

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

**ATTENDED**

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

Meeting opened at 6:08pm

Motion to approve minutes of February 23, 2021 Finance meeting made by Sanders seconded by Callender YES Warren, Gaither, Hardin, Sanders, Rogers, Williams abstained Callender, Motion Passed

Minutes of February 23 Council meeting made by Sanders seconded by Gaither YES Warren, Gaither, Hardin, Sanders, Rogers, Williams abstained Callender, Motion Passed

*Departmental Reports*

*Police – Garratt:* I mentioned a case at the last meeting. February 13, 2021, we answered a call for a domestic case. The suspect fled and went to Florida to hide from the law. Our detectives worked with the U.S. Marshalls. We apprehended the suspect, and he should be back here on Friday. Cuyahoga County and the Sheriff's office were involved as well as eight counties in Florida. On another note, we applied for a State Homeland Security Grant for new portable radios with 800 MHz band. We are one of four departments which are still on the 400 band. We were holding off for a grant since they are so expensive. They gave us 37 radios for the Fire and Police Dept. which equated to \$148,000. We waited for almost two years for this grant. We will have additional expenses since we have to purchase the car radios with the Fire Dept. Walton Hills and Oakwood were the ones who got that grant. Communication with Dispatch is very important for us to do our job. **Rogers:** Good work Chief. **Sanders** agreed. **Warren:** Great job.

*Building- Marinucci:* On the rental properties, I had Robert put together a spreadsheet with all the rentals in the Village. Tomorrow the second letter is going out to the rental property owners. Roughly 60% have submitted their money. **Gaither** asked if Council would receive the list. **Marinucci:** Robert told me he sent it. **Gaither:** Do you have a running list of the exterior repair issues on homes in the community? **Marinucci:** In the last two weeks we have done six with nine Point-of-Sales on exterior maintenance. We have sent out a list of what has to be done. We can pull a list out of the computer on that. **Gaither** asked for a monthly list. **Marinucci:** The person with the red mulch on his driveway has been arraigned and trial is set for March 23<sup>rd</sup> I believe. I understand the owner of the house has dementia. This has to be handled delicately. **Rogers** asked about mattresses on Stephen Road. In my discussion with Robert, he said he sent a notice. I asked if he talked to her,

he said no, he cannot go on private property to discuss violations. **Marinucci:** I don't want him going on the property. Are the mattresses still out there? **Rogers:** No, because Tom Haba was nice enough to go talk to her about it. That isn't how we have done things in the past. So, he couldn't go over and talk to her? **Marinucci:** He can always call. We sent letters. **Rogers:** It didn't work. I sent out a newsletter which included information about that. She did wrap them, and they were picked up finally this week, **Hardin:** You stated you don't want the inspectors going on the property. What is the objective? Do they only do drive by? I have never heard they cannot go on the property. **Marinucci:** My position is we don't have a right of entry. If we get permission from a neighbor, we can access it that way. We have asked neighbors permission to go on property to get pictures of the violation through the neighbor. **Hardin:** I too, have never heard this. **Warren:** You cannot go on private property. You can try to get to the side yard and worst-case scenario you can go to court and get permission for a search of interior and exterior. Inspectors are not permitted to go on the property to write a violation. **Sanders:** Are you any closer to finding another person for your department? **Marinucci:** Yes. We will have to settle for less certifications since we cannot find anyone with the certifications we are looking for. I have interviewed some people. **Warren** asked if it was advertised. **Marinucci:** Yes, within the Building Officials circuit. We are not alone in this. Other departments are having trouble filling positions as well. **Warren** asked if he is looking for RBI. **Marinucci:** I am looking for RBI with electrical. **Warren:** Where is Robert with his certification? **Marinucci:** He is taking everything he can, but they now require one-year experience in the field. I spoke with the Board about him shadowing inspections. **Warren:** Was his application for interim rejected? **Marinucci:** They did because his work experience isn't enough. **Warren:** How long has he been in the department? **Marinucci:** He is in his second year. He does real estate. **Warren:** Does he have a homeowner's permit for the properties he renovated? **Marinucci:** I don't know. I will find out. **Warren:** How long ago was he rejected? **Marinucci:** A few months ago. **Sanders** asked about the new hire. **Marinucci:** I want the person certified. **Callender:** Have you considered posting on "Indeed.com"? Once you post the position people may respond with the certification you are looking for.

