

**VILLAGE OF OAKWOOD**  
**FINANCE MEETING**  
**March 23 2021**  
**AGENDA**  
**6:00 pm**

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Call meeting to order  
Pledge of Allegiance  
Roll Call

Mayor	~ Gary V. Gottschalk
Law Director	~ Jim Climer
Finance Director	~ Brian Thompson
Council President	~ Johnnie A. Warren
Council At Large	~ Elaine Y. Gaither
Councilman Ward 1	~ Chris Callender
Councilperson Ward 2	~ Eloise Hardin
Councilperson Ward 3	~ Anthony Akins
Councilperson Ward 4	~ Patricia Rogers
Councilperson Ward 5	~ Candace Williams

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*Insurance Review*

*2021 Budget Review*

*Adjournment*

THIS IS A  
VIRTUAL  
MEETING  
VIA  
WEBEX

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



Scan to view  
Agenda online

1. Call Meeting to Order
2. Pledge of Allegiance

3. Roll Call

	COUNCIL		ADMINISTRATION
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

4. MINUTES – Council meeting 3,09-2021

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 2021-06 <i>Oakwood Ctr LLC-McBee</i> 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
Ord. 2021-21 Introduced 3-23-2021 by Mayor & Council as a whole	AN EMERGENCY ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF OAKWOOD, OHIO FOR THE YEAR 2021

Fiscal Officers Certificate

Ord **2021-22**

Introduced 9-08-2020

by Mayor

\$165,000 Notes

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

9. Adjournment

To Codified ✓ 1st Read ✓ 1/21/21 2nd Read ✓ 1/21/21 3rd Read      Under Suspension 46/ed 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

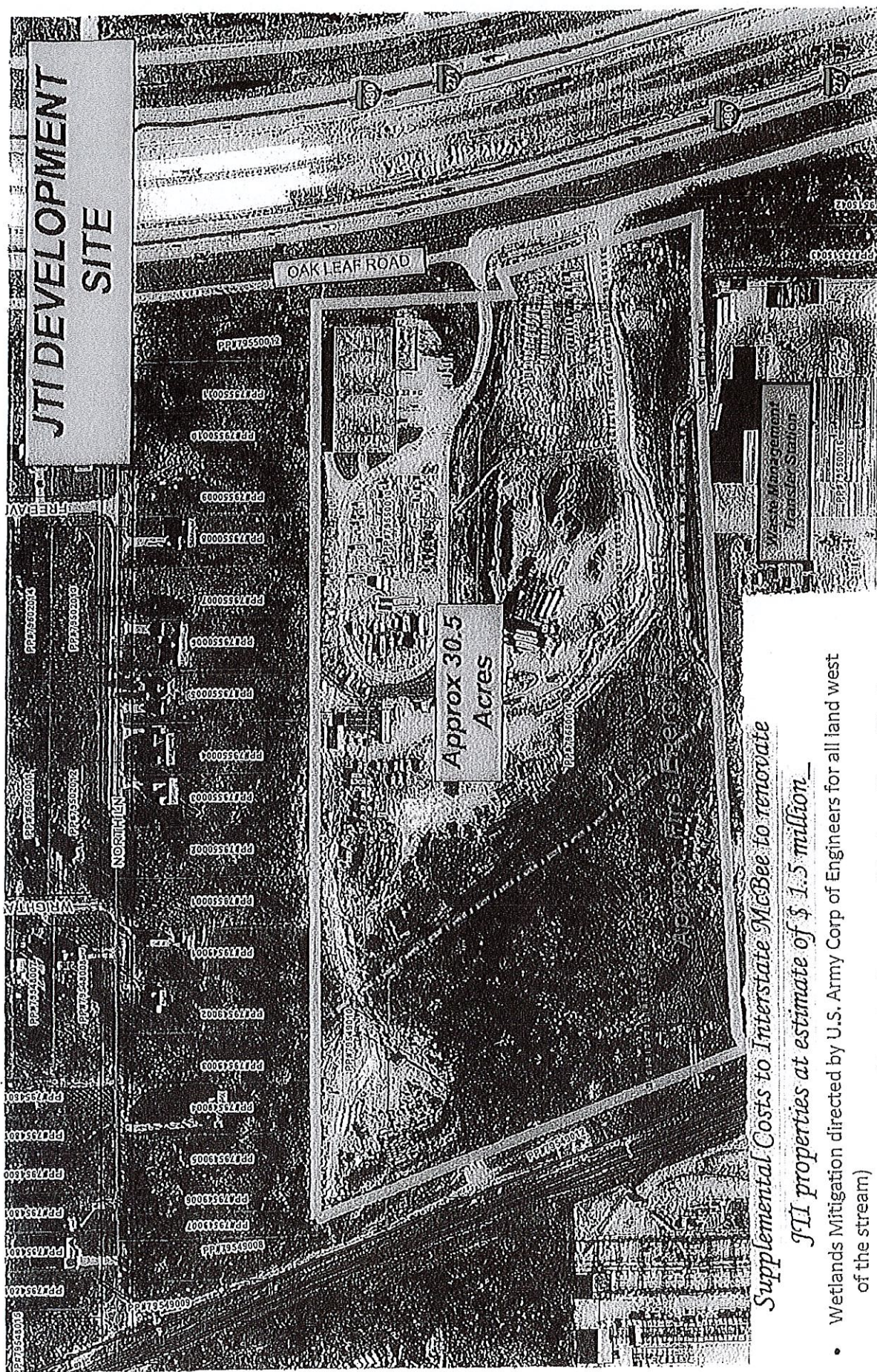
The Owner is proposing to build a series of two (2) buildings, the first being a 200,000 square foot office/warehouse facility (expandable to 300,000 square feet) and the second a 100,000 square foot manufacturing facility both of which are to be located off Oak Leaf Road on property known as Permanent 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\_

ORDINANCE NO. 2021-21

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN EMERGENCY ORDINANCE TO MAKE  
APPROPRIATIONS FOR CURRENT EXPENSES AND  
OTHER EXPENDITURES OF THE VILLAGE OF  
OAKWOOD, OHIO FOR THE YEAR 2021**

Introduced by	_____
Motioned by	_____
Seconded by	_____
1st Reading	_____
2nd Reading	_____
Third Reading	_____
Under suspension	_____

**WHEREAS**, it is provided by State Law that a permanent appropriation Ordinance be approved by Council no later than March 31, 2021; and

**WHEREAS**, it is therefore necessary to enact permanent appropriations for the year 2019 in accordance with the Charter of the Village of Oakwood and the laws of the State of Ohio:

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

**SECTION 1.** In order to provide for current expenses and other expenditures of the Village of Oakwood, Ohio, during the year 2021, the following sums be, and they are hereby set aside and appropriated as set forth in Exhibit "A", attached hereto and expressly made a part hereof by reference.

**SECTION 2.** Ordinance 2020-99 be and the same is hereby repealed from and after the effective date of this Ordinance.

**SECTION 3.** The Director of Finance be and is hereby authorized to draw warrants for payments for any of the appropriations as the same are delineated in Exhibit "A", upon receiving proper certificates and vouchers therefore, approved by the Board, Officers or Officer or persons authorized to approve the same, or an Ordinance or Resolution of Council to make the expenditures, provided that no warrants shall be drawn or paid for salaries, or wages, except by persons employed by authority of and in accordance with laws or Ordinances. All revenues from ticket sales or other event charges dealing with Senior Citizen Events, Recreation Department programs or similar Village sponsored events for which a charge is levied to participate in same, are to be placed to the credit of Fund from which the event or program charge emanated and Council hereby appropriates these revenues to the credit of such Fund(s). In no event shall the net expenditures (i.e., expenditures minus revenues) exceed the stated appropriation amount for any such Fund(s) as the same is established and authorized by Village Council.

**SECTION 3.** The Clerk of Council be, and she is hereby authorized and directed to forward a certified copy of this Ordinance to the Chief Financial officer of Cuyahoga County, Ohio.

**SECTION 4.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department, therefore, provided it receives two-thirds ( $\frac{2}{3}$ ) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its

adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_  
Johnnie A. Warren, President of Council

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

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

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

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

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. 2021-21 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 - 18 was duly posted on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and will remain posted for a period of fifteen (15) days thereafter as provided by the Oakwood Village Charter.

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

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

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Debra L. Hladky, Clerk of Council

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

**FISCAL OFFICER'S CERTIFICATE**

TO THE COUNCIL OF THE VILLAGE OF OAKWOOD, OHIO:

As fiscal officer of the Village of Oakwood, Ohio, I certify in connection with your proposed issue of not to exceed \$165,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of acquiring real estate for Village purposes (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 30 years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.
3. The maximum maturity of the Notes is 240 months from their date of issuance.

Dated: \_\_\_\_\_, 2021

\_\_\_\_\_  
Director of Finance  
Village of Oakwood, Ohio

To Codified?

☐

1st Read \_\_\_\_\_ 2nd Read \_\_\_\_\_ 3rd Read \_\_\_\_\_ Under Suspension \_\_\_\_\_

ORDINANCE NO. 2021-22

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**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.**

**WHEREAS**, the Director of Finance, as fiscal officer of the Village, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 30 years and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds described in Section 1 is 240 months from their date of issuance;

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

**Section 1.** Authorized Principal Amount of Anticipated Bonds; Purpose. It is necessary to issue bonds of the Village in an aggregate principal amount not to exceed \$165,000 (the Bonds) for the purpose of paying costs of acquiring real estate for Village purposes.

**Section 2.** Estimated Bond Terms. The Bonds shall be dated approximately September 1, 2021, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 30 principal installments on August 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable are substantially equal. The first interest payment on the Bonds is estimated to be February 1, 2022, and the first principal payment of the Bonds is estimated to be August 1, 2023.

