of cars, and parking. What remains is a retention basin. That is where the unknowns are. Once the Bugarcic

Engineer gets that to Ed Hren, which he has not done yet, it can go for approval. After that, I can have answers for you. **Warren:** Does he have a clear understanding to be in compliance? **Marinucci:** No matter how many times you tell Mike what he needs to do, he always says he doesn't understand. We have given him exactly what he needs to know. **Warren:** Have you put that in writing to him? **Marinucci:** There are tons of writing. **Warren:** Can we summarize in writing. The incremental issues are Zoning Board of Appeals, Planning Commission, site development, etc. Do we have one letter which will identify planning issues, conditions of ZBA if that is applicable in this situation or has he received a letter from ZBA, a separate letter from Planning, one from the Engineer? **Marinucci:** Ed Hren is preparing that letter of what is required. This is redundant which has been done in the past. **Warren:** This brings us to the present, rehashing all the requirements for compliance on all issues enumerating everything which needs to be completed and approved. Defer him to his architect. He can at least know we have done our due diligence. **Marinucci:** We have done our due diligence to the nth degree. Mike has to make decisions. **Warren:** The bottom line is, he will be getting a letter summing everything he needs to comply. **Marinucci:** He is in compliance with Planning, ARB and Zoning. He hasn't been approved through my department. He does not have the plans for completion and the retention. It doesn't have to go back through the boards except for merger of lots. The building and parking have been approved. **Hardin:** Is there a time frame for compliance? **Marinucci:** No, the Building Dept. is not going to be a scheduler or project manager on this. **Hardin:** That is not what I am asking. Is there a timeframe in which to work in. **Warren:** Let me just say, I believe Councilperson Hardin is asking has he been given a time frame in which to present the documents in order to become compliant. The other question is, is there a time frame? **Marinucci:** Hold on. We are not going to pursue time limitations with Bugarcic. We are going to put pressure on him to merge the two lots concurrent with the Engineering for the retention basin. If he doesn't do that, the project will never get off the ground. He is the owner of the property. The only thing I have is a permit for the foundation. He completed that. I do know when he applied for the other permit, that remains active within that time. After that point, it lapses. **Hardin:** That was my question.

**Finance-Thompson:** We are working on closing out January financials. We will have the calculations of the insurance information at the January 23<sup>rd</sup> Finance meeting. We will also have budget matters at that time. **Sanders:** Can you tell if we are on track so far this month? **Thompson:** Yes, it is.

**Service-Haba:** We had the Phase II ADA Village Hall meeting. Chief Garratt attended since he will oversee moving the phone in the lobby, the alarm system and a few cameras. Around March 31<sup>st</sup> it should be completed. Regarding the recycling trash can issue, the supervisor will travel around the Village to get a handle on what has been delivered and what hasn't. **Hardin:** Is there a schedule as to how he will complete the Village. **Haba:** He thought they were distributed already. A third party is distributing them, that is why he wasn't aware. If you know of any areas which need them, please let me know by next Monday. **Sanders:** Ward 3 needs to be added to the list as well; Oakhill and Tryon for sure. I don't know about the rest of the Ward.

**Mayoral Report-Mayor:** Let's move right to the agenda. The development projects which are before Council are the largest before the Bedford School District since Ford Motor and UH Medical Center. **Warren:** Here we go. **Mayor:** We had way too much on Bugarcic, let's get to the agenda. **Hardin:** Excuse me, what is that all about. We have questions Mayor. **Mayor:** I have been here working on this since 2:00 this morning. Let's move onto our projects which translates to no tax increase to our residents for a decade. **Hardin:** I don't know what the issue is, this is our meeting. We had questions and we got answers in our time frame. **Warren:** The reason I said that is, as I mentioned before, there is no necessity for glorification. We are doing our due diligence to provide the best we can for our residents and the results of the buildings going up and monies coming in. **Hardin:** I don't understand what is going on. **Warren:** To the Mayor, it is unnecessary to say this is the biggest grant in our area. We have done our due diligence since 1992 and what we do is memorialize through driving throughout the Village seeing the businesses interested in coming into our community because we do embrace the right businesses here. The Mayor has worked very hard on this. We don't necessarily have to distinguish ourselves amongst the surrounding communities.

Motion to move Resolution 2021-WS-09 to be numbered 2021-16 Phil Saunders resolution of condolences to the regular agenda made by Hardin seconded by Rogers.