*Service-***Haba-** I am here to answer questions. **Rogers** thanked him for handling the mattress situation. **Haba:** She was acceptable when I talked to her. I was incorrect on WM having plastic to wrap furniture, but I let her know where she could get it. **Sanders** asked about the recycling. **Haba:** A new guy is there now. A lot of areas did not get picked up. Last week he said we should have the recycling containers the end of March, but he isn't sure since it is a third entity passing out the new bins. I told him the areas which do not have them yet. **Warren:** We are looking at Wards 3, 4 and 5. **Hardin:** They aren't doing this for free. **Haba:** Yes, for free. That was not part of the contract.

*Finance-***Thompson:** I hired a replacement for our Payroll Administrator. Our former Payroll Administrator left abruptly in 2019 due to personal reasons. I took over the position myself. After careful evaluation, I put the new person in place. This is from a strong colleague referral. It is part-time and is being paid \$4,000 less than the prior person. It came to the point that a lot of information was needed to complete our audits. With all the projects with the Mayor, there was a mound of historical data to gather for TIF's and CRA's. By the end of the week, I should have all the budgetary information to you for our next meeting. **Gaither:** Who did that person replace? **Thompson:** Coral Taylor.

*Law-***Climer:** I'd ask Council to review 2021-WS-13, on the Work Session. It is an agreement with Glenwillow, Macedonia, Twinsburg and Oakwood for the improvement of Shepherd, Broadway and Richmond Roads. This began in 2013 with an agreement for realignment of that intersection in which two cities dropped out: Macedonia and Twinsburg. Oakwood and Glenwillow went forward with part of the project. Now the time has

come to finish it. The other entities have passed legislation to complete the agreement. Exhibit A outlines the cost to each community. A credit will be applied to Oakwood and Glenwillow for their costs already extended. This will take place in 2024 but funding applications need to be filed. Mr. Hren would like to get started on this project within the next meetings.

**Mayoral-Mayor:** Clerk Hladky sent Council the County Maintenance Reimbursement Program via email. We are pleased to say the County is reimbursing us double (\$120,000) even in these times. Today I met with five members of Federal Metal on Division including their CEO. They are a major supplier of fabricated metal parts and are looking at a major expansion within three years between \$3-\$5 million. I noticed the property tax incentives had not yet been recognized.

#### *Linear Logistics*

**Mayor:** Friday, I am meeting with Linear Logistics on cold storage solutions which is the world's largest landlord of temperature-controlled facilities storing fresh foods which bought out Maines. Thursday, I will be meeting with Team NEO. You received an email from Team NEO about a significant grant to Interstate McBee. We are looking at about \$½ million.

**Mayor:** *Premier* is moving along, however; I'd like to have a special meeting on Thursday to pass the TIF, at which point this can be closed and \$1 million will be given back to Oakwood. We will receive \$110,000 in carrying costs as well. **Climer:** I have a call into Premier about when we can get that closed. **Mayor:** They want to begin moving dirt next Monday. **Warren:** We want to wait for confirmation prior to scheduling the meeting. We are rushing into meetings with you shoving it down our throats then finding out the items are not ready. We want to wait until we know it is done. They have tried to put the shovel in the ground since February. They can wait until it is filed anyway. **Mayor:** There is no rushing here. Our legal advisor said the TIF can be passed prior to the confirmation. This afternoon, it was filed except for the vacation plat. We have every expectation it will be filed tomorrow. That should happen first. With that confirmation I will call for a special meeting.