**Section 3.** Authorized Principal Amount of Notes; Dating; Interest Rate. It is necessary to issue and this Council determines that notes in an aggregate principal amount not to exceed \$165,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date not later than one year from the date of issuance by setting forth that maturity date in the certificate awarding the Notes and signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 5% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity or at any date of earlier prepayment as provided for in Section 4 and until the principal amount is paid or payment is

provided for, subject to the paragraph immediately below. The aggregate principal amount of and rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

If requested by the Original Purchaser (as defined in Section 6) and if the Director of Finance has determined it to be in the best interests of and financially advantageous to the Village to participate in the Treasurer of State's Ohio Market Access Program (as described in Section 6(c)), the Notes may provide that, in the event that the Village does not pay or make provision for payment at maturity of the debt charges on the Notes, the principal amount of the Notes shall bear interest at a different rate not to exceed the After Maturity Rate (as defined in the Standby Note Purchase Agreement defined and provided for in Section 6(c)) from the maturity date until the Village pays or makes provision to pay that principal amount.

**Section 4.** Payment of Debt Charges; Paying Agent; Prepayment. The debt charges on the Notes shall be payable in lawful money of the United States of America or in Federal Reserve funds of the United States of America, as determined by the Director of Finance in the Certificate of Award, and shall be payable, without deduction for services of the Village's paying agent, at the designated corporate trust office of U.S. Bank National Association or at the designated corporate trust office or other office of a bank or trust company designated by the Director of Finance, after determining that the payment at that bank or trust company will not endanger the funds or securities of the Village and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (the Paying Agent). If agreed to by the Original Purchaser, the Notes shall be prepayable without penalty or premium at the option of the Village at any time prior to maturity (the Prepayment Date) as provided in this Ordinance. Prepayment prior to maturity shall be made by deposit with the Paying Agent of the principal amount of the Notes together with interest accrued thereon to the Prepayment Date. The Village's right of prepayment shall be exercised by mailing a notice of prepayment, stating the Prepayment Date and the name and address of the Paying Agent, by certified or registered mail to the Original Purchaser and to the Paying Agent not less than seven days prior to the Prepayment Date. If money for prepayment is on deposit with the Paying Agent on the Prepayment Date following the giving of that notice, interest on the principal amount prepaid shall cease to accrue on the Prepayment Date. The Director of Finance may request the Original Purchaser to use its best efforts to arrange for the delivery of the Notes at the designated office of the Paying Agent for prepayment, surrender and cancellation.

**Section 5.** Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the Village and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the Village and payable only to a Depository or its nominee, with such Notes deposited and maintained in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the Village is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and deposited and maintained in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Village.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Village action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the Village.

**Section 6. Award and Sale of the Notes.**

(a) To the Original Purchaser. The Notes shall be sold at not less than par plus accrued interest to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other Village officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements, paying agent agreement, note purchase agreement, placement agent agreement, term sheet and other commitments, documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the Village, to combine the issue of Notes with one or more other note issues of the Village into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

(b) Application for Rating; Financing Costs. The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

(c) Ohio Market Access Program. If the Director of Finance determines in the Certificate of Award for it to be in the best interest of and financially advantageous to the Village, the Village shall participate in the Treasurer of State's Ohio Market Access Program.

The Standby Note Purchase Agreement (Standby Note Purchase Agreement) and Paying Agent Agreement (Paying Agent Agreement) are hereby authorized in the forms presented to this Council with such changes not materially adverse to the Village as may be approved by the officers of the Village executing the Standby Note Purchase Agreement and Paying Agent Agreement. The Village acknowledges the agreement of the Treasurer of State in the Standby Note Purchase Agreement that, in the event the Village is unable to repay the principal amount and accrued and unpaid interest of the Notes at their maturity, whether through its own funds or through the issuance of other obligations of the Village, the Treasurer of State agrees (A) to purchase the Notes from the holders or beneficial owners thereof upon their presentation to the Treasurer of State for such purchase at a price of par plus accrued interest to maturity or (B) to purchase renewal notes of the Village in a principal amount not greater than the principal amount of the Notes plus interest due at maturity, with such renewal notes bearing interest at the Renewal Note Rate (as defined in the Standby Note Purchase Agreement), maturing not more than one year after the date of their issuance, and being prepayable at any time with 30 days' notice, provided that in connection with the Treasurer of State's purchase of such renewal notes the Village shall deliver to the Treasurer of State an unqualified opinion of nationally recognized bond counsel that (i) such renewal notes

are the legal, valid and binding general obligations of the Village, and the principal of and interest on such renewal notes, unless paid from other sources, are to be paid from the proceeds of the levy of ad valorem taxes, within the ten-mill limitation imposed by law, on all property subject to ad valorem taxes levied by the Village and (ii) interest on the renewal notes is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code, as amended, to the same extent that interest on the Notes is so excluded.

The officers signing the Notes are authorized to take all actions that may in their judgment reasonably be necessary to provide for the Standby Note Purchase Agreement, including but not limited to the inclusion of a notation on the form of the Notes providing notice to the holders or beneficial owners of the existence of the Standby Note Purchase Agreement and providing instructions to such holders or beneficial owners regarding the presentation of the Note for purchase by the Treasurer of State at stated maturity.

**Section 7.** Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

**Section 8.** Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

**Section 9.** Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the Village, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent money from the municipal income tax is available for the payment of the debt charges on the Notes and Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated in compliance with the covenant hereinafter set forth. To the extent necessary, the debt charges on the Notes and Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and laws of the State of Ohio and the Village's Charter; and the Village hereby covenants, subject and pursuant to such authority, including particularly Sections 133.05(B)(7) and 5705.51(A)(5) and (D) of the Revised Code, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

Nothing in this Section in any way diminishes the pledge of the full faith and credit and property taxing power of the Village to the prompt payment of the debt charges on the Notes.

**Section 10. Federal Tax Considerations.** The Village covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The Village further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the Village having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the Village with respect to the Notes as the Village is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Village, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the Village, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the Village regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes. .

**Section 11. Certification and Delivery of Ordinance and Certificate of Award.** The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a copy of the signed Certificate of Award to the Cuyahoga County Fiscal Officer.

**Section 12. Satisfaction of Conditions for Note Issuance.** This Council determines that all acts and conditions necessary to be done or performed by the Village or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Village have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the Village are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

**Section 13. Retention of Bond Counsel.** The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the Village in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the Village or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized to provide for the payment of those fees and any reimbursements from the proceeds of the Notes to the extent available and otherwise is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

**Section 14. Retention of Municipal Advisor.** The services of MAS Financial Advisory Services LLC, as municipal advisor, be and are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Notes. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the Village in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the Village or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. The Director of Finance is authorized to provide for the payment of those fees and any reimbursements from the proceeds of the Notes to the extent available and otherwise is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

**Section 15. Compliance with Open Meeting Requirements.** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or of any of its committees, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

**Section 16. Captions and Headings.** The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

**Section 17. Declaration of Emergency; Effective Date.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village, and for the further reason that this Ordinance is required to be immediately effective so that the Notes can be sold and issued at an early date to make their proceeds available to enable the Village to enter into a contract for the acquisition of the improvement, which is required for Village purposes and needed to better protect the health and safety of Village residents; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: \_\_\_\_\_

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

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

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

Approved:

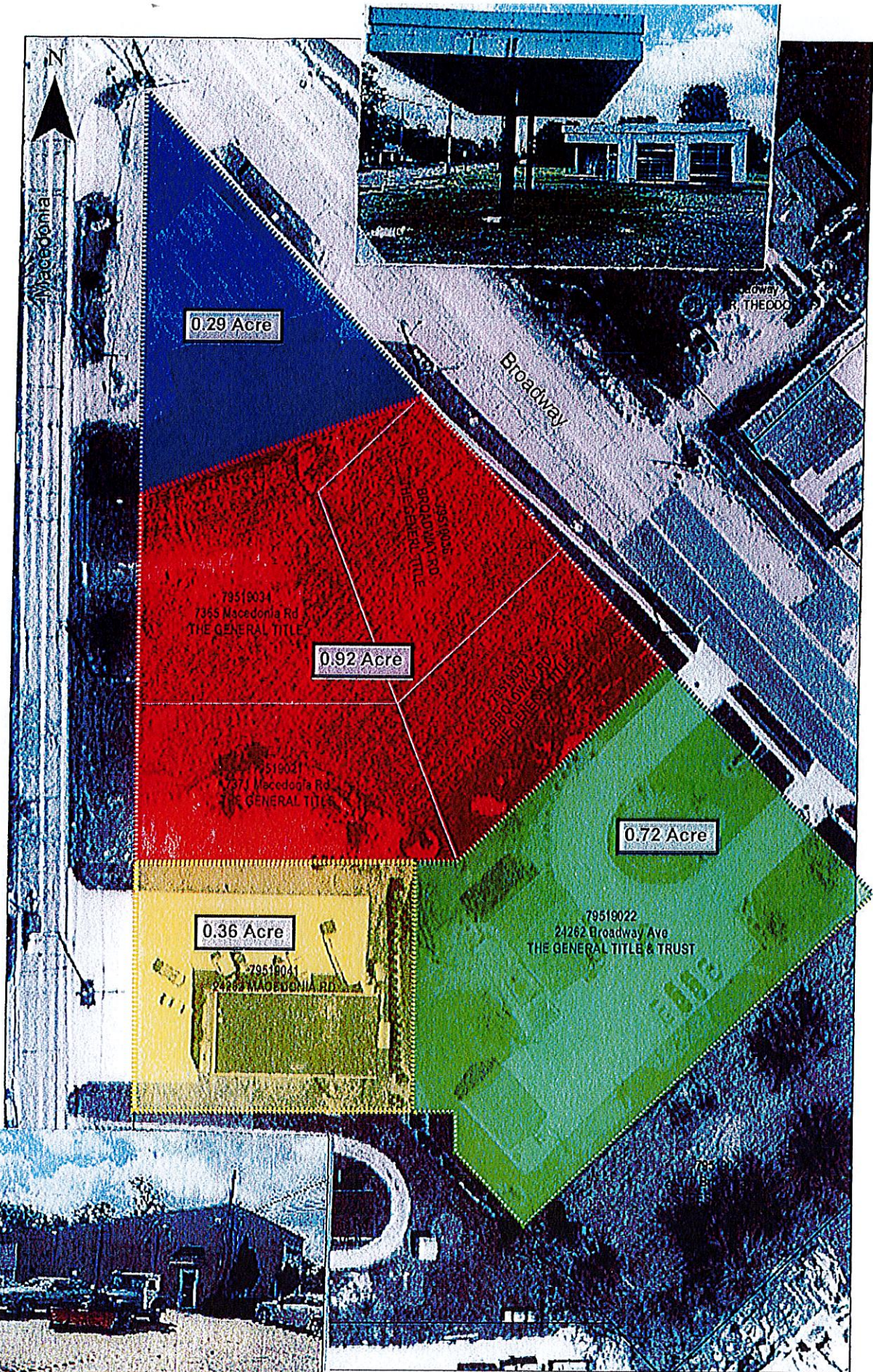
\_\_\_\_\_  
Mayor

#### **CLERK'S CERTIFICATE**

I, the undersigned Clerk of Council of the Village of Oakwood, County of Cuyahoga, Ohio, do hereby certify that the foregoing Ordinance No. 2021-22 was (i) duly and regularly passed by this Council at a meeting held on \_\_\_\_\_, 2021, and (ii) duly posted on \_\_\_\_\_, 2021, and will remain so posted for a period of 15 days thereafter in the Council Chambers and in not less than five of the most public places in the municipality, as determined by the Council of said Village.

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

\_\_\_\_\_  
Clerk of Council  
Village of Oakwood, Ohio



**VILLAGE OF OAKWOOD  
WORK SESSION  
AGENDA  
March 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 2021-WS-05<br>Introduced 1-29-2021 by<br>Mayor & Council as a whole<br><i>2021-09 Moved to WS 2-23-21</i> | AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM FOR SINGLE FAMILY PROPERTIES LOCATED IN THE VILLAGE   |
| Ord 2021-WS-06<br>Introduced 1-26-2021 by<br>Mayor ( <i>Ward 4</i> )<br><i>2021-10 Moved to WS 2-23-21</i>    | AN ORDINANCE AMENDING ORDINANCE 2019-22 AUTHORIZING THE ESTABLISHMENT OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM FOR SINGLE FAMILY PROPERTIES LOCATED IN WARD 4   |
| Res 2021-WS-09<br>Introduced 3-09-2021 by<br>Mayor  | A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANT(S)   |
| Res 2021-WS-10<br>Introduced 3-09-2021 by<br>Mayor  | A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE CUYAHOGA COUNTY SOLID WASTE DISTRICT   |
| Res 2021-WS-11<br>Introduced 3-09-2021 by<br>Mayor  | A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE CUYAHOGA COUNTY BOARD OF DEVELOPMENTAL DISABILITIES  |
| Ord 2021-WS-12<br>Introduced 3-09-2021 by<br>Mayor<br>\$290,000 Project<br>50% grant \$145,000                | AN EMERGENCY ORDINANCE ENACTED BY OAKWOOD VILLAGE, CUYAHOGA COUNTY, OHIO HEREINAFTER REFERRED TO AS THE MUNICIPALITY, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT AND REQUESTS THE COOPERATION OF THE COUNTY OF CUYAHOGA, OHIO, HEREINAFTER REFERRED TO AS THE COUNTY |

Municipal Complex            Hardin

Disaster Recovery Plan        Hardin

Human Resources             Hardin

Five-Year Plan                Hardin

Employee Service Awards        (every five years)

Council Committee Assignments

5. Matters Deemed Appropriate

6. Adjournment

ORDINANCE NO. 2021-WS-05

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 - 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 - 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.

## **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.
- Participation shall be limited to a total yearly expenditure of \$80,000.00 for the years 2024 through 2026 and \$150,000.00 per year for the years 2027 through 2031.
- The funds shall be apportioned among the Wards according to the number of single-family structures in the Ward compared to the total number of single family structures in the Village excluding Ward 4 which equates to the following:

Ward 1:  $258/957 = 27\%$

Ward 2:  $333/957 = 35\%$

Ward 3:  $213/957 = 23\%$

Ward 5:  $128/957 = 15\%$

- 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**

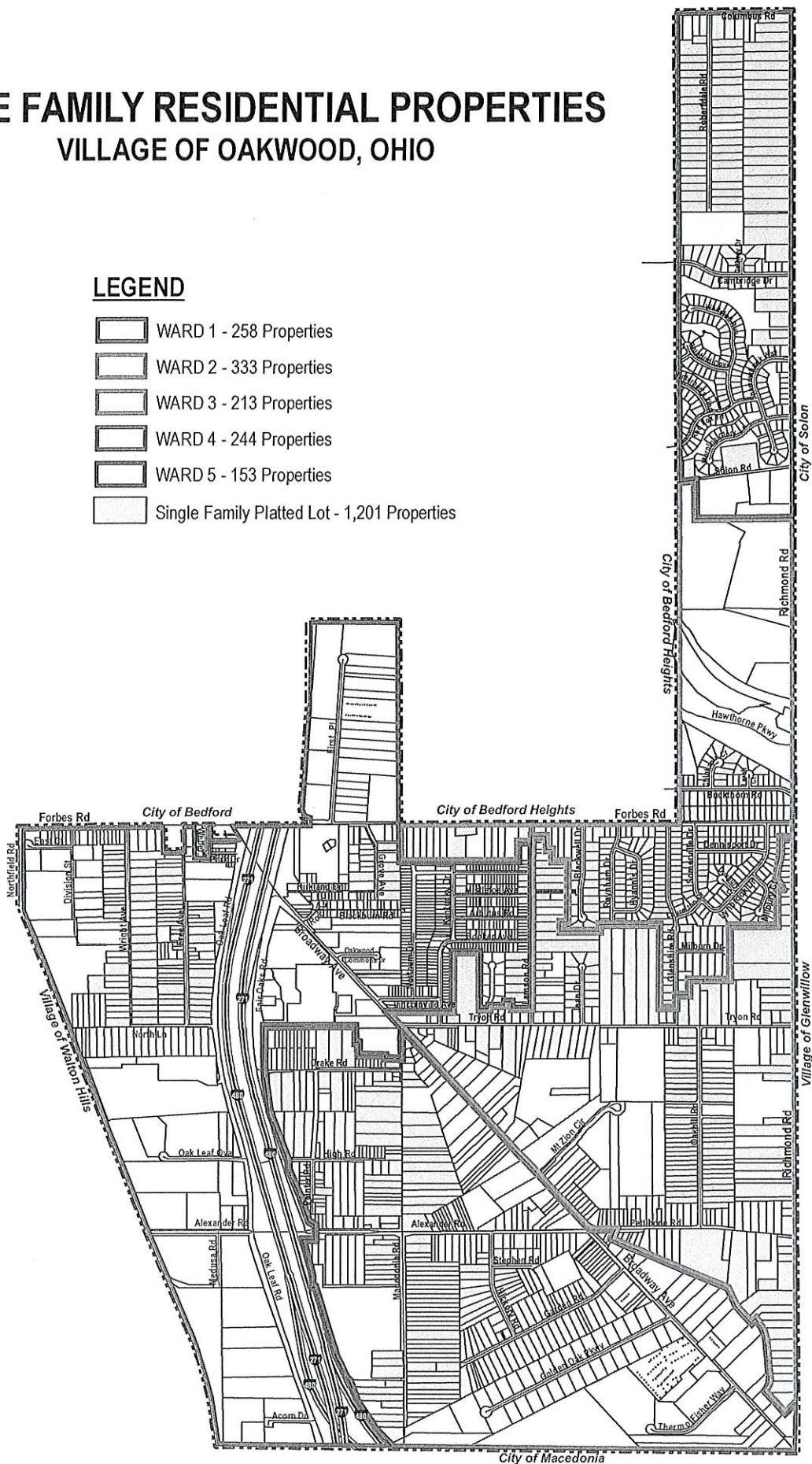
Property owners are eligible for reimbursements as outlined above after submitting an application to the Program Administrator or his designee, an inspection of the improvements by the Chief Building Official or his designee, proof that all contractors and suppliers have been paid in full for services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

# SINGLE FAMILY RESIDENTIAL PROPERTIES

## VILLAGE OF OAKWOOD, OHIO

### LEGEND

-  WARD 1 - 258 Properties
-  WARD 2 - 333 Properties
-  WARD 3 - 213 Properties
-  WARD 4 - 244 Properties
-  WARD 5 - 153 Properties
-  Single Family Platted Lot - 1,201 Properties





## Exterior Maintenance Program

Oakwood Village Building Department, 23035(B), Broadway Ave.

Property Owner's Full Name: \_\_\_\_\_ Email: \_\_\_\_\_

Property Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Have you received Exterior Maintenance Grant fund in the past? Yes \_\_\_\_\_ No \_\_\_\_\_



Oakwood Village wants to encourage its homeowners to invest in your properties by assisting with improvement to the exterior of your homes. The "Exterior Maintenance Program" make grants available for you to improve the appearance of your home exterior while making our community more attractive and inspire a greater sense of neighborhood pride.

