

**VILLAGE OF OAKWOOD
FINANCE MEETING
October 26, 2021
AGENDA
6:00 pm**

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	~ Melanie Sanders
Councilperson Ward 4	~ Patricia Rogers
Councilperson Ward 5	~ Candace Williams

Monthly Summaries

Other matters deemed appropriate.

Adjournment

THIS IS AN
IN PERSON
MEETING

VILLAGE OF OAKWOOD
FINANCE & COUNCIL MEETING
October 26, 2021
6:00 p.m.
AGENDA

1. Call Meeting to Order

2. Pledge of Allegiance

3. Roll Call

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

4. MINUTES – October 12, 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*

Executive Session – to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

8. Legislation

Ord 2021-57	AN EMERGENCY ORDINANCE AUTHORIZING THE REAPPOINTMENT OF LILLIE HICKS, CLAUDIO ABBOMERATO, DEBBIE STOFFL AND CAROLYN JONES TO EMPLOYMENT WITH THE VILLAGE OF OAKWOOD
Introduced 8/24/2021 by	
Mayor & Council as a whole	
Tabled	
2 nd Amended Introduced	
10/26/2021	

Res 2021-69

Introduced by Mayor &

Council as a whole

1st Reading

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE VALLEJO COMPANY INCREASING THE CONTRACT BY AN AMOUNT NOT TO EXCEED \$25,000.00 FOR THE 2021 OAKWOOD ASPHALT PAVEMENT REPAIRS PROJECT LOCATED WITHIN THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY

Ord 2021-70

Introduced by Mayor &

Council as a whole

1st Reading

AN ORDINANCE ENACTING REGULATIONS OF ELECTRONIC, DIGITAL BILLBOARD SIGNS LOCATED IN THE VILLAGE OF OAKWOOD

Ord 2021-71

Introduced by Mayor &

Council as a whole

1st Reading

AN ORDINANCE ENACTING SEVERAL CHANGES TO OAKWOOD VILLAGE CODIFIED ORDINANCES RELATED TO THE REGULATIONS OF SIGNS LOCATED WITHIN OAKWOOD VILLAGE

9. Adjournment

**VILLAGE OF OAKWOOD
WORK SESSION
AGENDA
October 26, 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

Introduced 1-29-2021 by
Mayor & Council as a whole
2021-09 Moved to WS 2-23-21

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

Ord 2021-WS-06

Introduced 1-26-2021 by
Mayor & Co
2021-10 Moved to WS 2-23-21

AN ORDINANCE AMENDING ORDINANCE 2019-22 AUTHORIZING THE ESTABLISHMENT OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM

Ord 2021-WS-24

Introduced by Mayor &
Council as a whole

AN ORDINANCE ENACTING A NEW CHAPTER 510 “FLYING MODEL AIRCRAFT/UNMANNED AERIAL VEHICLES (UAVs)” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY

New Resident Packets Procedure

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

VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES
OCTOBER 12, 2021

ATTENDED

Elaine Gaither-Council-at-Large
Chris Callender-Ward 1
Eloise Hardin – Ward 2
Melanie Sanders-Ward 3
Patricia Rogers-Ward 4
Candace Williams-Ward 5

Jim Climer-Asst Law Director
Gary Gottschalk, Mayor-Late
Tom Haba-Service
Daniel Marinucci-CBO
Brian Thompson-Finance-Late
Mark Garratt-Police

ABSENT

Johnnie Warren-President

James Schade-Fire
Ed Hren
Carlean Perez-Recreation

Meeting opened by Gaither at 7:02pm
Pledge of Allegiance recited; Attendance taken.

Motion to approve minutes from September 28, 2021, Regular Council Meeting made by Sanders; Seconded by Rogers
VOTE YES: Hardin, Gaither, Sanders, Rogers, Williams

MOTION PASSED

Motion to approve the minutes from September 28, 2021, Finance Meeting made by Rogers; Seconded by Sanders
VOTE YES: Hardin, Gaither, Sanders, Rogers, Williams

MOTION PASSED

Clerk's Correspondence

Morgan: A bunch of the clerks were discussing possibly updating their noise ordinances. Several of them provided a lot of ideas that I printed off for you to have a copy to read. **Rogers:** Did you provide a copy of what we have now?