#### *Vitamin D Supplements for Seniors*

**Mayor:** Lastly, I sent out to our Senior Citizens 65 and older, a paper on vitamin D therapy, the first in the U.S. It underscores the market increase in both morbidity and mortality in Covid patients deficient in vitamin D. The research is extremely powerful and is prudent. I received epidemic specialist input on this from Wuhan China, Iran, and Spain supporting what we are doing. The State of Ohio Dept. of Finance is aware of what we are doing. UH will provide blood tests on your level of vitamin D on Thursday and Friday. It is prudent for those who are elderly, obese, those with hypertension, diabetes, smokers, and those who vape. The evidence is staggering for those with low vitamin D. 85% of dark skin people are significantly deficient in vitamin D. Your first step is to get to the adequate level and consult with your physician if you want to take the boost then you will be getting supplements for three months. On another note, we stopped a vaping company from coming into the Village by Subway. Also keep your fingers crossed on the first company Premier is looking to come in.

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

#### *Legislation*

2021-04      An ordinance declaring improvements to certain parcels within the Village to be a public purpose, exempting the improvement to such parcels from real property taxation for a period of thirty years, authorizing the Mayor to enter into an agreement with the Bedford City School

District regarding such exemption requiring the owners of such parcels to make service payments in lieu of taxes establishing an urban redevelopment tax increment equivalent fund for the deposit of such service payments pursuant to Ohio Revised Code Section 5709.41, 5709.42, 5709.43 and declaring an emergency

**Climer:** I suggest this remain on the table. The South Lane vacation needs to be filed with the County successfully then we will be ready for passage.

2021-06 An ordinance declaring improvements to certain parcels within the Village to be a public purpose, exempting the improvements to such parcels from real property taxation for a period of thirty years, authorizing the Mayor to enter into an agreement with the Board of Education of the Bedford City School District regarding such exemption requiring the owners of such parcels to make service payments in lieu of taxes, establishing an urban redevelopment tax increment equivalent fund for the deposit of such service payments pursuant to Ohio Revised Code sections 5709.41, 5709.42, 5709.43 and declaring an emergency.

**Climer:** This has been read three times and is on the table. I request it remain tabled. It is not ready for passage.

Motion to adjourn made by Gaither seconded by Rogers  
Warren, Gaither, Callender, Hardin, Sanders, Roges, Williams  
Adjourned 7:54p

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

**ATTENDANCE**

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

Meeting opened by **Warren** at 7:54 pm.

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

*Remains tabled*

**Warren:** We all agree about this proposed purchase. I found out General Title owns their building. They also own the lot next to the gas station property. They want \$160,000+ for their building and \$200,000+ for the property. The owner is allegedly saying when he sells his building it is to remain, he don't want it torn down. **Hardin:** Is the recorder going? **Warren:** Yes. I told the Mayor nobody is going to buy land and keep the building. He said it was historical. I told him it is not. It looks historical but so did my last three cars. I suggest moving it to the regular agenda and kill it. Nobody is going to buy that land. The owner of the building behind it wants to either renovate his building or get another building somewhere else. I don't see spending \$165,000 in these times with the intent of someone buying it. Let the owner sell it and the person deal with General Title and consolidate those lots. We have nothing to do with the consolidation of the McBee lots either. A developer can buy that corner and develop it. **Williams:** I don't believe it was presented for the Village interests. I don't believe we are in the business of doing things for businesses to figure out their business. That should remain with the business owner on what to do with their property and whoever wants to make that investment. **Callender:** I agree. **Hardin:** I totally agree. **Rogers:** I was thinking the Mayor just wanted to be in control of what goes there. It is fine whatever you suggest. **Warren:** General Title owner wants the person who buys it to keep that building. That automatically kills the developer's ability to combine those lots. **Rogers:** How did that building come into play. I thought it was the corner lot and the repair garage. **Warren:** That is what he wanted to buy for \$165,000, the repair garage. **Rogers:** What did that have to do with General Title? **Warren:** That lot and the building wasn't enough to build anything. That is why General Title's lot is a necessity to have anything buildable. **Rogers:** The developer purchasing it wouldn't be buying General Title, just the property. **Warren:** The owner of the General Title has a deed restriction to keep the building on their land along with the other lot they own. **Rogers:** We can move it.