### Project Description:


Contractor	Cost	Award Date	Date Certificated by Building Dept.

Signature: \_\_\_\_\_

Home Owner: \_\_\_\_\_

Date: \_\_\_\_\_

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Three Bids Required!¶
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Oakwood Village wants to encourage homeowners to invest in their properties by assisting with improvement to the exterior of your homes. The "Exterior Maintenance Program" make grants available to the homeowner to improve property maintenance of your homes. ¶
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## Project Requirements:

- 1: Program limited to owner-occupied single family homes and owners of rental properties; Council decision; Proof of ownership is required. Please attach copies of "mortgage or deed to property" or "2023 property tax bill" or "water bill."
- 2: Owners must be current with all Oakwood taxes and property taxes to be eligible.
- 3: Your application with supporting documentation must be received by June 2024.
- 4: Hand deliver your application to the Oakwood Building Dept at 23035(B) Broadway Ave.
- 5: Please allow 7 – 10 business days for Village Council to review and to make a determination if the project qualifies. You will be contacted by phone and followed up by mail and/or by email of Council's decision to award your project.
- 6: Two (2) bids are required. Please attach the bids to your application.  
Contractors must be licensed, bonded, insured & registered with the Village of Oakwood.
- 7: Funding for the Exterior Maintenance Program lasts for five (5) years. The total to be expended is \$80,000 for the years 2024 thru 2028.
- 8: Oakwood Village will reimburse the homeowner seventy-five (75%) percent of the construction cost of your project up to a maximum of \$4,000.00.
- 9: Village Council will approve applications based upon "need and necessity."
- 10: Contractors shall not start work until the Building Dept. issues all necessary permits. The Village will waive the cost of your building permit. All construction work must be completed within sixty (60) days of the contract award date.
- 11: Upon receipt of your application, the Oakwood Building Dept. will inspect your property, photograph the issues associated with the workscope and forward all information to Village Council.
- 12: When the contractor completes the project, you will contact the Building Dept. for its final review and inspection of the contractor's work. Upon the Building Department's acceptance and approval of the work, you will be issued a "Certificate of Project Completion and Acceptance."
- 13: Attached to this application is a "Release of Lien" form which must be executed by you when you pay the contractor for the complete work; a copy of this executed "Release of Lien" form is to be provided to the Building Dept.
- 14: A check for the reimbursement amount will be mailed to you within two (2) weeks after the Inspection Confirmation and Contractor's Release of Lien has been submitted to Oakwood Building Dept.

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## Waiver of Lien:

I, \_\_\_\_\_, owner of \_\_\_\_\_ hereby certifies  
that Homeowner: \_\_\_\_\_ located at  
Oakwood Village, Ohio 44146 has paid my company in full for the work perform pursuant to the Ward Four  
Exterior Maintenance Program in the amount of \_\_\_\_\_ and that all labor and materials  
associated with this project has been paid in full .

In consideration of the foregoing payment and other good and valuable consideration, the receipt of which is  
acknowledged, I expressly waive any right that my company or I now have, or in the future will have, to a  
mechanic's lien against the foregoing real property and improvements on account of materials or labor  
furnished or to be furnished.

Date: \_\_\_\_\_ Contractor: \_\_\_\_\_

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Application Information: ¶

Fill in the property owner's name, property address and a phone  
number¶

¶

Project Description: ¶

Fill in contractor's WorkscopeRequired Attachments:¶

Homeowner to submit this application along with the bids of each  
of the contractors who submitted bid for the work.¶

¶

¶

Contractors: ¶

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Criteria:¶

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properties by assisting with improvement to the exterior of their

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Property must be owner occupied.¶

To Codified?    1st Read \_\_\_\_\_ 2nd Read \_\_\_\_\_ 3rd Read \_\_\_\_\_ Under Suspension.

ORDINANCE NO. 2021-WS-06

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 - 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 - 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: \_\_\_\_\_

## **WARD 4 EXTERIOR HOME REPAIR PROGRAM**

### **Purpose**

To maintain and improve the physical condition and aesthetics of single family properties located in Ward 4 of the Village in which significant economic development is planned thereby benefitting the entire Village.

### **Program Summary**

- Participants eligible for the program shall be owners of single-family residences in Ward 4 who 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.
- Participation shall be limited to a total yearly expenditure of \$80,000.00 for the years 2022 through 2025.
- 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 & 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.

ORDINANCE NO. 2019-22

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 WARD 4 AND DECLARING AN EMERGENCY.**

Introduced by	<u>ROGERS</u>
Motioned by	<u>HARLIN</u>
Seconded by	<u>ROGERS</u>
1st Reading	<u>3.26.19</u>
2nd Reading	
Third Reading	
Under suspension	<u>4.23.19</u>

**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;

**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 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.

PASSED:

April 23, 2019

Johnnie A. Warren  
Johnnie A. Warren, President of Council

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

Presented to the  
Mayor

April 24, 2019

Approved:

April 24, 2019

Gary V. Gottschalk  
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. 2019 -22 was duly and regularly passed by this Council at the meeting held on the 23 day of April, 2019.

Debra L. Hladky  
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. 2019 - was duly posted on the 24 day of April, 2019, 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:

April 24, 2019

## **WARD 4 EXTERIOR HOME REPAIR PROGRAM**

### **Purpose**

To maintain and improve the physical condition and aesthetics of single-family properties located in Ward 4 of the Village in which significant economic development is planned thereby benefitting the entire Village.

### **Program Summary**

- Participants eligible for the program shall be owners of single-family residences in Ward 4 who 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.
- Participation shall be limited to a total yearly expenditure of \$80,000.00 for the year 2019 and thereafter total yearly expenditures of \$148,750.00 for the years 2020 through 2023.
- 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 & 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.



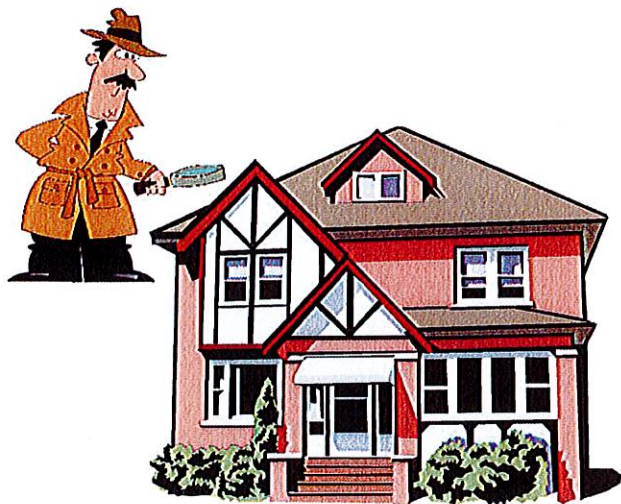
## Ward 4 Exterior Maintenance Program

Oakwood Village Building Department, 23035(B) Broadway Ave.

Property Owner's Full Name: \_\_\_\_\_ Email: \_\_\_\_\_

Property Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Have you received Exterior Maintenance Grant fund in the past? \_\_\_\_\_ Yes \_\_\_\_\_ No



*Oakwood Village wants to encourage Ward 4 homeowners to invest in your properties by assisting with improvement to the exterior of your homes. The "Exterior Maintenance Program" make grants available for you to improve the appearance of your home exterior while making our community more attractive and inspire a greater sense of neighborhood pride.*

### Project Description:

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Contractor	Cost	Award Date	Date Certificated by Building Dept

### Signature:

\_\_\_\_\_  
Home Owner:

\_\_\_\_\_  
Date:

## Project Requirements:

1. Program limited to owner-occupied single family homes. Proof of ownership is required. Please attach copies of "mortgage or deed to property" or "2018 property tax bill."
2. Owners must be current with all Oakwood taxes and property taxes to be eligible.
3. Your application, with supporting documentation, must be received by **Friday June 14, 2019.**
4. Two (2) bids are required. Please attach the bids to your application.  
**Contractors must be licensed, bonded, insured & registered with the Village of Oakwood.**
5. **Hand deliver your application to the Oakwood Building Dept at 23035(B) Broadway Ave.**
6. Please allow 7 – 10 business days from the May 17<sup>th</sup> deadline for Village Council to review and to make a determination if the project qualifies. You will be contacted by phone and followed up by mail and/or email of Council's decision to award your project.
7. Upon receipt of your application, the Oakwood Building Dept. will inspect your property, photograph the issues associated with the workscope and forward all information to Village Council.
8. Funding for the Ward 4 Exterior Maintenance Program lasts for five (5) years. The total to be expended is \$80,000.00 in 2019 and \$148,750.00 each year for the years 2020 thru 2023.
9. **Oakwood Village will reimburse the homeowner seventy-five (75%) percent of the construction cost of your project up to a maximum reimbursement to you of \$3,000.00 on a total project cost of \$4,000.00.**
10. Village Council will approve applications based upon "need and necessity."
11. **Contractors shall not start work until the Building Dept. issues all necessary permits. The Village will waive the cost of your building permit. All construction work must be completed within sixty (60) days of the date of the award to you.**
12. When the contractor completes the project, you will contact the Building Dept. for its final review and inspection of the contractor's work. Upon the Building Department's acceptance and approval of the work, you will be issued a "Certificate of Project Completion and Acceptance."
13. Attached to this application is a "Waiver of Lien" form which must be executed by the contractor when you pay the contractor for the complete work; a copy of this executed "Waiver of Lien" form is to be provided to the Building Dept. If a lien has been filed against the property by reason of the work performed, you will be required to cooperate with the Building Dept. in obtaining and recording a valid Release of Lien acceptable to the Village.
14. A check for the reimbursement amount will be mailed to you within two (2) weeks after the Inspection Confirmation and Contractor's Waiver of Lien has been submitted to Oakwood Building Dept.
15. Eligible exterior improvements include roof repairs or chimneys, siding repairs and/or painting surfaces, window replacements, installation or repair of driveways or surface walkways, shutters/gutters/downspouts, and pruning or removal of nuisance trees, etc.