Morgan: I did not. I can do that real quick if you would like. **Rogers:** We can do that later. **Morgan:** Okay. That is all I have. **Climer:** Christine, since he is going to be stuck with it, can you give the police chief a copy? **Morgan:** They are just proposed.

Departmental Report

Gaither: We can start with our building inspector, Mr. Marinucci. **Marinucci:** Thank you. I don't have a report, but I am here for questions. **Gaither:** Before you get started, the Green house, would you send me that information.

Marinucci: I will get that to you. The one on Drake, yes. We located the owner on that. He is in California. We sent him a citation. The grass was cut, but there was some greenery. I want to get his attention, so we sent him a citation, but he is out in California. I will get you the name and the address. It's on the agenda. **Gaither:** Thank you. **Callender:** So, we got an email from Aaron Smith. Would be possible if he could appear before us? **Marinucci:** You know, even if I try to get him, he's not going to and you don't need two people from the building commission here. **Hardin:** You say he's not going to. Why not? **Marinucci:** And here is another thing Council, he made \$65,000 last year and we are paying \$36,000 this year and I am not going to have him **inaudible** because his hours are going out of sight. **Williams:** Did he accept the job? **Marinucci:** Yes. **Williams:** So, he accepted the pay? **Marinucci:** Yes **Williams:** First thing is we are requesting he come before Council. What you need to do is adjust his hours during the day, so it is the same amount of total hours. **Marinucci:** I can't do that. No, I am not bringing him here. I am not turning this arena into a complete circus. He is definitely available by phone. **Williams:** We are not asking for him to be available by phone. We are asking him to come meet Council because he was newly hired. **Marinucci:** I'm not doing it. **Sanders:** And is he available by phone because.... **Marinucci:** You know I am not going to have this guy quit. **Hardin:** By the same token, we are not going to stand her and kiss his behind, too. **Marinucci:** That's my decision on it. **Hardin:** I want to tell you what happened just before I left my home today. **Marinucci:** Let me tell you what he did today. That man has been working long hours. He is here at 8:30 in the morning. He is doing all the wards. He is getting a whole ton of letters out. He's working real hard. I don't have to have him spend 10 hours a day coming in here. **Williams:** You actually just adjust his schedule down. **Marinucci:** That's my position on it. **Callender:** I just wanted to meet him. **Marinucci:** I

