

VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES
JULY 13, 2021

ATTENDED

Johnnie A Warren III, Council President *
Elaine Gaither-Council-at-large
Chris Callender – Ward 1
Eloise Hardin – Ward 2
Patricia Rogers-Ward 4
Candace Williams-Ward 5

Ross Cirincione-Attorney
James Schade-Fire
Mark Garrett-Police
Tom Haba-Service
Daniel Marinucci-CBO
Jim Climer-Attorney

ABSENT

Melanie Sanders-Ward 3

Gary V Gottschalk, Mayor (LATE)
Carlean Perez-Recreation
Ed Hren-Engineer

Meeting opened by Warren: No time indicated
Attendance taken.

Motion to approve minutes from June 22, 2021, Council Meeting made by Gaither; Seconded by Rogers
VOTE YES: Callender, Hardin, Gaither, Rogers, Williams, Warren
MOTION PASSED

Motion to approve minutes from the June 24, 2021, Special Meeting made by Hardin; Seconded by Callender
VOTE YES: Callender, Hardin, Gaither, Rogers, Williams, Warren
MOTION PASSED

Motion to approve minutes from the June 30, 2021, Special Council Meeting made by Hardin; Seconded by Callender
VOTE YES: Callender, Hardin, Gaither, Rogers, Williams, Warren
MOTION PASSED

Motion to approve minutes from the July 6, 2021, Special Council Meeting made by Williams; Seconded by Rogers
VOTE YES: Callender, Hardin, Gaither, Rogers, Williams, Warren
MOTION PASSED

Motion to approve minutes from the July 7, 2021, Special Council Meeting made by Hardin; Seconded by Gaither
VOTE YES: Callender, Hardin, Gaither, Rogers, Williams, Warren
MOTION PASSED

Open Floor:
Correspondence
Clerk: None

Departmental Report:

Warren: Building department? **Marinucci:** Thank you Mr. President. With great dismay, Robert Harris is leaving the Building Department. He has accepted a job in Cleveland and his last day is in a couple weeks. We did send a letter regarding the neighbor to Mrs. Butler, to give him some time to redirect the pipe (muffled and someone moving the recorder), and I am here for questions. **Warren:** So, you sent the letter to the resident whose water is going onto the property of the other neighbor? **Marinucci:** Yes. **Warren:** What is name of the person who the lady who sits here? **Marinucci:** Mrs. Butler. I believe-I know the name of the neighbor-it's the daughter-I can't think of the name. **Warren:** Ok. **Marinucci:** We gave him 30 days to do it and if he needs an extension, we will honor that. **Warren:** Let's not mention that. **Marinucci:** I have not mentioned that. **Warren:** Because it will be 60 days automatically. Do we have any question for the inspection? **Gaither:** What is up with the letter to the law department? **Marinucci:** This is my take on it. The person who wrote the letter is very, very, very intelligent and has a strong handle on the English language. This is no bimbo for words. But what he did, if you didn't watch these movies and I did not, I couldn't correlate what he meant.

But Robert saw the movie and when he explained it to me, that is where I asked if he felt threatened. Basically, one of the movies is Wil Smith and he goes out and kills. The gentleman calls Robert a 'robot' and he brings up the movie whatever the movie name is, and Will Smith goes out and kills all the robots. And if you didn't know the connotation of any of it. I didn't understand the email and Attorney Climer didn't understand. But... **Warren:** I have seen *I Robot* a million times but I don't know what the reference was but anyway. But the law director reviewed it and found it to be---how did Robert take it? **Marinucci:** Robert took it ok, but he knew the intent of it. Ross can explain to you what is going on in that case. **Cirincione:** This is the house-the mulch guy. Just generally, the case was filed in December, and we have not been able to get the owner of the house to respond to appear in court. As I understand it, she is out of it and is suffering from some kind of medical condition. What had happened, a relative of hers (unsure if he lives there or not), came to court in lieu of her appearing. He has not been cooperative. He doesn't believe that the court has jurisdiction to tell him what to do. The time before last when he did come to court, Judge Miller couldn't get a word in edgewise with this individual, so he (Judge) told him to leave the court. The problem being we are having a difficult time getting in touch with the owner of the property, his mother, and we issued a subpoena. Jim and I talked about this, and we may be looking at alternative remedies. I am do not know the lady and we do not want to aggravate the situation to upset her if does have a problem. But at some point, we may have to do a welfare check because we have not seen her nor talked to her. The phone number we have been given, a relative answered the phone and won't put her through. SO, there are couple other options we are going to explore. We may try to get jurisdiction over the individual as *inaudible* on his mom's property. **Warren:** Is there a way that it's documented as public knowledge of a guardian that we can look to see if she has a guardianship and see if he is her guardian. We don't want to make her the victim of her son's behavior. But equally so, we got to make sure there is a guardianship. **Cirincione:** We can check probate documents, but he has not claimed he has guardianship. **Warren:** But we can see if she has a guardian period. **Cirincione:** This is true. **Warren:** Then we can contact the guardian. **Cirincione:** We make the offer that she doesn't have to come to court as we understand she is in delicate health. Tell her all she has to do is get on the telephone on the day she has to come to court and talk to the judge with the village and the prosecution, so we know what is going on. You make a good point, and I will check the guardianship. If there is not a guardianship, then what we need to do is cast a wider net. We need to make sure that we don't violate his rights because they are limited. If he is living there and he has no legal standing. That is why the judge did not want to talk to him because he had no legal standing to appear. **Warren:** Unless he has the guardianship. **Cirincione:** Yes. We will keep working on getting this. It's his feeling that the government has no right and we see an indication in people whose philosophy here is "you can't tell me what to do. I am a free man." It is very difficult to talk to people you don't recognize, who are refusing to concede that you have jurisdiction. And you would think it was fairly simple problem. We are talking about something that within a span of two hours could be spread in the garden area. He has had two attorneys. The first, he almost got into an altercation with him, so he got off the case. The second attorney who is a very fine attorney; a good person who said "I was thinking of just getting it off the driveway myself." I said, "Well, you better be careful with that. Whether you're an attorney or not, you better be careful." So, we are looking for some changes. It's mom's reported health problems that are complicating it. But we will keep you posted and notify council of where we stand. **Marinucci:** When this first started, he had a very disturbing telephone call with Debbie Hladky. It was very, very disturbing. **Cirincione:** It's part of that process. It is not unique to him but it does make it more difficult to get a result. **Hardin:** With Robert's anticipated leaving, who is taking over? **Marinucci:** We posted an ad. We have not received a phone call on the ad. I did have one telephone conversation with an individual. But the bottom line, the people I have talked to are making \$60k per year. We are paying 2/3rds. **Mayor:** He is going back to his calling. First of all, he is a young man to begin with and the medical benefits don't mean anything to him, but he is going back to mentoring young men. He was with our camp for 5 years after I pulled him out of Richmond Heights. He is actually very interested, in time, coming back with us as this gains momentum in Oakwood where we are trying to enrich our young men as well. **Marinucci:** He is very skilled; very intelligent. I have a friend for life. **Hardin:** His people skills were excellent. I get comments from residents, and I have to say my dealings with him were awesome. He is very respectful, and he is able to communicate very well with the general public. So, as you roll forward, that is something that I am interested in. Everyone can learn the job, but not everyone can have the people skills that job requires. **Marinucci:** Thank you.