## Waiver of Lien:

I, \_\_\_\_\_, owner of \_\_\_\_\_  
hereby certifies that Homeowner: \_\_\_\_\_ located at \_\_\_\_\_  
Oakwood Village, Ohio 44146 has paid my company in full for the work perform pursuant to the Ward 4  
Exterior Maintenance Program in the amount of \_\_\_\_\_ and that all labor and materials  
associated with this project has been paid in full .

In consideration of the foregoing payment and other good and valuable consideration, the receipt of which is  
acknowledged, I expressly waive any right that my company or I now have, or in the future will have, to a  
mechanic's lien against the foregoing real property and improvements on account of materials or labor  
furnished or to be furnished.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Contractor:

ORDINANCE NO. 2019-22

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 WARD 4 AND DECLARING AN EMERGENCY.**

Introduced by	<u>ROGERS</u>
Motioned by	<u>HARDIN</u>
Seconded by	<u>HARDIN</u>
1st Reading	<u>3.26.19</u>
2nd Reading	
Third Reading	
Under suspension	<u>4.23.19</u>

**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;

**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 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.

PASSED:

April 23, 2019

Johnnie A. Warren  
Johnnie A. Warren, President of Council

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

Presented to the  
Mayor

April 24, 2019

Approved:

April 24, 2019

Gary V. Gottschalk  
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. 2019 -22, was duly and regularly passed by this Council at the meeting held on the 23 day of April, 2019.

Debra L. Hladky  
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. 2019 - was duly posted on the 24 day of April, 2019, 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:

April 24, 2019

## **WARD 4 EXTERIOR HOME REPAIR PROGRAM**

### **Purpose**

To maintain and improve the physical condition and aesthetics of single-family properties located in Ward 4 of the Village in which significant economic development is planned thereby benefitting the entire Village.

### **Program Summary**

- Participants eligible for the program shall be owners of single-family residences in Ward 4 who 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.
- Participation shall be limited to a total yearly expenditure of \$80,000.00 for the year 2019 and thereafter total yearly expenditures of \$148,750.00 for the years 2020 through 2023.
- 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 & 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.



## Ward 4 Exterior Maintenance Program

Oakwood Village Building Department, 23035(B) Broadway Ave.

Property Owner's Full Name: \_\_\_\_\_ Email: \_\_\_\_\_

Property Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Have you received Exterior Maintenance Grant fund in the past? \_\_\_\_\_ Yes \_\_\_\_\_ No



*Oakwood Village wants to encourage Ward 4 homeowners to invest in your properties by assisting with improvement to the exterior of your homes. The "Exterior Maintenance Program" make grants available for you to improve the appearance of your home exterior while making our community more attractive and inspire a greater sense of neighborhood pride.*

### Project Description:

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Contractor	Cost	Award Date	Date Certificated by Building Dept

### Signature:

\_\_\_\_\_  
Home Owner:

\_\_\_\_\_  
Date:

## Project Requirements:

1. Program limited to owner-occupied single family homes. Proof of ownership is required. Please attach copies of "mortgage or deed to property" or "2018 property tax bill."
2. Owners must be current with all Oakwood taxes and property taxes to be eligible.
3. Your application, with supporting documentation, must be received by **Friday June 14, 2019.**
4. Two (2) bids are required. Please attach the bids to your application.  
**Contractors must be licensed, bonded, insured & registered with the Village of Oakwood.**
5. **Hand deliver your application to the Oakwood Building Dept at 23035(B) Broadway Ave.**
6. Please allow 7 – 10 business days from the May 17<sup>th</sup> deadline for Village Council to review and to make a determination if the project qualifies. You will be contacted by phone and followed up by mail and/or email of Council's decision to award your project.
7. Upon receipt of your application, the Oakwood Building Dept. will inspect your property, photograph the issues associated with the workscope and forward all information to Village Council.
8. Funding for the Ward 4 Exterior Maintenance Program lasts for five (5) years. The total to be expended is \$80,000.00 in 2019 and \$148,750.00 each year for the years 2020 thru 2023.
9. Oakwood Village will reimburse the homeowner seventy-five (75%) percent of the construction cost of your project up to a maximum reimbursement to you of \$3,000.00 on a total project cost of \$4,000.00.
10. Village Council will approve applications based upon "need and necessity."
11. **Contractors shall not start work until the Building Dept. issues all necessary permits. The Village will waive the cost of your building permit.** All construction work must be completed within sixty (60) days of the date of the award to you.
12. When the contractor completes the project, you will contact the Building Dept. for its final review and inspection of the contractor's work. Upon the Building Department's acceptance and approval of the work, you will be issued a "Certificate of Project Completion and Acceptance."
13. Attached to this application is a "Waiver of Lien" form which must be executed by the contractor when you pay the contractor for the complete work; a copy of this executed "Waiver of Lien" form is to be provided to the Building Dept. If a lien has been filed against the property by reason of the work performed, you will be required to cooperate with the Building Dept. in obtaining and recording a valid Release of Lien acceptable to the Village.
14. A check for the reimbursement amount will be mailed to you within two (2) weeks after the Inspection Confirmation and Contractor's Waiver of Lien has been submitted to Oakwood Building Dept.
15. Eligible exterior improvements include roof repairs or chimneys, siding repairs and/or painting surfaces, window replacements, installation or repair of driveways or surface walkways, shutters/gutters/downspouts, and pruning or removal of nuisance trees, etc.



## Waiver of Lien:

I, \_\_\_\_\_, owner of \_\_\_\_\_  
hereby certifies that Homeowner: \_\_\_\_\_ located at \_\_\_\_\_  
Oakwood Village, Ohio 44146 has paid my company in full for the work perform pursuant to the Ward 4  
Exterior Maintenance Program in the amount of \_\_\_\_\_ and that all labor and materials  
associated with this project has been paid in full .

In consideration of the foregoing payment and other good and valuable consideration, the receipt of which is  
acknowledged, I expressly waive any right that my company or I now have, or in the future will have, to a  
mechanic's lien against the foregoing real property and improvements on account of materials or labor  
furnished or to be furnished.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Contractor:

**VILLAGE OF OAKWOOD, OHIO**

RESOLUTION NO. 2021-WS-09

**A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT  
NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED  
COMMUNITY GRANT(S)**

**WHEREAS**, the Village of Oakwood, Ohio (the “MUNICIPALITY”) is a member of the Northeast Ohio Public Energy Council (“NOPEC”) and is eligible for one or more NOPEC Energized Community Grant(s) for 2021 (“NEC Grant(s)”) as provided for in the NEC Grant Program guidelines; and

**WHEREAS**, the MUNICIPALITY wishes to enter into a Grant Agreement with NOPEC, Inc. in the form attached to this Resolution to receive one or more NEC Grant(s) for 2021, and to authorize the Mayor to execute the Grant Agreement with NOPEC, Inc. in the form attached.

**NOW, THEREFORE**, be it resolved by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

**SECTION 1.** This Council of the MUNICIPALITY (the “Council”) finds and determines that it is in the best interest of the MUNICIPALITY to accept the NEC Grant(s) for 2021, and authorizes the Mayor to execute the Grant Agreement and any agreements with NOPEC, Inc. as may be necessary and appropriate for obtaining financial assistance and further upon the recommendation of the Village Engineer, and approved as to form by the Village Law Director, in accordance with all authority granted to and limitations upon the Village Director of Finance.

**SECTION 2.** This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this Council, and that all deliberations of this Council and of any committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Village's Charter and Codified Ordinances and Section 121.2 of the Ohio Revised Code.

**SECTION 3.** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department, therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Resolution shall be in full force and effect immediately upon its adoption by Council and approved by the Mayor, otherwise, from and after the earliest period allowed by law.

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

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

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

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

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

\_\_\_\_\_  
Mayor – Gary V Gottschalk

Approved as to legal form:

\_\_\_\_\_  
James Climer, Director of Law

ATTEST: \_\_\_\_\_  
Debra L Hladky, Clerk of Council

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

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 Resolution No. 2021\_\_\_\_ was duly and regularly passed by this Council at the meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
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 Resolution 2021\_\_\_\_ 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 (5) of the most public places in the municipality as determined by the Council of the said Village.

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

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

*2021 Program Policies (attached)*



## **NOPEC Energized Community (NEC) Grant 2021 Program Policies**

NOPEC, Inc. and NextEra Energy have established the NOPEC Energized Community Grant Program, which provides grants to existing NOPEC member electric and gas communities. Existing member communities are defined as those with metered accounts enrolled in NOPEC's electric and/or gas aggregation during the previous calendar year. The new grant program year will begin on January 1, 2021, with the primary goal of providing funds to help communities implement energy savings or energy infrastructure measures.

NEC grants are intended to be used by member communities primarily for energy related projects. Member communities will be permitted, on a case-by-case basis, to use grants for purposes other than energy efficiency or energy infrastructure improvements.

The policies governing the grant program have been approved by the Board of Directors. The Economic Development Director (EDD) will have oversight and day-to-day management responsibility for the program.