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

Motion Passed

*Open Floor Comments, hearing none, floor was closed.*

*Legislation*

2021-16      A resolution of condolences to the family of Philip D. Saunders Sr.

MOTION to suspend made by Hardin seconded by Callender

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

MOTION TO ADOPT made by Hardin seconded by Sanders

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

Motion Passed

**Warren:** When we have resolutions, we shouldn't have them held up. We can always vote on them by suspension.

2021-04      An ordinance declaring improvements to certain parcels within the Village to be a public purpose, exempting the improvements to such parcels from real property taxation for a period of thirty years, authorizing the Mayor to enter into an agreement with the Bedford City School District regarding such exemption requiring the owners of such parcels to make service payments in lieu of taxes establishing an Urban Redevelopment Tax Increment Equivalent Fund for the deposit of such service payments pursuant to Ohio Revised Code Sections 5709.41, 5709.42, and 5709.43 and declaring an emergency.

*Previously tabled with three readings.* **Climer** asked this to remain tabled since the properties need to be transferred prior to the passage of this ordinance.

**Warren** asked for a roll call to reaffirm 2021-04 remains tabled.

MOTION for 2021-04 to remain tabled by Hardin seconded by Rogers

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

Remained Tabled

2021-06      An ordinance declaring improvements to certain parcels within the Village to be a public purpose, exempting the improvements to such parcels from real property taxation for a period of thirty years, authorizing the mayor to enter into an agreement with the Board of Education of the Bedford City School District regarding such exemption, requiring the owners of such parcels to make service payments in lieu of taxes, establishing an Urban Redevelopment Tax Increment Equivalent Fund for the deposit of such service payments pursuant to Ohio Revised Code Sections 5709.41, 5709.42, and 5709.436, and declaring an emergency

**Climer:** This was read three times and is tabled. For the same reason, I request this remain tabled.

MOTION for 2021-06 remain tabled made by Hardin seconded by Callender

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

Remained Tabled

2021-09      An ordinance authoring the establishment of an Exterior Home Repair Assistance Program for single-family properties located in the Village.

**Climer:** This was tabled at the last meeting. **Hardin** asked for time to review. We can leave it tabled.

MOTION for 2021-09 to remain tabled made by Gaither seconded by Sanders

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

Remained Tabled



2021-10 An ordinance amending Ordinance 2019-22 authorizing the establishment of an Exterior Home Repair Assistance Program for single-family properties located in Ward 4.

MOTION for 2021-10 to remain tabled made by Callender seconded by Sanders

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

Remained Tabled

2021-11 An ordinance authorizing the mayor to enter into a Project Development Agreement with Premier Oakwood, LLC and declaring an emergency.

MOTION to adopt made by Hardin seconded by Gaither

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

MOTION PASSED

2021-12 An ordinance authoring the Mayor to enter into a Project Development Agreement with Interstate-McBee LLC and declaring an emergency.

**Climer:** This is the subject of my memorandum this afternoon. Interstate-McBee requested some non-substantive changes to the Project Development Agreement after it was introduced. They sent the changes this afternoon. I request this matter be tabled pending Council's opportunity to review that memorandum and to ask questions. Ms. Sanders, I received your email late and did not have time to review those with you. Please feel free to call me on that. **Sanders:** Thank you.

**Hardin:** Will this hold up the agreement? **Mayor:** This can be on the special meeting on Thursday for passage. It will not hold up the agreement. **Climer:** It will not require three readings. It can be amended and passed at the next reading.

**Hardin:** We will not amend it tonight but at the next meeting. **Climer:** Ms. Hladky has the amendment, it will go on the next agenda. **Warren:** Make sure you read and digest the amendment and when we act upon it, it will be approved based on the amended version.

MOTION to table made by Rogers seconded by Callender

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

Tabled

**Warren:** The reason we have to table it is if we just read it, it will be passed although we would take a vote on it.

2021-13 A resolution referring an ordinance vacating South Lane to the Planning Commission in accordance with the Charter of the Village of Oakwood

**Climer:** This is on for third reading and is ready for passage.

MOTION to adopt made by Hardin seconded by Rogers

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

MOTION PASSED

2021-14 A resolution referring to the Planning Commission for report and recommendation a proposed ordinance authorizing the Mayor to enter into a contract to sell Village land designated on the records of the Cuyahoga County Fiscal Officer as permanent parcel nos. 795-07-104 and 795-04-105

MOTION to adopt made by Hardin seconded by Callender

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

MOTION PASSED

2021-15      A resolution referring to the Planning Commission for report and recommendation a proposed ordinance authorizing the Mayor to enter into a contract with Premier Development Partners, LLC and Premier Oakwood LLC to transfer and retransfer title to certain real property in the vicinity of the intersections of Alexander and Macedonia Roads and Alexander and Fair Oaks Roads in the Village

**Climer:** This resolution is on third reading and ready for passage. This is the property transfers we discussed which needs to occur prior to the Premier TIF.