Warren: May we will hear from our Police Chief? **Garratt:** Thank you Mr. President. I would like to pass this around if you don't mind. This is the citizen's academy. We haven't had anybody to sign up yet. We would like people to sign up. The Law Director did a little bit of research regarding that boat on Free Avenue and the one on Tryon. It turns out that the police department has authority to deal with that. I was told by law director to contact the Department of Natural Resources and there is a registration for the boat. We went through the owner, the owner of the property we contacted, and I want to thank Tommy who pulled the wood out over there. It is no longer there. We are going through measures to

dispose of it by legal means with the paperwork through the Department of Natural Resources. Tommy also made contact with the party on Tryon Road and gave them "X" amount of time to get it moved because they have some future dealings with the boat. If they don't move on that, then we will be getting rid of that boat also. So, two eyesores have been dealt with. If you have not noticed the boat is gone and it's funny, if you look on Google Earth you can see that boat is still up. We went over and photographed it. There are stipulations; a lot of paperwork so it's different than getting rid of a junked car. Either way, that has been removed. If there are any constituents having problems with people parking on the roadways, we have gotten more complaints and we have been hammering that. Like I told you before, we will give you a warning before, but we are citing the next. We actually had to tow a vehicle off Hyannas that had so many citations on it they weren't acting on, so we took it. We are actively pursuing, and we warned them. Now if you see a car parked on the street, doesn't mean they don't have permission to park there. If people call in, they get permission. Not longed term but if they have a special occasion, with our stipulations (away from fire hydrants, etc). If you guys, have anything questions?

Hardin: Let me segue into that issue, going forward, I noticed that newer people are not aware of the parking requirements. So, if we can resume giving out welcome packets, Mr. Building Department, I think it will make your job easier as that information is in the welcome packet. Then, maybe each time we send out a newsletter, maybe a friendly reminder or however you want to do it, but a reminder. Every once in a while, two things they are forgetting is the parking and the *inaudible*. **Warren:** One thing the Chief did mention is they are giving a warning before the citation so they aware they are illegally parked.

Warren: May we hear from the Fire Chief? **Schade:** Thank you Mr. President. I have nothing to report. Everything is working good. All the departments are working good together and we are just trying to get by. It is hard finding employees that are educated properly. Are there any questions? **Hardin:** Who planted the flowers after the comments from the last meeting? **Dept Head:** They were planted before the last meeting. **Hardin:** So, it was your department? **Dept Head:** Yeah, they were planted before the last meeting.

Warren: May we hear from the Service Director? **Haba:** Thank you Mr. President. Tuesday or Monday, is the first time that we had a back up on Garden Road, which I am surprised with all the downpours. One resident called yesterday afternoon, when we had a big downpour. But it wasn't bad so we put the pump in the manhole and got it up quickly. Pat and the Engineer will have a Ward meeting at the community center next Tuesday for the residents of Garden and Hickory Roads regarding the updates with ratification to fix everything. Even though Chief got handed over this stuff with the boats, coincidentally, one of our guys was a custodian we had since we had the controversy a few years ago. She did a real good job when her husband bought Farinacci's Pizza in Northfield so she left to run that full time. So, one of the new custodian *inaudible* and the boat over on Tryon. I figured I would go over and talk to the gentleman. He was nice; real gentlemanly said he has to get it out of there. I told him "It's not my jurisdiction, but the faster you get it out of, the Councilwoman has been asking about it. You are going to have to get it out of here." He asked, "How much time have I got?" I said, "What about 3 weeks?" He said, "Okay." *Inaudible* two weeks about, but you might have to go to Plan B after that, but he was very nice. Lastly, response to Ms. Butler last week. She is a nice resident. Been here forever. The next day I looked at the records and went down Forbes Road. The few areas we had mulched, that was the first one we mulched 5 weeks before the first meeting. No flowers dying. Roses are good. Some shrubs need to be replaced. Daffodils were out there which is normal for this time of year; they get sprayed and then they die. There were some weeds that we sprayed 2-3 weeks earlier that were laying down but no flowers. When we mulch at the end of the year, we cut everything back and hope it will last for a while. Grass around the flowerbeds could use a little trimming but they were not bad. The drain she had mentioned, I went down to look at and it is not our responsibility. I called her a couple days later and told her it was not our responsibility, but we would try to do something for her. We went by and filled it in but it is her responsibility. That's all I have; thank you.

Warren: Law director. **Cirincione:** I have nothing further other than that report of that one problem property and the difficulty we are having. Jim and I will be in close contact in the future. I thank you for the suggestion, but it did not occur to me. He has not represented that he has power of attorney or guardianship, but we will look at the probate records.