will bring him in here.... **Williams:** We don't even have to explain why we wanted him here. **Marinucci:** I thought you wanted him at every meeting. **Multiple voices:** No! **Callender:** We wanted an introduction. **Marinucci:** Oh absolutely. It came across as they wanted him here every meeting. **Williams:** Mr. Marinucci, I think you need to apologize. I think you need to start with an apology. **Marinucci:** I just want to get him more money is what I am really trying to do. **Williams:** Mr. Marinucci, I think you need to apologize to the entire Council. First of all, you didn't even hear what was asked. **Marinucci:** I apologize to Council that I misinterpreted what was said. I will have him here at the next meeting. **Callender:** Thank you. **Marinucci:** And we will have the updated reports at the next meeting. **Rogers:** I have one question. Is he like qualified to say he is a building inspector or is he a housing inspector? **Marinucci:** He is interim, and I have him going to the code academy at the first week in November. Then, I have him scheduled to take the building examination right after that. So, I hoping between December and the Spring to take the test for that. So, he is doing a lot of inspections. He does them with me. I really like this kid. He's a gentleman and he is very, very skilled in construction. He's been in it all his life. And I apologize to you again. I just didn't want him to come here at every meeting. You will like him. He made \$65,000 last year and when I called him I go 'You understand our base scale is not at that level?' He knows it and I am working to get him more money. When he passes the exams, they are going to flip his pay scale up. **Rogers:** Where was he before this? **Marinucci:** His resume', he worked for big, big construction companies. One was the Dick Corporation. And I will tell you how big they are. They put the containment vessel in the nuclear power plant. So just the bonding alone for that particular company is just incredible. So, Dick Corporation is one and there are multiple other contractors that are huge. I think one is Turner. He has big time experience. The reason why he took this job is he was tired of construction. He knows the money differential, but he is fully vested in pensions and all that kind of thing, so he is able to absorb the hit in financing. But I will have him here at the next meeting. **Rogers:** Okay, thank you. **Hardin:** Mr. Marinucci, I am going to take this mask down cause I want to make sure you understand everything I say on this day. The objective, as was stated, was only to meet him. At this point, the building department is closed. By the way, I will ask the administration today to open that department like any other department going forward. **Marinucci:** Well, we are not doing that either. **Hardin:** Why not? **Marinucci:** With COVID-19 and the numbers are going high, and right now Lillie has two.... **Mayor:** I will explain how busy the department is. I will deal with that, Ms. Hardin. ***Multiple voices-inaudible*** **Hardin:** Don't ever.... ***Multiple voices-inaudible*** **Mayor:** Oh please, please. **Hardin:** Oh, please your behind. **Mayor:** Dan, there is nothing more you have to say. Your department is way busy right now. **Hardin:** Isn't that special? No wonder they act a fool. Because of you. I was begged not to do what I think I am getting ready to do. Mayor, I got a call, and I wasn't going to do it. This resident wants to be called and put on speaker so this community can hear what she endured today from your department. **Marinucci:** Let me explain this.... **Mayor:** We were in conferences for 4 hours today with a major company looking at Oakwood. **Hardin:** Isn't that something? **Marinucci:** Let me explain this, Council. This is how this department is going to be run, whether you like it or not. ***Multiple voices-inaudible*** **Hardin:** ...disrespect this Council. You will never talk to me like that. ***Marinucci/Hardin-inaudible*** **Hardin:** ***inaudible***...they have no respect for, because of you. ***inaudible*** I have been too long to sit here and ***inaudible***. What is wrong with you? **Marinucci:** ***inaudible*** **Hardin:** Sit your behind down. I'm sick of the cr*p from you. I was asked not to do this but today I have had enough of you and enough of your department. Because you are the ringleader, you teach them disrespect. And they are disrespecting the public. The don't have sense enough to know that is who pays them. ***inaudible*** But you are a poison to that department. You are the worst thing that ever happened over there. You are the worst thing to ever happen and this one allows you to disrespect them. But as God is my living witness, today is the day. No more. No more. You should hear what this resident has to say. It's a disgrace. **Gaither:** Ms. Hardin. Ms. Hardin. **Hardin:** It's a disgrace and I am sick of this administration allowing you to poison that department with your spewing of cr*p. Telling us what you are not going to do. Well, hallelujah. Don't do it. I have had enough of you. I have had it. It's a disgrace. You are a disgrace. **Gaither:** Calm down. **Hardin:** And for this one to back you with cr*p because you are doing your job. That's what they are paying your for. And if he took a half; if he took a quarter; if he a third ***inaudible*** **Gaither:** Calm down. **Marinucci:** He is doing a good job. **Hardin:** I think he is. I was the one that asked, and I love to meet him and start a beautiful rapport. But you poisoned it. **Marinucci:** I didn't poison anything. **Hardin:** Yes, you did. **Mayor:** Dan, please. **Hardin:** Yes, you did. But you will never, ever disrespect me. I will not allow it. I will tear this whole Village.... **Gaither:** We need to move on. **Hardin:** Don't you ever talk to me like that again. Never. Never again. I have had it. **Gaither:** Okay.

Gaither: Report from our service department. **Haba:** Thank you, madam. All I have is just an update from a couple Fridays ago, the rain garden seminar. We did some plantings there. This is through the County. Like I said before, we have to do these once or twice a year to get the credits for some of the grants and stuff. We had about 12 people. It was a very good turnout. The Sanders family was there I know. The Goody family who is well known from North Lane was

there. A few others there but it turned out will from what I understand. That's all I have. **Gaither:** Any question for the service department? **Haba:** Just a side note, I noticed late last week-I don't know when they are going to finish-they started passing out more of the recyclable cans. **Gaither:** Thank you.