**Deadlines:** NOPEC member communities that wish to accept the grant award must have a completed and approved profile by June 30, 2021. All grant funds must be secured by October 31, 2021. Secured funds include applications approved to escrow funds or complete a project. Any grant funds not accepted, with an approved community profile by June 30, 2021, or secured through the application process by October 31, 2021, will be returned to the grant pool.

**Eligibility and Notification:** Existing NOPEC member communities enrolled in both gas and electric on January 1 will be paid cash grants at the rate of [\$4] per enrolled account for gas and [\$6] per enrolled account for electric per year. Existing NOPEC member communities enrolled in the gas program only will be paid cash grants at the rate of [\$3] per enrolled account. Existing NOPEC member communities enrolled in the electric program only will be paid cash grants at the rate of [\$5] per enrolled account. Enrolled accounts will be determined based on an average, using Q2 and Q3, of metered accounts of the previous calendar year. If an existing community was not enrolled for both quarters of the previous year, an average of the metered accounts enrolled for a minimum of three consecutive months will be applied. The minimum community grant amount will not be less than \$250.00, Member counties and regional council of governments (COG) will also receive grants based on the communities and programs enrolled through the county or COG

membership. Grants will be calculated using the same averaging method as the community grants. County and regional COG members will receive [\$1.50] for gas and [\$2] for electric, per enrolled account per year, in communities enrolled for both programs, and [\$1.50] for gas or [\$1.00] for electric, in communities enrolled for a single aggregation program.

The Chief Elected Official and the Chief Financial Official of member communities, regional COG and counties will be notified by letter in January of the grant amount available for its use. Each community must enter into a grant agreement, if it has not already done so, with NOPEC, Inc. Each year, the community must pass legislation accepting the grant and identifying the position (with person currently holding that position) authorized to conduct on-line program activities on behalf of the community. All grant activities, including the application and disbursement request processes, will be completed and submitted online.

Processing: The first step for the NEC grant program is creating a community profile in the on-line grant program for a new community. Communities that completed this step in a previous year should review the profile and update the information, as needed.

As part of the profile, all communities will upload a pdf file of the legislation approved by the member community accepting the NEC grant. Communities that are receiving a grant for the first time will also execute and upload a pdf file of executed Grant Agreement. The deadline to accept the grant and upload the required documents for the profile step is June 30, 2021. Any grant funds not accepted with an approved community profile will be returned to the grant pool.

Communities must complete the application process to qualify a project for grant funds. New applications will be reviewed on an ongoing basis. Appropriate supporting documents (e.g., project quotes) should be attached, if available. All applications must be submitted electronically in the grant system.

Staff will review each application to determine if it meets the criteria and formally approve each project funded. Communities may begin the project during the review process but it does not guarantee funding approval. Projects that are determined to be emergencies, based on immediate health and/or safety issues, may be eligible to begin without formal approval.

Eligible projects include those that reduce electric and/or gas utility consumption through facility improvements and/or implementing infrastructure improvements. Examples include interior and exterior lighting, windows and doors, insulation, HVAC, geothermal and solar. Street lights and traffic lights are also eligible, if a demonstrated utility savings to the community will result. Examples of ineligible projects would include vehicles or equipment (other than an emergency generator) that are powered by battery, gasoline or diesel, and do not reduce utility costs. Project examples for eligible energy infrastructure include natural gas filling stations, electric vehicle charging

stations and emergency generators. Installing power to a facility such as a gazebo or baseball field are other examples of eligible energy infrastructure.

Grants may also be used to benefit commercial properties. Options include covering the cost of energy audits or set-up costs for establishing an Energy Special Improvement District. Programs benefitting residents are also eligible. Providing residents LED light bulbs or establishing a residential energy audit program funded by the NEC grant program are two examples.

Multi-jurisdictional projects are eligible. Each community must apply for its own grant funds in a multi-jurisdictional project. Non-NOPEC members may be part of a multi-jurisdictional project but will not be eligible for any grant funds from NOPEC.

If a community completed a project that meets the eligibility requirements within the previous calendar year it may submit that project for the grant. Communities may also choose to escrow the grant award (or a portion of it) for a future year, but the escrow period is not to exceed an additional two years from the original grant year.

If a member community conducts an energy audit for the proposed project, the community may obtain the audit service through NOPEC's Energy Advisor audit program. Audit costs may be defrayed with grant funds, whether obtained through NOPEC's program or contracted with a third party. The audit must be performed by a credentialed professional.

Once the application is reviewed and approved, the community will receive written confirmation. Each approved project will become an exhibit to the Grant Agreement.

Project Completion and Funds Disbursement: Communities are responsible for contracting all work to be completed for community-owned facilities or projects, in accordance with local requirements, with qualified professionals. Monthly disbursements will be made for approved projects until the funds have been depleted, with a minimum disbursement amount of \$5,000 for interim disbursements. For projects of \$5,000 or less, the grant will be disbursed upon project completion. All disbursements will be made by Automatic Clearing House (ACH) process to an account designated by the community. All disbursements for an approved project must be requested no later than the year following the original grant year. Projects approved for the 2021 grant year cycle must request all disbursements before December 10, 2022.

This is not a reimbursement grant, i.e. communities are not required to pay the invoice prior to submitting it for a grant disbursement. Communities create the Disbursement Request(s) for each approved application with appropriate supporting documents submitted on-line. Appropriate supporting documents include invoices or AIA forms for work completed, or signed contracts that specify an advance prior to the start of the project. Quotes or proposals are not acceptable documents for Disbursement Requests. The EDD will review all disbursement requests and submit them for

processing to the NOPEC CFO. All disbursements are approved by the Executive Director or other authorized person.

Any grant dollars, including balances, not applied for or escrowed by the community by October 31 of the current grant year will be forfeited by the community and returned to the grant pool. The grant term will be for calendar year 2021. NOPEC will close out a community's grant when all grant funds have been disbursed or any remaining funds are returned to the grant pool.

Reports: Communities using grant funds for energy efficiency projects will submit an annual report to NOPEC for two years following project completion, if the project is selected for measurement and verification. The report will provide information on the energy saved (measured by units and dollars) in the previous year resulting from that project. This report will be prepared by a third-party consultant contracted by NOPEC, Inc. The community will agree to authorize NOPEC to provide the appropriate utility account information for the designated project site to the consultant for the purpose of completing the annual reports.

The EDD will track all open grants and provide periodic status reports to the NOPEC Executive Director and to both the NOPEC and NOPEC, Inc. Boards of Directors. Reports will include the number of communities with open grants available and the total funds disbursed to date.

All determinations made by NOPEC, Inc. and NOPEC in administering the NEC Grant Program shall be final, conclusive and binding on all grant recipients.

RESOLUTION NO. 2021-WS-10

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**A RESOLUTION AUTHORIZING THE MAYOR TO  
ACCEPT A GRANT FROM THE CUYAHOGA COUNTY  
SOLID WASTE DISTRICT**

**WHEREAS**, the Village of Oakwood has been awarded a grant in the amount of \$4,000.00 by the Cuyahoga County Solid Waste District to promote and educate residents of the Village about recycling.

**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 be and he is hereby authorized to accept a grant from the Cuyahoga County Solid Waste District in the amount of \$4,968 to promote and educate residents of the Village about recycling as detailed in Exhibit A.

**SECTION 2.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department, therefore, provided it receives two-thirds ( $\frac{2}{3}$ ) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

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

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

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

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

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

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

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 Resolution No. 2021\_\_\_\_ 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 Resolution No. 2021-\_\_\_\_ 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: \_\_\_\_\_



## 2021 COMMUNITY RECYCLING AWARENESS GRANT

### GRANT AWARD & ACKNOWLEDGEMENT FORM

Sign and return this form to [csnyder@cuyahogacounty.us](mailto:csnyder@cuyahogacounty.us) on or before March 1, 2021.

#### APPROVED GRANT AWARD

The District has approved a grant in the amount of \$4,968 for the Village of Oakwood for the purpose of implementing the activities listed below and described in your 2021 grant application.

#### Approved Grant Project(s):

- Two shred days, 20 yard signs, one banner, recycling postcard and 2 recycling bins are approved.
- Funding not provided for trash receptacle (1/3 of proposed container). Signs should be reusable (no dates).

The effective date of this grant is February 16, 2021. Expenses incurred prior to this date will not be reimbursed. Grant activities should be completed according to the timeline in your grant application but no later than November 1, 2021. The District will disburse the grant funds following the completion of the grant activities and the satisfactory performance of Grantee obligations as described herein. To request the funds, the Grantee must complete and submit a *Grant Reimbursement Report* and all requested documentation.

This notice of grant award does not mean your education component has received final approval from the District for print or publication.