Warren: Finance director. **Thompson:** Thank you Mr. Chairman. Not much to report. We should be rounding out the finalization of the audit. A lot of the documentation in discovery mode we are done with. There is a light at the end of the tunnel, and I will keep council apprised of dates then we will meet. Thank you, Mr. Chairman. **Williams:** Did they

respond to you about the \$1,200 amount in regard to the late payments? Thompson: They didn't respond. Jim had sent some information back to them regarding what happened during that period and we are awaiting a response from them.

Warren: Now we will hear from the Mayor. **Mayor:** Thank you Mr. Chairman. Instate McBee met with Premier today for about 10 hours on the beginning of their construction which will begin with a 200 square foot building. First, there has to be a rehabilitation of the land which will be significant. There is a stream line through it; there is a wetlands through it on at least a third of the western part of the land. There is a subsoil issue on the front of the property that is pretty poor because of the dumping of just about anything on that soil. Additionally, there are powerlines running through the southern part of that property. Yet they made the decision to choose Oakwood rather than Miami or Houston. It helped us with the Team NEO Ohio Grant of a half a million dollars to rehab the land in addition to our pleas to hear that we got a grant to rehabilitate Fair Oaks the beginning of next year. We will be applying in the fall for a 2/3 of a rehabilitation of Oak Leaf from Broadway to *inaudible* and only there. From that point on, it will be another \$900,000 for a third lane to turn west. But we are not interested in that to be done until we get the cooperation of Walton Hills and *inaudible* So that went well. Additionally, I would like to report along the line with Team NEO, the company is dubbed "Project Crunch" is the premiere development, I will be meeting with their people next week to go over the basics of construction of their site. We hope it does work out where it becomes a reality. This company is valued at about \$18 billion. Not as large as our Thermo Fisher Scientific Plant, valued at \$300 billion but they are a Fortune 100 company. Secondly, it's the hold up on our Vitamin D program was some of the doctors of the patients who were going to take the program, were alarmed that they felt University Hospital was going to do the blood work and was going to take their patients away from them. This is clearly not the case. All University Hospital was going to do was take the test. Now that has been cleared. So, starting next Thursday and Friday (Thursday from 10am to 2pm and Friday from 8am to 10am), there will be blood testing for Vitamin D. The purpose of the test is to determine if you are sufficient or significantly deficient in Vitamin D. Why this is important, 82% that of died from COVID-19 were significantly deficient with Vitamin D. So, this test is to determine a person's sufficiency or deficiency. If they are deficient, they will be taking a boost of 100,000 IUs for 3 days. Then, this will get a person to the right level. There is no point in taking this Vitamin D until you are deficient. It isn't going to get you there. It's just wasting money. Of course, many of the doctors are not going saying that. They are just giving prescriptions for Vitamin D. You first have to be deficient. Once you are deficient you will be provided for 3 months, from Purity Products, with 5,000 IUs a day for 3 weeks. These would usually cost \$33; we got them for \$17. Not just Vitamin D but also got the minerals magnesium and zinc as well as quercetin. What is quercetin? Quercetin opens your cell tissue to more easily metabolize the minerals. So, that is the program. It will begin next week finally. It will be interesting to see how people end up with the Vitamin D level. They will be notified by mail. Thirdly, our council lady, Elaine Gaither, came to me with some exciting news. She has a person from Cleveland who is interested in building a \$300,000 house on the corner of Kentucky and Mistletoe. That is something in itself where we are talking about being surround by *inaudible* on both sides. This will be on 2 1/2 land bank parcels in Oakwood. The lot isn't a flat lot. It declines by 10 feet on the 100 feet and then drops off more. The interested individual understands that and wants to move forward. The website was not set up for me to put it on the agenda for tonight. But I will be giving you where the project is and the map as well as the legislation. We hope to have a special meeting where you can suspend the rules and get this passed. Mrs. Gaither, even though she is not benefitting on this project, still cannot vote on it. She is not benefitting from the project by one penny. We are just glad that she was able to have someone come to her who was interested in wanting to potentially build a home in Oakwood. There are other sites, and that is why we need to move on this. We can't be waiting a month. He was asked if he could wait a month and no. This legislation when you see it, reads just like the Shades. We are looking at \$5,500 for the 2 1/2 parcels on the corner of Mistletoe and Kentucky. He has to have construction completed on this house by 1 1/2 years once the legislation is passed. And by the way, this legislation will be reviewed and is only for you to pass this legislation by the planning commission and then it will come back to us. That is something we have to change in time. This business, particularly in matters like this where you have to go to the planning commission, then back to us and it takes twice as long. He was very clear to Mrs. Gaither that he could be waiting one month and wants to make a decision on this. And the other point in the legislation is he has to be in this house for at least 5 years before he wants to rent it out. But he is not interested in that. He is bringing in his young and his aunt lives on Lamson. Interesting enough, he did not want to build on Lamson. He is excited about this, and we are excited about having that type of home-\$300,000-being in the middle of what is they say is a *inaudible* of Kentucky. Anyway, I will be handing out the map and the legislation. If you decide, Council President, a date where we can suspend the rules and get this to the point of completion. The lots are check marked in black-the 2 1/2 on Kentucky where we are talking about construction. Mrs. Rogers brought up, what about Empire Tree? This is what is happening with Empire Tree. I am now handing out (a picture of) a set of vines that will be overhanging a