Gaither: May we hear from our finance director? **Thomson:** Thank you Madam Chairman, I don't have any report for tonight. Thank you. **Gaither:** Just a quick question. When we were talking about the COVID 19 money, one of uses of COVID 19 money in Alabama was to build prisons. So, my question is in this Village, could some of that money be directed toward our municipal complex? **Mayor:** We will have before council.... **Williams:** Oh my God. **Mayor:** ...in the next two weeks of the COVID money we have earmarked for and the balance can be decided on by Council. There are some essential things that have to be done and we will have that for you in two weeks. **Rogers:** My understanding was that it had to be used for expenses incurred during a certain timeframe. **Mayor:** Who knows. This thing about using it for municipal, I am not aware of it. I have been busy with other things. **Thompson:** I can still inquire. **Mayor:** I will have it in front of you in two weeks. **Williams:** The funds have to be encumbered by 2024 and expended by 2026. **Thompson:** I can check on the infrastructure if it can be used by infrastructure. **Gaither:** See if we can target some of that money for the municipal complex. **Thompson:** If eligible. **Gaither:** If you can use it for prison buildings, I would think you can use it for municipal complexes. **Climer:** I will say that A or B **inaudible** what you can and cannot use the money for. **Thompson:** Forward to me. **Mayor:** For example, Solon is using a half million for bedrooms for their fire department. New and upgraded bedrooms. That is a little bit different. These are caregivers. But like I said, we will lay out what we feel is essential for Oakwood and there will be a balance. **Williams:** I'm sorry, can you clarify, are these bedrooms in the fire department? **Mayor:** Yes. **Williams:** In their fire department building. **Mayor:** Yes. Fire department **Williams:** In their municipal complex fire department? **Mayor:** Yes. **Williams:** Okay. **Thomson:** I have see people internal stuff like that as it relates to whole new infrastructure. **Williams:** The funds could be.... **Thompson:** Is that your same question? **Williams:** Not that was not my question. I have two other questions. The Mayor gave a presentation last meeting. It had several numbers about.... **Thompson:** The streets? **Williams:** Yeah, the different percentages for the loans. Do you have that into a schedule yet? **Thomson:** No, Ed Hren was going to provide that to me. I don't have that yet, but I can reiterate that to him. **Williams:** They are in process, right? **Thompson:** For the street projects? **Williams:** Yes. **Thompson:** Yes, they are in their initial phases. **Haba:** A representative was out this morning marking the streets. He was with another engineer marking the streets. **Williams:** If it is process, I am guessing the numbers are somewhere? **Thompson:** Yes, we discussed them. I can put them in a spreadsheet. **Williams:** That was one. Two, I forget what information you were supposed to get back to us with. **Thompson:** It may have been about healthcare, but we were going into executive session. **Williams:** Got it. **Gaither:** Anybody else?

Gaither: Now, our police chief. **Garratt:** Thank you Madam President. I am just wanting to bring something to your attention that I am going to bring to legislation in the not to distant future. The renewal of the animal contract. The Pepperidge Kennels is our animal control. They sent over a new contract over that goes to 2023. Nothing's changed. They haven't increased their prices. They are keeping them for us. We get the same thing. I am going to put this in the legislation, get with the council clerk and get this in the budget. Just wanted to plant the seed and let you know this was coming up. Hopefully all your packets are being delivered properly and not hidden everywhere. I am working on the police budget, and I should have it to you by the next budget meeting. **Williams:** Chief, if there are any changes from the last contract to this one, can you highlight them for us if there are any? **Garratt:** It's exactly the same contract so you can look for yourself. Thank you.

Gaither: Law director. **Climer:** Thank you, Madam President. First, I just want to give my apologies. The sign ordinance, there is just one more thing that needs checked out that has to do with the variable message signs. There was a good bit of discussion going back and forth between Ami, Ross and the representative they have been talking to for the last week or ten days. But he wasn't available last week to finish off that discussion. I will be happy to distribute what we do have within the standing **inaudible**. I have every confidence that it will be done by next meeting. **Rogers:** Okay, thank you. **Climer:** That's all I've got. **Williams:** I just have one question. On 2021-63, I see that you took out the word administrative. I thought it was just the police in the FOP contract. **Climer:** And fire. **Williams:** Police and fire. Cause that is not we said last time. **Climer:** Police and fire are not included in this handbook. Fire has a separate handbook. **Williams:** Okay, that was my next question. But, police and fire are in the FOP contract together? **Climer:** No. The fire department is not subject a collective bargaining agreement. The FOP is our only CBA. **Williams:** Got it. Fire has their own handbook? **Climer:** Yes. **Williams:** Have we seen that or reviewed that? When was the last time? Because this handbook we reviewed had not been reviewed since 94 or 97. **Climer:** I understand but that was done