MOTION to adopt made by Rogers seconded by Hardin  
VOTE: YES: Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams  
MOTION PASSED

MOTION TO ADJOURN made by Callender seconded by Rogers  
YES VOTES: Warren, Gaither, Callender, Hardin, Sanders, Rogers  
Adjourned 7:48 pm

Adopted \_\_\_\_\_

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

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

**VILLAGE OF OAKWOOD**  
**COUNCIL WORK SESSION MINUTES**  
February 9, 2021

**ATTENDED**

Johnnie A Warren III, Council President	Gary Gottschalk-Mayor
	Jim Climer-Law
Chris Callender – Ward 1*	Brian Thompson-Finance
Eloise Hardin – Ward 2	Daniel Marinucci – CBO
Melanie Sanders – Ward 3	Tom Haba - Service
Patricia Rogers – Ward 4	Chief Garratt-Police
Candace Williams – Ward 5	
ABSENT: Elaine Gaither-Council-at-large James Schade-Fire Chief <u>*=Late Arrival</u>	Ed Hren – Engineer Carlean Perez-Recreation

Meeting opened by Warren at 8:00 pm

**Fiscal Officers Certificate Present**

Ord 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

*Tabled*

**Warren** suggested working on each one of the following: Municipal Complex, Disaster Recovery Plan, Human Resources and the Five-Year Plan one at a time. In the current fiscal situation, I would assume is anticipating discussion about the Municipal Complex and the Five-Year Plan.

*Human Resource*

**Warren:** About the Human Resource topic. **Hardin:** We are waiting for the document with the changes made to be finalized.

*Exterior Maintenance Programs – Ward 4 and Village-Wide*

**Hardin:** For the 2021-10 and 11 Exterior Maintenance Programs, can everyone obtain the housing study which was done starting with 2019-22 legislation? I suggest we discuss these at length either at the regular meeting or during Work Session. **Warren:** That is why we may want to send them back to the Work Session. **Hardin** asked we table these at the next meeting and move them to the Work Session. **Sanders** asked if there is a major contention up to this point. **Hardin:** The concept is awesome, and both are contingent upon specific projects. Do you want the programs tracked through the specific projects or not? One of them reads, funding is from a specific line item and the other one speaks of the General Fund. The line-item idea is something I asked for to track the money. I want to keep our commitment to Ward 4 and not hold up their opportunities and make certain we plow ahead for the remainder of the Village. **Warren:** Ward 4 is specific to the granting of the abatements and TIFs. It was negotiated or offered by the Developer with the cooperation of the residents of Ward 4. That will remain intact. The modification by the Mayor for a different structure changing the dollar amounts I disagree with. This ordinance should remain as it was previously passed, and the residents expected it to be.



**Rogers:** Thank you. **Warren:** The Scholarship funds existed with funds leftover were to be put back in the original allocations. **Hardin:** We really need to review 2019-22. **Warren:** I was talking about Pat's Ward. **Hardin:** The new one, yes. **Rogers:** We do have a line item for that. **Hardin:** It is 7799.75161. **Rogers:** Didn't you just ask if there was one? **Hardin:** I said there was one. **Warren:** We are discussing if we should tie the Village-wide Exterior Maintenance to the project or the General Fund. **Hardin:** The Mayor supplied me the study. It tells you the number of the single-family homes in each Ward. It is important we review these numbers. **Warren:** I agree 100%. I think that is what the Mayor is attempting to do anyway. Review it and the distribution by Ward, first come, first served, etc. Those items are for the highest priority then we can focus on the other items on the Work Session. **Hardin:** It is a matter of record for the existing program as we work our way through the remainder of the Village.

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

Adjourned at 8:01pm

Minutes approved \_\_\_\_\_

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

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

**VILLAGE OF OAKWOOD**  
**COUNCIL SPECIAL MEETING MINUTES**  
**February 11, 2021**

**ATTENDED**

Johnnie A Warren III, Council President	Gary Gottschalk-Mayor
Elaine Gaither-Council-at-large	Jim Climer-Law
Chris Callender – Ward 1	
Eloise Hardin – Ward 2	
Patricia Rogers – Ward 4	
Candace Williams – Ward 5	
ABSENT:	
Melanie Sanders – Ward 3	
<u>*=<i>Late Arrival</i></u>	

Meeting opened 6:05 by Warren.  
Pledge of Allegiance and attendance taken.