black nylon, deer free barrier held by posts. You are going to see the picture of the vines. These are the ones recommended by our landscape architect. Notice the first 3 (pics) are red and this is how they get bigger and bigger during the season. The last 4 pictures are of the wintertime. In the first one, particularly this vine is not that mature yet. Notice the root system is bare. Notice as they get more mature, they are denser with the last picture showing what it will look like a couple years from now. Anyway, they plan to have this done by early fall. If you see the red flowers, there are very beautiful. **Rogers:** As far as this goes, when it comes to having Empire Tree Service doing this work, I think they need detailed plans on exactly how it's supposed to be done? **Mayor:** They will first layout where the posts are going to be before they actually do it. What you are seeing, those are the flowers they are going to be told are the best for this environment. **Rogers:** What I am saying, as far as the fence, that they put up something good. **Mayor:** Like I told you, a black nylon deer resistant fence with posts and by early fall. It is for screening and to keep the deer away from the vines themselves. **Williams:** Mayor, how did the Mount Zion project come into play, the meditation garden, and was there a specific reason we chose Mount Zion over our other churches AND when will the project be completely done? **Mayor:** The senior pastor of Mount Zion of Oakwood had a spiritual vision to create a meditation garden and to give people a place to assemble, to call up the power of meditation and reflection and according to each person's belief-prayer so as to provide hope, peace and a fullness of joy. A place to remember loved ones and to relish the power and greatness of family. They granted us an easement for access onto that property and we had our own group on their own time. Claudio was in charge of it and all of the work lately is nearly completely by an outside group for a small amount of time. Our guys have been so busy, but this was not done on Village time when this was landscaped to begin with. If you have a chance to see it over there, Carlean with her exercise group are using that facility as well. It is very, very comforting over there. Serene and quiet. **Williams:** How are we going to notify our residents that it is available for their use? **Mayor:** When the next newsletter goes out. **Williams:** When is it going to be completed? **Mayor:** By the end of July.

Warren: If there are no other questions, I will open up the floor for public comment. This is the opportunity that is afford to the residents of Oakwood Village to have any comments or issues they want presented to council. Please give us your name and address.

Good afternoon Council. **SHARRON MURPHY WILLIAMS 7229 SOMERVILLE DRIVE-21 years**
I have coming with a concern of the pavement of Somerville Drive. All streets surrounding Somerville have been cemented. We have been put on notice 3 times now that it was going to happen. It should be happening right now. I should be having trouble coming out of my driveway right now. But now I am hearing that there is a possibility that it may not happen. And I would like to know why and then I would like to know when. And there is a water settling problem on Somerville. I am at 7229 Somerville, so maybe 2 addresses away from me where there can be standing water from the pouring rains, and you have to go another way. So, I wanted to bring that concern to the Council, and I would like to know about the condition of Somerville. **Mayor:** I am not the engineer, but I can respond. Somerville is the next street in Ward 2 that will be addressed without any question about it. **Resident:** It's the last street, I get that. What I am really asking is that I have been told that.... **Mayor:** This time you can take it to the bank. **Resident:** So, what does that mean? **Mayor:** Tom, where are we? Is there any way to mediate until this is done the problems with the homeowners? **Haba:** I will check. We were out patching down there a couple months ago we were down there. **Resident:** We don't have a patching issue. Somerville is not patched. It has never needed to be patched. What our issue is, it has never been concreted in the water. **Haba:** I am not aware of the water. I go by Ms. Gray's house that used to sit over there. **Resident:** Well, it gets deeper now. **Haba:** I will check it next rain. **Resident:** You mean tomorrow? *inaudible* **Haba:** I have not seen it there because last year, she used to complain that she had water in her yard. When she put her driveway in, they put a little 4-inch pipe in there. I told her it needed to be 10 inches at least minimum. We stayed down and took a firehose and stayed down at the crossover and that alleviated the water at that time. But if it's blocked up again, I am not aware of it. But I will check it out next rain. **Hardin:** Mr. President, what I think I am hearing Mrs. Williams ask for public record 1) she is looking for specifically when. I have shared with her that Forbes will be eventually resurfaced and should lead to a beautiful Forbes. But that being said, that still does not and it's such a short distance from Forbes to Somerville. It's not that much surface to be done and to deal with what Tommy addressed, when we do deal with it on a permanent basis, we have to remember how we got to this point. At least it's not as deep as it used to be, but it is still a problem and she has not had the time to come up and complain about it. But it is still happening. Not a lot. All we are saying for the record, when the Village goes in to resurface that road, whatever we can do to alleviate or not add to that problem, we want the Village to be aware as you already know. It questions back to the administration-when are we going to do that distances from Forbes to.... **Mayor:** At our next meeting, I will have the costs for what it will take for that project and we can then have a number to see how it will fit into that budget. But kudos. This was the

next project for Ward 2. This will be discussed after I know what the cost is, and we can have a timeframe for when this is going to be done. **Warren:** We had talked about it and our engineer had mention it was something we needed to look at it before the road resurfaces. **Hardin:** We have not forgotten. So, I guess Mr. Mayor and to Council, we can make a commitment? I think officially, we should make a commitment to give you the follow up information in a timely manner what is really going on so you don't have to make that trip. **Mayor:** So, when is the next council meeting? **Warren:** August, 24th. **Mayor:** I will write down August 24th and I will have before you the *inaudible*. **Haba:** When we clean that house. That dig made that water deeper the last couple of years. But on top of the Ms. Gray's driveway, we have nothing to do with that. **Hardin:** As we keep in mind what has happened, so we don't exacerbate her problem further. **Haba:** I didn't know it was backed up again. I didn't realize that. **Resident:** And here, we have had a lot of rain and it has shown itself a little more. **Haba:** It will sit there for a couple of hours after it rains. **Resident:** It does drain well, too. Thank you, Council.

Warren: Anyone else? Yes ma'am, can you give us your name and address. **SYLVIA JOHNSON, LIBRARIAN AT THE SOUTHEAST BRANCH OF COUNTY LIBRARY ACROSS FROM UNIVERSITY HOSPITAL'S BEDFORD CAMPUS.** Next Wednesday, July 21st, we have been doing this monthly with the foodbank, having a produce giveaway. We just got the information today. In addition to the produce giveaway, United Healthcare will have a popup vaccination clinic that day as well as the Board of Elections will be there to register. That is July 21st from 1:30 to 3:30.

