

**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	
<b>ABSENT:</b> 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 \_\_\_\_\_

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Debra L. Hladky, Clerk of Council

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Johnnie Warren, Council President

DRAFT

**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 \_\_\_\_\_

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Johnnie Warren, Council President

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Debra L. Hladky, Clerk of Council