Ord 2021-12                    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT  
Introduced 1-29-2021 by    DEVELOPMENT AGREEMENT WITH INTERSTATE-MCBEE LLC AND  
Mayor & Council as a whole    DECLARING AN EMERGENCY  
*Amended*

Motion to remove 2021-12 from the table made by Hardin seconded by Gaither.  
VOTE: YES; Warren, Gaither, Callender, Hardin, Rogers, Williams

**Climer:** The amendments were distributed in red-line and black-line form. This is the amended ordinance with other non-substantive changes. This ordinance is ready to be acted upon.

Motion to approve amendments to 2021-12 made by Hardin seconded by Callender.  
VOTE: YES; Warren, Gaither, Callender, Hardin, Rogers, Williams

Motion to suspend made by Hardin seconded by Gaither.  
VOTE: YES; Warren, Gaither, Callender, Hardin, Rogers, Williams

Motion to adopt made by Gaither seconded by Callender.  
VOTE: YES; Warren, Gaither, Callender, Hardin, Rogers, NO: Williams  
*MOTION FAILED-not enough votes to suspend the rules.*

**Climer:** We do not have enough to adopt at this time under suspension. **Mayor:** We will entertain this next week as second reading.

Ord 2021-17                    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT  
Introduced 2-11-2021 by    WITH JOSEPH FOUCHE TO SELL VILLAGE LAND DESIGNATED ON THE  
Mayor & Council as a whole    RECORDS OF THE CUYAHOGA FISCAL OFFICER AS PERMANENT PARCEL  
1<sup>ST</sup> Reading                    NOS. 795-07-104 AND 795-04-105

**Climer:** This was reported back last night, The Planning Commission approved the sale but added six conditions to it requiring an amendment of this Ordinance. I request this be tabled so the amendments can be made available for passage at the next meeting. **Gaither:** Item seven paragraph seven, we don't have utilities on that property. **Climer:** Correct. **Gaither:** It reads 'the seller shall pay directly all utility charges to the date of filing the deed for record or possession'. Should it just read 'for record'? **Climer:** I am happy to strike that. Council also needs to agree to a sales price. **Hardin:** The Engineer suggested \$2,000 per parcel. **Mayor:** Correct. **Warren** asked for a motion to amend the ordinance to reflect \$2,000 per lot or \$4,000 for both lots.

Motion to amend the ordinance to reflect \$2,000 per lot made by Hardin seconded by Callender

VOTE: YES; Warren, Gaither, Callender, Hardin, Rogers, Williams

*Amendment Passed*

**Warren:** Planning Commission gave us the conditions which must be added to the existing ordinance. **Climer:** I will amend the ordinance to reflect the Planning Commission conditions. **Warren:** We can include the cost of the lots. This will be the second reading. **Climer:** The conditions do not reflect the substance of the ordinance. This will be second reading.

Ord 2021-18

Introduced 2-11-2021 by

Mayor & Council as a whole

1<sup>ST</sup> Reading

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PREMIER COMMERCIAL REALTY, LLC AND PREMIER OAKWOOD, LLC TO TRANSFER AND RE-TRANSFER TITLE TO CERTAIN REAL PROPERTY IN THE VICINITY OF THE INTERSECTIONS OF ALEXANDER AND MACEDONIA ROADS AND ALEXANDER AND FAIR OAKS ROADS IN THE VILLAGE

**Climer:** This was reported back by the Planning Commission with unanimous approval last evening.

**Warren:** With this ordinance, we transfer the land, they transfer it back and they will be qualified for the TIF. We will then be reimbursed our funds. **Climer:** This does not involve money, but permits the deal to move forward.

Motion to suspend made by Gaither seconded by Rogers.

VOTE: YES; Warren, Gaither, Callender, Hardin, Rogers, Williams

Motion to adopt made by Hardin seconded by Rogers.