Rogers: When Premiere came in, they began clearing trees and everything, particularly next to the residents. When will that be cleaned up? **Mayor:** Well, you aren't *inaudible* lines between my line and them in terms of why they were taken down. They couldn't get the help to actually get the clearing equipment out there. The labor situation is hard to believe. When you were up at Mrs. Hladky's event on Saturday, you had the owner of the hotel working at the desk on a Saturday in the evening. They work 6 days a week there alone. Sam's Club itself-35 people less are working there now than a couple months ago. The people aren't coming to work. You are seeing this nearly in every single aspect whether it be Home Instead, they are giving thousand-dollar bonuses and can't get caregivers. You are looking at Community Care Ambulance, Swift Filters.... **Warren:** I heard fast food restaurants are giving bonuses. **Mayor:** People are just not coming to work. Therefore, this is the problem there. We do hope to finally, one or the other within the next week, we will have it out of there. Notice we continue to maintain, at Premiere's expense, the mound itself which will be expanded as the area expands and that is south particularly. I would like to get that cleared out before the end of next week. It's ghastly over there. It is embarrassing. I can understand in a commercial area but it is a residential area and they never should have done that without knowing they couldn't clear it. So, I hear you. **Williams:** Do you know the approximate maintenance costs of the meditation garden over the next few years? **Mayor:** It's going to be very little cutting but there will be watering, and we must get with the church about water. Maintaining it won't be bad as these shrubs are not getting a lot of *inaudible*. If you have been over there, you will see it is a very peaceful atmosphere and we have been using it ourselves for classes. I know the members of the church have and as the word is getting around, I see more people taking advantage of it. You don't have parking off Tryon, so you have to around to Mount Zion drive; that circle over there to get in. In fact, there was that display over there on Jean Drive in years past. They used to use that area to park. Then obviously this year they are having them to park on one side of the street on Tyron other than Jean Drive so they can't use that anymore. It is an access strictly for the meditation. **Williams:** So, we aren't looking at thousands of dollars for maintenance? **Mayor:** No. I don't see any plants dying. They are pretty hardy and don't need a lot of maintenance so it's really just the water. We like to think that Mount Zion can handle that. We put some particles in the soil so it can hold moisture, so it doesn't require a lot of water either. You are not going to see a lot of annuals that require a lot of water but more perennials or shrubs or trees. **Williams:** I asked the finance director for an approximate cost so will you be able to get that to him? He said it will be maintenance. **Mayor:** I will get with Andy because he will have a better idea. **Hardin:** I am picking back up on this. You weren't here when we talked about this so you can get this firsthand. I brought it up. The fact that we did it at Mount Zion, were the other minister aware that we were doing this? **Mayor:** This was a vision of Pastor Macon for his backyard and that was it. **Hardin:** With that being said, we are going to make certain that the community knows it's there. **Mayor:** Yes. And again, this is being paid for by COVID money, not taxpayer. **Hardin:** Ehhh.. **Mayor:** COVID money. **Multiple Councilpersons:** That is taxpayer money. **Mayor:** Honestly, particularly with the Vitamin D program, Brian was very concerned that we wouldn't be getting the call up on this matter from the State. I called the Ohio agency of management, and they supported this project. Gave us kudos for doing it. We are the first in the country doing it. **Hardin:** But the answer to the question, did you get approval for the park? **Mayor:** Yeah, cause that was very much a concern that they might reject this. But what they asked for was

documentation to support this. So, I had documentation from India, China, Spain and the United States to support what I was saying. Not the morbidity but the mortality rate of those significantly deficient in Vitamin D. Surprisingly, though, here is the medical profession, the director of a major health and wellness institution. When I called him up, he left a message that he thought this was a great program. A week later, his colleagues in his law department sent an email that they could not promote this. I never asked them to promote this but noticed that he backed off immediately of the medical profession. I can't underscore enough the importance of good nutrition, cardio and Vitamin D. From the sunshine it's a hormone and not a vitamin. Those three things along with spirituality are a better vaccine than any vaccine. It strengthens your immune system. Incredible. Remember, nutrition like smoothies so you get your veggies and a little cardio ratcheting that heartbeat to 80% of your maximum for no more than 15 minutes, 3 times a week. And Vitamin D. Once again, when you are at sufficiency, then you just need the capsules. Your doctors are prescribing this, and they don't know unless they give you the test whether you are sufficient or not. **Hardin:** Well, as I get younger, I can't remember things, so we got to stop so I can get it. Question, here. I think the meditation area is right on the edge of Tryon. **Mayor:** Yes. **Hardin:** I know where this is. Do you realize that just a few feet from that is that little culvert thing? And if you are going to meditate over there, somebody is going to have to keep that clean. Now, the people on the other side of the road when that part of Ward 2 when we got on them about keeping that culvert there, right Tommy? **Haba:** Behind that brush where that little creek is? **Hardin:** Yes. So, who's problem is that? If you are drawing attention to that as a meditation area, you have to make certain that it has to be kept clean over there and on Mount Zion side. **Haba:** I'm not sure. I'll look into it. **Hardin:** Whoever is to keep it clean needs to clear it up and make it look nice cause I wouldn't want to meditate among all those bugs or whatever is in that culvert. **Mayor:** Well, when you are in that atmosphere over there, you are not going to realize it. But I will get you an answer on that and an answer on maintenance. **Hardin:** And on the other side of the street, make sure somebody clear that culvert out. And poor Tommy, they left all the garbage on the side of the street. Remember that? The house? The leaves were bad. **Haba:** They were bad. We ended up picking them up with them. I went over to talk to them and told them never again. **Hardin:** My point is Mayor, if you are going to beautify over there, make sure everybody is doing what they are supposed to because it's going to draw attention to that situation. **Mayor:** It's somewhat private. You are not even seeing there with the fence and shrubs. Within the actual atmosphere of the meditation garden, it is still right there at Tryon. **Hardin:** The fence is nice, the area is nice where they are sitting it nice, but to the right of there is a hot mess. **Mayor:** So, by the way you did visit Quality Inn and see that? **Hardin:** You want me to respond? **Mayor:** Yeah. **Hardin:** The outside, they planted some nice African grass and some nice stuff. But did you go inside? **Mayor:** Absolutely. **Hardin:** Well, I didn't go inside but what I saw outside, it didn't look too good. But you're saying the inside is nice? **Mayor:** Now understand, they are not complete, but they are getting close to complete, and they will be hanging chandeliers. You will be very impressed. It's very, very close now but it is good enough you can already see a huge difference from what it was a month and a half ago. **Hardin:** When you pass by the front entrance and look where the pool area is, that's a hot mess. You know that, right? **Mayor:** Yeah. But you don't see a better entrance of any hotel anymore than what's there. Not in the back but in the front where you were noticing the plants that have been planted. **Hardin:** When they get finished, call me. And those drapes on the window, not so much. **Mayor:** Well, remember, you are from Venus and we are from Mars. We look at things a little more differently in terms of... **Hardin:** Don't go and put it on the opposite sex. I know sometimes, ya'll don't care. You just want to get somewhere and put your head down. **Mayor:** Well, remember again, you are looking at an owner and this is a pretty bigger owner. This is a pretty big owner of the complex and he is there six days a week himself. **Hardin:** Tell him to put his money where his mouth is. **Mayor:** But it is a big difference from what it was back two months ago. **Hardin:** In all fairness, when it was back open, it was very controversial, but it was very nice. And then it started to go down, down, down.... So, looking for the improvements that you said are coming. **Rogers:** Just quickly Tom, are you done with the bids on the corner of Hickory and Alexander? **Haba:** No, we are trimmed the other day *inaudible* it came back up, so we got to go back out and trim again and mulch. **Mayor:** It hasn't been mulched.