**District Contact:** All grant related questions, changes, approvals, and paperwork should be directed to the District Contact: Cristie Snyder, Communications Specialist, (216) 443-3707, [csnyder@cuyahogacounty.us](mailto:csnyder@cuyahogacounty.us)

#### GRANT ACKNOWLEDGEMENT FORM – *Return a copy and Keep a copy for your records*

BY CHECKING THE BOXES and SIGNING BELOW, THE CITY/VILLAGE ACKNOWLEDGES THAT IT UNDERSTANDS AND AGREES TO THE FOLLOWING TERMS AND CONDITIONS:

- ☒ The Grantee will complete all grant activities in accordance with its grant application, or with any changes approved by the District and submit a hard copy of its grant report no later than 4:00 PM on November 1, 2021.
- ☒ The Grantee will abide by its local purchasing requirements when spending grant funds and will keep records of all grant expenses including purchase orders, invoices, and receipts to account for all grant funds.
- ☒ The Grantee will obtain pre-approval from the District Contact for all awareness materials produced with grant funds prior to final production. This includes, but is not limited to, banners, brochures, calendars, cart tags, fliers, info cards, mailers, newsletters, postcards, recycling signs, refrigerator magnets and videos. Failure to obtain pre-approval may result in a reimbursement request being denied.
- ☒ The Grantee will incorporate the graphics and recycling terminology contained in the Cuyahoga Recycles toolkit for any grant funded awareness material to ensure consistent communication about curbside recycling across Cuyahoga County. The login instructions for the toolkit are available from the District Contact.
- ☒ The Grantee will include a funding credit line and District logo on awareness materials produced with grant funds. A digital copy of the logo is available from Cristie Snyder. The credit line should appear as follows:

Grant funding provided by:



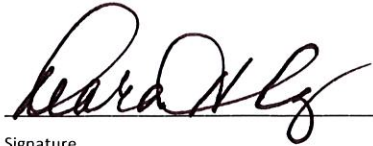
**Cuyahoga County**  
SOLID WASTE DISTRICT  
[CuyahogaRecycles.org](http://CuyahogaRecycles.org)



2021 COMMUNITY RECYCLING AWARENESS GRANT

-over-

Authorized Grantee Signature



Signature



Name & Title (print)

3.1.2021

Date

RESOLUTION NO. 2021-WS-11

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**A RESOLUTION AUTHORIZING THE MAYOR TO  
ACCEPT A GRANT FROM THE CUYAHOGA COUNTY  
BOARD OF DEVELOPMENTAL DISABILITIES**

**WHEREAS**, the Village of Oakwood has been awarded a grant in the amount of \$5,000.00 by the Cuyahoga County Board of Developmental Disabilities to expand the Recreation RFP in adaptive recreation, leisure, sports activities to adults with developmental disabilities in the Village.

**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 be and he is hereby authorized to accept a grant from the Cuyahoga County Board of Developmental Disabilities in the amount of \$5,000 to expand the Recreation RFP in adaptive recreation, leisure, sports activities to adults with developmental disabilities in the Village.as detailed in Exhibit A.

**SECTION 2.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department, therefore, provided it receives two-thirds ( $\frac{2}{3}$ ) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

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

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

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

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

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

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

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 Resolution No. 2021\_\_\_\_ 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 Resolution No. 2021-\_\_\_\_ 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: \_\_\_\_\_

## DEBRA HLADKY

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**From:** Carlene Perez  
**Sent:** Monday, March 1, 2021 2:44 PM  
**To:** DEBRA HLADKY  
**Subject:** FW: Cuyahoga DD recreation RFP

---

**From:** Keeler, Janet <KEELER.JANET@cuyahogabdd.org>  
**Sent:** Thursday, February 18, 2021 3:11 PM  
**To:** Hiliary Thornton <hthornton@oakwoodvillageoh.com>  
**Cc:** Carlene Perez <cperez@oakwoodvillageoh.com>  
**Subject:** Cuyahoga DD recreation RFP

Hillary,

The Cuyahoga County Board of Developmental Disabilities was able to expand the recreation RFP winners to additional community organizations – past the 10 in our original proposal. As such, I am pleased to inform you that Oakwood Village has been awarded \$5,000. We are excited to partner with you to expand adaptive recreation/leisure/sports activities to adults with developmental disabilities in Cuyahoga County.

We plan a broader announcement to our board members and the community next week and will be in touch with you after that to talk more directly about next steps.

Congratulations and warm regards,

Janet Keeler, PhD  
Division Manager of Community Development  
1275 Lakeside Ave East  
Cleveland, Ohio 44114  
Office: (216) 736-4518 / Mobile: (216) 287-5328



The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

## DEBRA HLADKY

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**From:** Carlene Perez  
**Sent:** Monday, March 1, 2021 2:44 PM  
**To:** DEBRA HLADKY  
**Subject:** FW: Cuyahoga DD recreation RFP

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Solon Road Reconstruction

**ORDINANCE NO: 2021-WS-12**

An emergency ordinance enacted by Oakwood Village, Cuyahoga County, Ohio hereinafter referred to as the MUNICIPALITY, in the matter of the hereinafter described improvement and requests the cooperation of the County of Cuyahoga, Ohio, hereinafter referred to as the COUNTY.

**WHEREAS**, the MUNICIPALITY has recognized the need for and proposes the improvement of a portion of public highway which is described as follows:

The Resurfacing of Solon Road from West Corporation Limit to Richmond Road in Oakwood Village (the "Project").

**NOW THEREFORE**, in consideration of the covenants and agreements herein contained to be performed by the parties hereto, it is mutually agreed between the parties hereto as follows:

**A. CONSENT**

1. That it is declared to be in the public interest that the consent of said MUNICIPALITY be and such consent is hereby given to the COUNTY to participate in the cost of construction of the Project.

**B. COOPERATION**

1. That the COUNTY and the MUNICIPALITY will cooperate in the Project.
2. That the MUNICIPALITY will prepare construction plans and specifications, including necessary engineering reports, which shall conform to generally accepted engineering practices and principles.
3. That the MUNICIPALITY will arrange for the supervision and administration of the construction contract.
4. That the COUNTY will review the construction plans, estimate, specifications and bid proposal for conformance with section B-2 of this Agreement. County approval of these documents are required prior to the advertisement of the construction contract. The COUNTY will make an inspection of the completed Project.
5. That the MUNICIPALITY shall agree to provide the COUNTY with a complete set of as-built plans upon the completion of the Project.

**C. FUNDING**

1. MUNICIPALITY hereby agrees to participate with the COUNTY in the cost of the Project by using an allocation from the County Motor Vehicle License Tax Fund to pay the COUNTY's portion of the project.
2. That the COUNTY shall contribute fifty percent (50%) of the actual cost of construction and construction engineering which is determined to be eligible by the Cuyahoga County Engineer's policies up to a maximum of \$145,000.
3. In the event MUNICIPALITY secures additional funding for the Project, County's financial contribution and the supplemental funding cannot exceed the total actual cost of the Project.
4. The anticipated construction cost for this project is \$290,000. To determine funding eligibility, the COUNTY shall be notified immediately of any significant changes to the scope of work and/or construction cost.

**D. MAINTENANCE**

That upon completion of said resurfacing, said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Maintain the resurfacing in accordance with the provisions of the statutes relating thereto and make ample financial provisions for such maintenance; and
2. Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the COUNTY and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
3. That the COUNTY shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the Project in accordance with the applicable sections of the Ohio Revised Code.
4. After construction of the project is complete, the Municipality agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency (O.E.P.A.).

**E. TRAFFIC**

1. That upon completion of the Project, MUNICIPALITY will thereafter keep said highway open to traffic at all times; and
2. Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the Project in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and
3. That the street or highway shall be and hereby is designated a through highway as provided in Section 4511.07(A)(6) Ohio Revised Code; and
4. Stop signs affecting the movement of traffic on said street or highway within the roadway being improved shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met; and
5. That no rule or regulation shall be enacted restricting the use of the improved road and/or structure by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage shall be rescinded; and
6. The MUNICIPALITY shall prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code unless otherwise controlled by local ordinance or resolution.

**F. RIGHT-OF-WAY**

1. That all existing street and public right-of-way within the MUNICIPALITY which is necessary for the Project shall be made available therefore.
2. That the MUNICIPALITY will arrange for the acquisition of any additional right-of-way which may be required for the construction of the Project.

**G. UTILITIES**

1. That the MUNICIPALITY will make arrangements with and obtain agreements from privately owned public utility companies whose lines or structures will be affected by the Project, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of Project, and said companies have agreed to make such necessary arrangements immediately after notification by said MUNICIPALITY.
2. That the COUNTY will participate in the cost of alterations of governmentally-owned utility facilities which come within the provisions of Section 8301 (Utility

Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.

3. That it is hereby agreed that the MUNICIPALITY shall, at its own expense, make all rearrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the Project.
4. That the construction, reconstruction, and/or arrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the Project, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

#### **H. MISCELLANEOUS**

1. That if the MUNICIPALITY includes the construction of sanitary sewers, waterlines, area sewers (drainage of area surrounding the Project), alternate bid items, or other items in the Project that are in addition to those now existing and not provided for elsewhere in this Agreement, the MUNICIPALITY agrees to pay, or make arrangements for the payment of, the cost of said additional construction, the cost of preliminary and design engineering and construction supervision.
2. That the MUNICIPALITY shall be solely responsible for the certifications or obligations made or agreed to in Sections F-1, F-2, G-1, G-3, and G-4, and hereby agrees that the COUNTY shall be and is hereby released from any and all damages or claims of the MUNICIPALITY arising from or growing out of the certification or obligations made or agreed to in said Sections F-1, F-2, G-1, G-3, and G-4 hereinabove.
3. For matters relating to this Project, the agent for the COUNTY and liaison officer on the matter contained herein shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.
4. MUNICIPALITY agrees to make all pertinent contractual books and records and other documents pertaining to the Project available to the COUNTY and its designated agents for purpose of audit and examination upon reasonable request.
5. By enacting this Ordinance, the MUNICIPALITY agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The MUNICIPALITY also

agrees on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and 1306 of the Ohio Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County.

**I. AUTHORITY TO SIGN**

1. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to enter into agreements with the COUNTY necessary to complete the planning and construction of this improvement.
2. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to make application to the County of Cuyahoga, Ohio, for approval to use County Motor Vehicle License Tax Funds for the improvement.