VOTE: YES; Warren, Gaither, Callender, Hardin, Rogers, Williams

*Motion passed.*

Res 2021-19

Introduced 1-29-2021 by

Mayor & Council as a whole

1<sup>ST</sup> Reading

AN ORDINANCE VACATING SOUTH LANE LOCATED SOUTH OF ALEXANDER ROAD AND EAST OF MACEDONIA ROAD

**Climer:** This was unanimously approved by the Planning Commission last evening and is back to Council for passage.

Motion to suspend made by Rogers seconded by Callender

VOTE: YES; Warren, Gaither, Callender, Hardin, Rogers, Williams

Motion to adopt made by Hardin seconded by Gaither

VOTE: YES; Warren, Gaither, Callender, Hardin, Rogers, Williams

*Motion Passed*

**Mayor:** We will hold a special meeting on Wednesday for the two items, development agreement with Interstate McBee and the TIF agreement with Premier. **Warren** instructed the Council Clerk to notify everyone for the special meeting to be held on Wednesday. **Gaither** asked if it will be 6:00pm. **Warren:** Yes.

MOTION TO ADJOURN made by Gaither seconded by Callender

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

Adjourned 6:23 pm

Adopted \_\_\_\_\_

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

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



**VILLAGE OF OAKWOOD**  
**COUNCIL SPECIAL MEETING MINUTES**  
February 17, 2021

**ATTENDED**

Johnnie A Warren III, Council President	Gary Gottschalk-Mayor*
Elaine Gaither-Council-at-large*	Jim Climer-Law
Chris Callender – Ward 1*	
Eloise Hardin – Ward 2	
Melanie Sanders – Ward 3	
Patricia Rogers – Ward 4	
ABSENT:	
Candace Williams – Ward 5	
<u>*=Late Arrival</u>	

Meeting opened 6:03 by Warren but paused to allow others to attend.  
Pledge of Allegiance and attendance taken.

Ord 2021-04                    AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS  
*Premier TIF*                    WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE, EXEMPTING THE  
Introduced 1-20-2021 by       IMPROVEMENTS TO SUCH PARCELS FROM REAL PROPERTY TAXATION FOR  
Mayor & Council as a whole    A PERIOD OF THIRTY YEARS, AUTHORIZING THE MAYOR TO ENTER INTO  
1<sup>st</sup> read 1-19-2021               AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT REGARDING  
2<sup>nd</sup> read 1-21-2021               SUCH EXEMPTION REQUIRING THE OWNERS OF SUCH PARCELS TO MAKE  
3<sup>rd</sup> read 1-26-2021 & tabled    SERVICE PAYMENTS IN LIEU OF TAXES ESTABLISHING AN URBAN  
REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT  
OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE  
SECTIONS 5709.41, 5709.42, AND 5709.43, AND DECLARING AN EMERGENCY

**Climer:** This has received three readings. I request this ordinance remains tabled for the deeds to transfer and property filed. Two more events must happen prior to this being entertained. filing of the consolidation plat which will put all the Oakwood and Premier property into one unit and the vacation plat for South Lane which should be filed within a week, then we can act on this.

Ord 2021-12                    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT  
Introduced 1-29-2021 by       DEVELOPMENT AGREEMENT WITH OAKWOOD CENTER LLC AND  
Mayor & Council as a whole    DECLARING AN EMERGENCY  
*As Amended*

**Climer:** This has been amended. **Mayor:** Since the changes are not substantive and we had a third reading prior to the non-substantive changes, why can't this be the third reading? **Climer:** It can be acted upon.

MOTION to suspend made by Rogers seconded by Gaither.  
VOTE: YES: Warren, Gaither, Callender, Hardin, Sanders, Rogers

MOTION to approve made by Gaither seconded by Rogers.  
Note: **Ms. Sanders** voiced: Yes, but not all the terms are agreed upon.

VOTE: YES: Warren, Gaither, Callender, Hardin, Sanders, Rogers  
*Motion passed.*

Ord 2021-17                      AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT  
Introduced 2-11-2021 by        WITH JOSEPH FOUCHE TO SELL VILLAGE LAND DESIGNATED ON THE  
Mayor & Council as a whole    RECORDS OF THE CUYAHOGA FISCAL OFFICER AS PERMANENT PARCEL  
2nd Reading                      NOS. 795-07-104 AND 795-04-105

**Hardin:** Does it show the amount on the ordinance? **Climmer:** Yes, it does.

MOTION to suspend made by Callender seconded by Hardin.

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

MOTION to adopt made by Callender seconded by Rogers.

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

*Motion Passed*

Ms. Hardin left the meeting.

MOTION TO ADJOURN made by Gaither seconded by Callender.

VOTE: YES: Warren, Gaither, Callender, Sanders, Rogers

Adjourned 6:18 pm

Adopted \_\_\_\_\_

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

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