**2021-WS-05** An ordinance authorizing the establishment of an exterior home repair assistance program. for single family properties located in the Village

**Warren:** I spoke with the Mayor, but we are anticipating Interstate McBee and Premier to bring in the necessary funding for the program. The Mayor's proposal met with some resistance. **Gaither:** Melanie left the call. I believe someone said we were not going into Work Session today. **Hardin** asked about it. **Warren:** You and I will look into this together. We

don't have anything pressing on the Work Session. **Hardin:** There are some things I'd like to discuss. **Warren:** We will not be in violation since it will be just you and me meeting.

2021-WS-06

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

**Warren:** The Mayor wanted this restructured, but I believe Pat is in agreement to keep it as it was written. **Rogers:** The original 2019-22 ordinance. **Warren:** We can move it to the regular session and turn it down. **Rogers:** That is what I thought we were going to do. **Williams:** Are we having a meeting without a quorum? **Warren:** This is a Work Session and we do have a quorum. **Hardin:** We have some things to talk about with this. **Warren:** The original ordinance was passed in 2019. **Hardin:** Technically, I am looking at it. In Section 2, "participation shall be limited to the total of \$80,000 for 2019 and yearly". **Rogers:** That was not the original. The residents were promised \$135,000 annually for five years. We only had \$80,000 the first year because the Mayor wanted to move forward with it. We used money from the general fund. I don't believe it all will get used and if it doesn't it goes into the general fund. **Hardin:** You made the statement of \$135,000, that is the first time I heard that number. **Rogers:** We said that over and over in the minutes. **Hardin:** The original ordinance I am looking at said \$148,750. **Rogers:** That was prorated because we didn't get the \$135,000 the first year. That makes up the difference in what we didn't get the first year so we would do what we promised. **Warren:** So you averaged it out. **Rogers:** That equates to \$135,000 a year for five years. **Hardin:** It reads total yearly expenditure of \$148,750 for years 2020 to 2023. The \$135,000 doesn't appear in the ordinance, that is the issue. **Rogers:** That figures out to the \$135,000 for five years. **Hardin:** That's great but that isn't what the legislation reads. It is a matter of record you advertised it because you didn't get what you were verbally promised. The legislation is incorrect. **Rogers:** I don't have that in front of me because I didn't think we were having a Work Session tonight. **Hardin:** The other thing is, you need to read the minutes of March 26, 2019 we tabled it. On April 24, 2019 we passed it. Read those minutes and we will talk about it at another point. I am asking people to pull the ordinance 2021-19 and look at the minutes of April 23, 2019. We are all screwed up. **Warren:** We have to pull 2019-22. **Hardin:** Correct. **Warren:** That is supposed to be the original 2019-22. **Hardin:** That is what I want you to do. **Warren:** The amended version is 2021-WS-06. We have to confirm what 2019-22 really read and go from there. **Hardin:** The Work Session section 2, you don't know how we got there. **Warren:** I believe Pat is saying. **Hardin:** I understand clearly. If we all disappear tonight, this needs corrected. **Warren:** We can make it reflective of compensate of the shortfall of \$80,000 and the \$148,750. **Rogers:** Yes. I just want what Ward 4 was promised. You all discussed it and voted on it. **Hardin:** My issue is, if you look at the legislation we passed, and by the way, I made the motion. My point now is the way it reads in Section 2 is incorrect without your verbal explanation of how we got to the \$148,750. **Rogers:** At the time I said and now I am saying. **Hardin:** Understand what I am saying is, nobody is going to go back and look at the minutes to find out how we got to this number. **Rogers:** They just have to look at who voted on it. **Hardin:** I still think we should look at it to clarify these numbers and look at the minutes to see how we did it. **Warren:** I see what you are saying. The body of the legislation was passed with a clear understanding the first year was \$80,000 and the years thereafter would be \$148,750 for 2020-2023. **Hardin:** Which is incorrect for the first year. **Warren:** We will get a copy of that to everyone. We don't want to discuss intent but what the legislation reads. **Hardin:** If you subtract \$80,000 from \$135,000 that is \$55,000. **Rogers:** Correct. **Hardin:** So \$135,000 plus \$55,000. **Rogers:** it is an additional \$13,000 each year. That is how it was prorated. **Hardin:** Okay. I agree with it except, \$96,750 for beautification. That is new. The rest is okay, but nobody said anything about the intersections. **Rogers:** I would be okay defeating the amended version. **Gaither:** The intersections are not external maintenance. **Rogers:** At the last meeting we discussed that being handled separately if that were to move forward at some point. **Warren:** I wouldn't want it in another form either. **Hardin:** The way the Mayor is proposing this, Ward 4 exterior maintenance program is \$103,254.00 plus the \$96,750 for beautification of intersections. For the rest of the Village the total is \$990,000 for 2024-2026 and \$80,000 then 2027-2030 \$150,000. It then says it would be proportionately administered. How is that going to be done over four Wards? I don't understand it. **Rogers:** Who proposed it, the Mayor? **Hardin:** Absolutely. **Warren:** It has been proposed by Council but he put an ordinance together to reflect how he perceived Council's request. We need to have a program equitable for the remainder of the Village. **Hardin:** Correct. **Warren:** It was going to be \$80,000 in 2019 and \$148,000+ for the remainder of the years. **Hardin:** He