Warren: We will close the floor to public comment and proceed with today's agenda knowing at the end of the day we are going to request a quick executive session.

2021-39 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE/PURCHASE
3rd Reading AGREEMENT WITH FNB COMMERCIAL LEASING FOR THE ACQUISITION OF 14 AIR PACKS
AND FIRE AND SERVICE RADIOS, FOR THE FIRE DEPARTMENT THROUGH THE STATE OF
OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, STATE OF PURCHASING PROGRAM
AND DECLARING AN EMERGENCY

Williams: What are we voting on again? **Hardin:** Ordinance 39. **Warren:** Motion to adopt. We don't have to suspend. This is the 3rd reading. **Williams:** Mayor, I am going on this based on the fact that during our finance meeting, we had a conversation that the \$58,000 remaining and the \$115,000 additionally coming will be used to bring down the balance for the \$1 million line of credit we took out. So, my vote is yes because that is what we discussed. **Mayor:** What is the balance on this? \$58,000? **Thompson:** Yes. **Mayor:** Some of that money will be used against this equipment. **Thompson:** Yes. **Williams:** No. Not some. Most if not all. **Mayor:** What is the amount of the equipment that the fire department is asking for? **Williams:** No, no, no. This is all packaged together to total \$807,000. **Mayor:** I see. You are saying the \$58,000. I will go along with the \$58,000 be used toward these expenditures. **Williams:** And then there is another \$115,000 and most of that is to apply. **Mayor:** I can have a problem with that. There are other issues. I can go with the \$58,000 but we don't even have the \$115,000. We don't even have it. They haven't given it to us yet. **Williams:** Oh, I know that. **Mayor:** Then let's deal with that when it comes here. But at this point, I won't agree to that part. **Williams:** So, if that money is coming and it likely is, most of that should be applied to that balance. **Mayor:** I want to see what other things have to be done including the problem with the fire department and the concrete work in the front there. **Williams:** That doesn't seem little. It sounds like you have some plans for it. **Mayor:** Not really. **Williams:** Can some of that amount be applied to that balance? It's \$115,000. **Mayor:** I will agree that some of it will apply but I will not agree on an amount. **Hardin:** Can I comment, Mr. President? **Warren:** Go ahead. **Hardin:** Mayor, what you are hearing and seeing is that Council needs to be somewhat aware of some of the things you are thinking about when it relates to money. This last scenario, when you were not here, and we just finished budgets. Then we hear about \$1 million. It was a shock. We just finished budgets and where did the million dollars come from? Cause you already knew, and we didn't. **Mayor:** I didn't have a number. All I know that we understand and make it very simple. **Hardin:** We don't have to know everything. And kudos to your department which I said when you weren't here. When it came, he had done all the legwork to give us some information on how to do it. And that was your only saving grace by the way. So, what we are saying to you, Mayor, you have a Council now. We are very bright, and we are able to keep up with you. So, share. You are going to meet with unnecessary opposition. And it is not secret. Eventually, it needs to be paid for or you're going to meet with opposition. **Mayor:** But one of the factors that has changed in the last 4 to 6 months. Today, the inflation rate just this past month is 5.4%. This is the highest rate since 2008 when we were in our minor recession. The point is, doesn't it make more sense of using the banks money now, if you have the money to finance it, at 2.5% to 3% rather than 3-5 years from now when the interest rate is going to be at 5% to 7.5%. We are going to have to borrow.... **Hardin:** Did you see how easy that was? Everybody here understood that. Share. **Mayor:** Ok. **Williams:** And let me add this one thing quickly. I don't meet you with opposition. I meet you with accountability. I need to know where numbers come from, where they are going, where money is. The budget is the primary function. **Mayor:** And that is a major function of Council as it is with the House and the Senate and with looking at the budget of the President. **Hardin:** And you have people who intend to do that.

MOTION TO ADOPT by Rogers; Seconded by Gaither

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

MOTION PASSED.