This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvement to promote highway safety, and provide it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed \_\_\_\_\_, 20\_\_\_\_

Attest: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Mayor

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

\*\*\*\*\*

CERTIFICATE OF COPY

State of Ohio )  
County of Cuyahoga )  
Oakwood Village )

I, \_\_\_\_\_, as Clerk of Oakwood Village Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said municipality on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, that the publication of such Ordinance has been made certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and certificate of publication thereof are of record in Ordinance Record No. \_\_\_\_\_, Page \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk of Council  
Oakwood Village, Ohio

TO: THE COUNTY OF CUYAHOGA, OHIO

DATE: \_\_\_\_\_

RE: APPLICATION FOR APPROVAL OF PROJECT USING COUNTY MOTOR VEHICLE LICENSE TAX FUNDS

**PART A**

**PROJECT DESCRIPTION**

MUNICIPALITY: Oakwood Village ROAD: Solon Road

ROAD NUMBER: \_\_\_\_\_ PROJECT LENGTH: \_\_\_\_\_

AVERAGE DAILY TRAFFIC: *(Indicate 12 or 24 hour)*: \_\_\_\_\_

ACCIDENTS DURING PAST YEAR: Prop. Damage: \_\_\_\_\_ Pers. Inj.: \_\_\_\_\_ Fatal: \_\_\_\_\_

EXISTING PAVEMENT WIDTH: \_\_\_\_\_ RIGHT OF WAY WIDTH: \_\_\_\_\_ SPEED LIMIT: \_\_\_\_\_

RAILROAD CROSSINGS AT: \_\_\_\_\_

EXISTING BRIDGES OVER 20 FOOT SPANS: \_\_\_\_\_

Resurfacing of Solon Road from West Corporation Limit to Richmond Road in the Village of Oakwood.

**PART C**

**TRAFFIC CONTROL INVENTORY**

ARE EXISTING SIGNS, MARKINGS AND TRAFFIC SIGNALS IN CONFORMANCE WITH THE OHIO MANUAL OF TRAFFIC CONTROL DEVICES (IF KNOWN)?: \_\_\_\_\_ IF NO, LIST DEFICIENCIES: \_\_\_\_\_

\_\_\_\_\_ ARE EXISTING SIGNALS INTERCONNECTED?: \_\_\_\_\_

NUMBER OF EXISTING: Full actuated signals: \_\_\_\_\_ Semi-actuated signals: \_\_\_\_\_

NUMBER OF PRETIMED SIGNALS AND AVERAGE SPACING: \_\_\_\_\_

EXISTING PARKING REGULATIONS: \_\_\_\_\_

**PART D**

**FUNDING**

	<u>COST</u>	<u>PROPOSED FINANCING (\$ OR %)</u>				
	<u>ESTIMATE</u>	<u>LCNS TAX</u>	<u>MUNICIPAL</u>	<u>COUNTY</u>	<u>FEDERAL</u>	<u>OTHER</u>
<u>PRELIMINARY ENGR.</u>						
<u>RIGHT-OF-WAY</u>						
<u>CONSTRUCTION ENGR.</u>						
<u>ROADWAY &amp; PAVEMENT</u>						
<u>STRUCTURES</u>						
<u>OTHER</u>						
<u>TOTALS</u>						

RECOMMENDED FINANCING: \_\_\_\_\_

**PART E**

**MUNICIPAL ACTION**

PROPOSED BY: \_\_\_\_\_ TITLE: Mayor DATE: \_\_\_\_\_

ACTION BY COUNCIL: \_\_\_\_\_ Ordinance No. \_\_\_\_\_ DATE: \_\_\_\_\_

CERTIFIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

(Clerk of Council)

## **AGREEMENT**

### **Between the County of Cuyahoga, Ohio And Oakwood Village for the Resurfacing of Solon Road from West Corporation Limit to Richmond Road**

This Agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the County of Cuyahoga, Ohio, a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the effective date hereof, on behalf of the Department of Public Works (the "COUNTY") and Oakwood Village (the "MUNICIPALITY") by its Mayor, having been duly authorized to enter into this Agreement by Ordinance No. \_\_\_\_\_ adopted by Council of Oakwood Village on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

#### **WITNESSETH:**

**WHEREAS**, the MUNICIPALITY has recognized the need for and proposes the improvement of a portion of public highway which is described as follows:

The Resurfacing of Solon Road from West Corporation Limit to Richmond Road in Oakwood Village (the "Project").

**NOW THEREFORE**, in consideration of the covenants and agreements herein contained to be performed by the parties hereto, it is mutually agreed between the parties hereto as follows:

#### **A. CONSENT**

1. That it is declared to be in the public interest that the consent of said MUNICIPALITY be and such consent is hereby given to the COUNTY to participate in the cost of construction of the Project.

#### **B. COOPERATION**

1. That the COUNTY and the MUNICIPALITY will cooperate in the Project.
2. That the MUNICIPALITY will prepare construction plans and specifications, including necessary engineering reports, which shall conform to generally accepted engineering practices and principles.
3. That the MUNICIPALITY will arrange for the supervision and administration of the construction contract.
4. That the COUNTY will review the construction plans, estimate, specifications and bid proposal for conformance with section B-2 of this Agreement. County approval of

these documents are required prior to the advertisement of the construction contract. The COUNTY will make an inspection of the completed Project.

5. That the MUNICIPALITY shall agree to provide the COUNTY with a complete set of as-built plans upon the completion of the Project.

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2. That the COUNTY shall contribute fifty percent (50%) of the actual cost of construction and construction engineering which is determined to be eligible by the Cuyahoga County Engineer's policies up to a maximum of \$145,000.
3. In the event MUNICIPALITY secures additional funding for the Project, County's financial contribution and the supplemental funding cannot exceed the total actual cost of the Project.
4. The anticipated construction cost for this project is \$290,000. To determine funding eligibility, the COUNTY shall be notified immediately of any significant changes to the scope of work and/or construction cost.

**D. MAINTENANCE**

That upon completion of said resurfacing, said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Maintain the resurfacing in accordance with the provisions of the statutes relating thereto and make ample financial provisions for such maintenance; and
2. Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the COUNTY and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
3. That the COUNTY shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the Project in accordance with the applicable sections of the Ohio Revised Code.
4. After construction of the project is complete, the Municipality agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal

Storm Water Permit that is filed with the Ohio Environmental Protection Agency (O.E.P.A.).

**E. TRAFFIC**

1. That upon completion of the Project, MUNICIPALITY will thereafter keep said highway open to traffic at all times; and
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3. That the street or highway shall be and hereby is designated a through highway as provided in Section 4511.07(A)(6) Ohio Revised Code; and
4. Stop signs affecting the movement of traffic on said street or highway within the roadway being improved shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met; and
5. That no rule or regulation shall be enacted restricting the use of the improved road and/or structure by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage shall be rescinded; and
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2. That the COUNTY will participate in the cost of alterations of governmentally-owned utility facilities which come within the provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.
3. That it is hereby agreed that the MUNICIPALITY shall, at its own expense, make all rearrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the Project.
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2. That the MUNICIPALITY shall be solely responsible for the certifications or obligations made or agreed to in Sections F-1, F-2, G-1, G-3, and G-4, and hereby agrees that the COUNTY shall be and is hereby released from any and all damages or claims of the MUNICIPALITY arising from or growing out of the certification or obligations made or agreed to in said Sections F-1, F-2, G-1, G-3, and G-4 hereinabove.
3. For matters relating to this Project, the agent for the COUNTY and liaison officer on the matter contained herein shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.
4. MUNICIPALITY agrees to make all pertinent contractual books and records and other documents pertaining to the Project available to the COUNTY and its designated agents for purpose of audit and examination upon reasonable request.

5. By entering into this agreement, I agree on behalf of Oakwood Village to conduct this transaction by electronic means by agreeing that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. I also agree on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and 1306 of the Ohio Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County.

IN WITNESS WHEREOF, the Parties hereto have affixed their signatures the day and year mentioned above.

**Oakwood Village**

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**Mayor**

**County of Cuyahoga, Ohio**

**By:**

---

**Armond Budish, County Executive**

**ATTEST:**

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**Clerk of Council**



February 24, 2021

The Honorable Mayor Gary V. Gottschalk  
Village of Oakwood  
24800 Broadway Avenue  
Oakwood, Ohio 44146

RE: County Road 2021-2022 50/50 Funding Program – Solon Road West Corporation Limit to  
Richmond Road.  
County ID No. 1316

Dear Mayor Gottschalk:

County Council has approved the public convenience and welfare for the above referenced roadway resurfacing project. As per the enclosed agreement, the County shall contribute 50% to the cost of construction up to a maximum of \$145,000. The total estimated construction cost is \$290,000.

Enclosed herein please find:

1. One (1) copy of the Agreement of Cooperation between the County of Cuyahoga, Ohio, and the Village of Oakwood; and
2. One (1) copy of the Ordinance of Consent; and
3. One (1) copy of the Motor Vehicle License Tax Application MPD 1-72.

Please properly execute and return all documents to this office for further processing. We request that you do not alter the enclosures. **Please note that all processed documents must contain original signatures (signed in ink–no photocopied signatures, please). The Ordinance should bear a municipal seal or certification stamp. Please fill out only Part E on the License Tax Application.**

Our Highway Design Department will be contacting the Village in the coming weeks regarding the required design submittal documentation as mentioned in Section B-4 of the agreement.

If you would like an electronic copy of the enclosed documents, please contact Monique Schulte at [mschulte@cuyahogacounty.us](mailto:mschulte@cuyahogacounty.us). If you have specific questions regarding the above, please contact June Gauss, Sr. Project Manager at (216) 348-3888.

Sincerely,

Nichole English, Chief Planning and Programming Administrator  
Department of Public Works

Enclosures – as noted

cc:

CCDPW: M. Dever, T. Sotak, C. George, A. Stoll, Project No. 1316  
Oakwood Village: Hren, Haba, Thompson