made a commitment to Ward 4, great, but there are other projects coming in. We are all in this together. You have to let the rest of the Village know they have something coming too. What do you for one, you do for all even though it won't start until 2024. **Warren:** That is part of the Village-wide legislation. **Hardin:** You wouldn't pass the one without the other. **Warren:** The one has already passed. **Hardin:** From the very beginning it was said it would extend to the remainder of the Village based on our ability to do so. **Rogers:** No. **Warren:** Not from the beginning of Ward 4. We can check the minutes and see. **Rogers:** I thought there could be a program for the whole Village but when we talk about equitability, it is Ward 4 taking on all this traffic. It is not going away in four years. There is a home exterior program in Warrensville which has \$130,000 for the whole city. **Hardin:** We are not going to do that and one Ward getting more. That doesn't make sense. **Rogers:** So you don't think Ward 4 deserves more for taking on this project. **Hardin:** I definitely see they deserve more but there has to be some equity. The traffic isn't just going to stop in one area. **Warren:** Ward 4 is already legislated. We have to work from what exists and move forward. 2019-22 is the ordinance for Ward 4 exclusive for that Ward. We just have to figure out what we are going to do with WS-06. **Hardin:** We are going to work with both of them Mr. President because you have to make sure both are accurate and what was intended in the legislation. **Warren:** The intent was to compensate people in Ward 4 to agree with the project. The bottom line was Ward 4 had to approve it even though it had to be approved Village wide. **Hardin:** I am good with how the Charter reads. **Warren:** That is why Ward 4 had to approve it. **Hardin:** That is not the discussion sir. **Williams:** Legislation can be appealed. Just because it is there, doesn't mean it can't be corrected. It doesn't just relate to this issue. **Warren:** My integrity to the people of Ward 4. **Hardin:** That isn't the point. **Williams:** You cut me off. I have been quiet, most of this meeting. **Warren:** Go ahead with what are saying. **Williams:** I prefer you do not cut me off. Whether it is this legislation or not, we have the power to repeal legislation. We reviewed the original legislation because we are talking about another exterior maintenance program. We wanted to make sure they both aligned. That was the original discussion. **Hardin:** My point was never to repeal. I don't think that is what you are saying, you are just clarifying the process. **Williams:** I was very clear; I was clarifying our power as legislators in the process. **Hardin:** We will be fair, again, we would not be able to spell Premier if it weren't for this. That isn't the issue. By the way, as it relates to the rest of the Village, we can't spend what we don't have. What we pass today, in 2024, I go along with Candace, if anyone told me we would have a 2020 like we just had I would have told them they are crazy. We are trying to come up with a template if the money is there. You didn't get your money this year right Pat? **Rogers:** No. **Warren:** We need the structure for it. **Hardin:** Yes.

Motion to adjourn made by Gaither seconded by Hardin

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

Adjourned 8:34pm

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

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Johnnie Warren, Council President

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Debra L. Hladky, Clerk of Council