Schade: Those of us that have been around we have done 5, 10, 15-year projections. It is a no brainer that every 20 years you get a fire truck, every 15 years, you get a rescue truck. We have done cars every 15-18 years. As for air packs and stuff, Council votes it down. Go ahead. I will have dispatch call you personally on your cell phones "who do we call for fire calls?" Cause if you don't have air packs, that is the basic for your fire department and you can't go on fire calls. You take away the communication for a basic fire and you just shut us down. So, vote it against it and you won't have a police and fire department. **Rogers:** It's passed. **Williams:** I don't think the conversation was ever about that. **Schade:** *inaudible* cause you voted it down. So many meetings for the same old talking and nobody is grasping it. The council is not that bright because it can't understand common sense that this is what it takes to run a community. **Hardin:** Ooooo **Schade:** Well, Mrs. Hardin, we are supposed to have Robert's Rules for the community, too. Not a half hour about litter Forbes. We are here 7 days a week a lot of time. We don't want to sit her for 4 hours to hear the people complain like Mrs. Butler complain about an empty house for how many years. Now she's got neighbors seems like she doesn't get along with anybody. **Williams:** That's the community's right to come here. This is their forum to share. **Schade:** They are supposed to take that to the department heads to take care of it. Not a complaining session to Council. That is ridiculous. She has to come in here twice a month to tell "run the community." No, we run the community. We tell you what goes on. We tell you if you take away our communication.... This is not a new radio system. You have been told we are the last bunch on that system. They are going to shut us off and we don't have radio communication. But Council

is so smart. *inaudible* We are worse than East Cleveland in a lot of ways because they don't want to okay stuff.

Williams: You are talking about equipment, and we are talking the budgets and the dollars. We do need to know about that. **Schade:** This is how smart you are. Who is going to pay for my equipment? *inaudible* **Williams:** That is what the conversation is about. **Schade:** Yes, and we explain that every year. *inaudible* That's where our equipment comes from. I ended up paying that loan off for my equipment. From 217-the ambulance billing fund. **Williams:** That is not where the funds are coming from. **Schade:** Yes, *inaudible* **Williams:** Those were the questions we were asking that they were not explained. **Schade:** That is explained every year when we do budget. Mrs. Hardin, every year we do the budget, 217. If we buy equipment, I will pay for my part of the loan. But a lot of time you guys don't show up for the budget hearing so then you don't hear it. **Williams:** I just specifically asked in our last meeting. **Schade:** I will pay for that out of the 217. **Williams:** The ambulance billing fund? **Schade:** Yes. **Williams:** You said those dollars were tied up. **Schade:** That's what the finance director is for. He balances that *inaudible*. We been needing the air packs for 3 years. They have been expired. **Williams:** But if you say the dollars are tied up, I am not a mind reader. I don't know that they are not actually tied up and going to be used. You said they were tied. We directed two or three questions about that. **Warren:** Let's resolve this situation first of all like this. We did pass the initial budget with three departments asking for equipment: police, service and fire. We passed the police but there was other questions and other concerns about how much money we were getting in. And you have been knowing me for a long time, Chief. We had to first get the information. The finance director was not here. He was on vacation or something. And we were wanting to know where the funds... Because of COVID, just like the Mayor said; just like you said, can't get people to work. And if we don't get people to work and the businesses can't get the people to work where 68% of our revenue comes from. So, when they are not paying the 2.5% because they don't have anybody to pay it to or pay us, then we have to take and look for other funding or other measures in order to do it. So, the police and fire and service or building has never been denied any requests from when we built the station. I was there. **Schade:** When we built the station... *inaudible* **Warren:** We understand that. I understand that. But again, we just had to know where the money was coming from. Especially during the time when our revenues are decreased by 30%. So, we just passed the legislation to move forward with the packs. But you got to remember one thing, we had, since our last council meeting, 5 special meetings. Not all about budgets or anything. But after we approved the budget, just like my colleagues are saying. We approve the budget and then all of sudden we see that we have a million dollars or nearly \$840,000 in expenditures and equipment that had we known about it, we would have been able to digest it and it wouldn't have been such a shock. And a very minor part of it is yours, just to let you know. So, all we are doing and all we are saying is we had to take the time to get with Brian so that he can tell us where the money is coming from. And so, he did that. We already know your money is paid for; we all know that you're ticketing everybody. And we know that Tommy is doing the services and he waits to the last minute *inaudible*. Just to let you know, there is nothing that council will not want to do. We just have to find a way to do it. Your's is passed and now we are getting ready.... **Schade:** You don't how important the service department and the police department are to my department cause we all work together. When we have these storms, there are trees all over the place and lines down. We are all together. **Warren:** You always have. **Hardin:** This is a first. You jump into that floor is a first. I have never seen that before. **Schade:** It's just that *inaudible* has been dragging on. **Hardin:** You know what? Let's go back. A little history. You have never seen that before, have you? This was a surprise to us. When the police chief stood up and said we are the last-he left nothing to our imagination-we are the last of two communities pretty soon who are going to be in the dark. We got it. It's not funny. I am glad to hear you. I am glad to see you have that much passion. **Schade:** We have ALL fought to have what we have here. **Hardin:** Okay, but we are going to make sure-we have never ever-NEVER EVER kept any equipment from any department, have we? **Garratt:** Just the Lamborghinis that I asked for. **Hardin:** No, you didn't. **Mayor:** As long as we have the credit worthiness. **Hardin:** That was the only issue. **Warren:** Mine isn't even the credit worthiness because of the fact that we don't want to get to far or more into debt than we need to get. You can give me all of the credit in the world. You could have told me I would have qualified for another \$100,000 for a house, but I wouldn't have been in one for that \$100 or \$150,000. But the bottom line is this; we approved it, we appreciate your service. **Hardin:** We apologize for any anxiety we have caused you, but it was the time. We were not going to leave you in the dark. Your statement to use was very clear what was needed. And even though is wrangled, we had to work in a way that we felt financially stable. And we were going to do that. But either way, you would have gotten what you need. We have never EVER, EVER, EVER,.... **Schade:** You always have. Sometimes it's just really a battle. **Hardin:** We apologize.

2021-40 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE/PURCHASE
 3rd reading AGREEMENT WITH FNB COMMERCIAL LEASING FOR THE ACQUISTION OF A 2021 LOADER,
 2021 LEAF VAC, 2020 CHEVORLET DUMP-PLOW, 1995 GMC TOPKICK DUMP TRUCK, WITH

PLOW AND SALT EQUIPMENT, 2021 UTILITY VEHICLE, AND 2021 CAT BACKHOE FOR THE SERVICE DEPARTMENT THROUGH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES, STATE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

Williams: Same comment as before. And in addition, every time I request something in regard to us approving finances, I request the same things. It is not magic. How are we paying for it? Put it all onto one schedule. Length of time? How much is it going to cost us? What grants are being applied? I don't make this a mystery. I am always very clear. My vote is a yes, but there shouldn't be any constant battle. Because the things we ask for, we should actually get. And we should get them when you tell us. When need to purchase these large things without even asking because we have to be clear. **Thompson:** I understand. A lot of things played out in putting that together. All your points are well noted; I agree. We will move together and work as a team. **Williams:** Yes. Teamwork is pertinent.

MOTION TO ADOPT by Callender; Second by Rogers
VOTE YES: Callender, Rogers, Williams, Hardin, Gaither, Warren
MOTION PASSED

Warren: We are going to recess to the Executive Session. **Hardin:** Mr. Callender reminded me. Will you let the law department know we are supposed to deal with finalizing the Human Resource material and just have it when we come back into session? Thank you, Mr. President. **Warren:** I would like to get a motion to adjourn into Executive Session for the consideration of Council Clerk and additional information. At the end of the discussion and that discussion only, we will resume our regular session.

MOTION TO ADJORN REGULAR SESSION AND ENTER EXECUTIVE SESSION by Gaither, Seconded by Callender
VOTE YES: Rogers, Williams, Gaither, Hardin, Warren, Callender

Regular meeting reopen by Warren:
No time indicated

Warren: It can be a first reading. Emergency Ordinance to appoint Ashley Kellum as Clerk Council. So, I will make a motion to amend 2021-47 to remove the name completely. **Hardin:** No. **Warren:** Ashley Kellum, we have to take her name out. **Hardin:** And replace it with that other lady? **Callender:** She hasn't accepted so we can't put her name down. *inaudible* multiple voices. **Hardin:** Put the name in there and make it the first reading. **Cirincione:** First is to remove the name. **Warren:** Can I get a motion to remove Ashley Kellum from 2021-47?

MOTION TO REMOVE ASHLEY KELLUM by Rogers; seconded by Callender

Williams: So, it's a motion to amend the legislation, right? **Warren:** Yes. **Hardin:** Now are you real sure she... **Williams:** What if you call her and she says she changed her mind? **Warren:** Who? **Gaither:** Ashley Kellum. **Callender:** She can do that *inaudible* multiple voices. **Warren:** This is what I am saying, we are not going to have a name on the legislation. We don't have to have a name but at least we got the first reading, Candace because if not we are going to have to have... **Cirincione:** You can't pass it blank. **Williams:** You can't add a name at the second reading cause it is different legislation. **Warren:** No, because we could always amend it to put a name in there. **Gaither:** No. We need to void that and then find out where we stand. **Callender:** Then, take her name out and we can table it? **Williams:** No, we cannot use this legislation. **Callender:** No, I am saying we take her name out and then we table this till we know who our candidate is. **Williams:** No, he said you can't take it and add a different name. **Cirincione:** You can actually do it by two motions and two resolutions too. Actually, two motions. One to remove the existing name-that would be the first motion. The second motion to add the new name. **Callender:** Can we just vote no, and it is off? **Cirincione:** Yeah, but then you have to prepare a piece of legislation. **Warren:** I say this. Rather than voting no on it, we can just table it. **Cirincione:** Yes. **Warren:** Then it will be just as simple, at our next meeting, we don't have to have somebody to re-write this. All we need is a name to put in it. **Cirincione:** And perhaps what we can do, you are going to be the one to speak with the number 2 candidate? **Warren:** Yes. **Cirincione:** Perhaps Council can pass a

motion authorizing you to speak to the number 2 candidate. I understand that there is no easy remedy here. Each of you have indicated who you regard as the second candidate. **Warren:** So, can I get a motion to table 2021-47?

MOTION TO TABLE by Gaither; Seconded by Hardin

Circinone: There will be a second motion authorizing Johnnie to approach the second candidate. **Williams:** No because we have to talk to the first one. **Callender:** Yeah, cause she may come back and say she made an adjustment. **Warren:** We can just wait till Wednesday. We don't need to do anything except table this legislation and she what she does and she what she says. Then, we will know the next candidate. But in the meantime, let us at least identify, since we just discussed it in a special meeting, who we prefer in a regular meeting if this person.... **Circinone:** If the number one person cannot take the job, who is it that Council wants to consider? Then subsequently, legislation can be prepared. **Gaither:** So, are we having a special meeting? **All:** Yes. **Circinone:** Sounds like you are going to have to have a special meeting. **Warren:** We have to find out if the other girl is not going to be there and if the other one accepts. Can I get a roll call?

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

Warren: Now, by each one of use stating which one we prefer so we can see who our second choice for candidate, if it is not Ashley Kellum, who is it for you Ms. Williams? **Williams:** Jacqueline Chambers. **Rogers:** Christine Morgan. **Gaither:** Christine Morgan. **Warren:** Christine Morgan for me. **Hardin:** Chambers. **Callender:** Morgan. **Hardin:** She's my neighbor. **Warren:** Can I get a motion to adjourn? **Callender:** We haven't given you authorization to make this call. **Circinone:** You have to give authorization consistent with the vote. **Multiple:** You have to contact Ashley Gaither: And make sure she is not interested anymore and then call the other lady. One phone call if she says the can; two if she says she can't. **Warren:** We are repackaging this deal. Can I get a motion to make a call to Ms. Kellum and if Ms. Kellum does not take the position for either the money or her previous commitments, that I can call Ms. Morgan?

MOTION FOR CALLS by Callender; Seconded by Rogers
VOTED YES: Callender, Rogers, Williams, Hardin, Gaither, Warren

MOTION TO ADJOURN by Rogers; Seconded by Gaither
VOTED YES: Williams, Rogers, Gaither, Hardin, Callender, Warren

Adopted

9/14/2021


Christine Morgan, Clerk of Council


Johnnie Warren, Council President