before my time. I can tell you it is on the agenda when we get this finished off. There are some things that need coordinate. So, I want to have this static before I start. **Williams:** Thank you. That was my next question. Now, do we have non-auxiliary police being paid? **Haba:** No, we have auxiliary police. **Garratt:** Auxiliary. **Williams:** I'm sorry. Do we still have auxiliary police? **Garratt:** Just one. We haven't disbarred the whole unit because we are waiting to see what happens after COVID if we want to reenact it. I will have to talk to Mayor about that. **Williams:** Okay. Last question will be after we approve this handbook, then the fire handbook will be reviewed after that. **Climer:** Correct. **Williams:** Got it. **Climer:** Again, because having two moving parts at once is difficult. **Williams:** Okay. **Gaither:** Any other questions for the law director?

Gaither: Well, I guess I have to do what the council president does and ask for our illustrious Mayor to give his report. **Mayor:** Thank you, Madam Chairman, members of Council and staff. It's been a very hectic last few weeks. We have a cosmetologist wanting to buy the General Title building. We are talking from skin tightening to cellulite reduction to dermal fillers and wrinkles, skin resurfacing and hair regrowth from Beachwood. This is the beginning. By the way, the lady is a triple board-certified physician in herbal medicine, hematology and medical oncology. She is the recipient of the America's best physician award and oncologist for 2020. She is known for many, many articles in magazines read by her peers. Anyway, from her Beachwood office, she is going to open one here in Oakwood. Of course, General Title is right across from the Vet center. Last week, they submitted to the building department their revised building plans about tearing down about a third of that building. That should begin in the spring. In addition to all this, I alluded to the remodeling going on in Oakwood from Family Dollar which has now been completed. The McDonald's is nearing completion. Quality Inn. Sam's Club I alluded to as they are going to begin renovation. Regarding expansions, you have Swift Filter, Federal Metal, ViewRay, Petitti's, MTech. As you know, the Hawthorn Valley Shopping Center is being sold to a firm out of Texas. As First Interstate is consolidating all its holdings and since most shopping centers are in real trouble, they just wanted to keep Legacy and a few others going. And of course, we have Interstate McBee. For the last few days particularly, Premiere will be selling their property to a firm. They are planning to put up a \$65 million building on that site. Our current and most expensive building in Oakwood might be about \$7 million. Additionally, they will be putting another \$50 million in Oakwood in personal property and technology. So, we are looking at an investment with this company of \$110 million and we will know in 10 days. The one issue is wetlands. We are their pick. We beat out Pittsburgh and one area in Northeast Ohio which I will not name but it will be known soon enough. As I say, the family has a son here. Until we know in 10 days, I will keep it confidential. Other than that, the only thing holding this up is wetlands. Which leads to 2 weeks ago, the quest for lower property values. What we are talking about here is commercial property owners in Cuyahoga County have been dealt a \$581 million blow by the pandemic. Therefore 200 complaints from these types of companies to the Cuyahoga County Board of Revision. We are talking basically hotels, shopping centers and nursing homes which have been the biggest hit. Most incredibly, when we started to look at this, as an example, the Southgate Mall in Strongsville, they requested a reduction in their property taxes of \$123 million. So, they proposed value will not only be \$58 million. Then, the Great Northern Mall in North Olmstead requested a reduction of \$65 million to a property value of \$39 million. You have the IX Center requested a reduction of \$22 million for a proposed value of \$2.5 million. This is a beauty. The Kimpton Schofield in Cleveland. They are requesting a reduction of \$22 million for a proposed value of nothing. In other words, they will be worthless if they don't get this property break. And of course, the Hilton Cleveland requested a reduction of \$18 million for a proposed value of \$65 million. When I mention these number of revised values, \$65 million or \$35 million, again, this company in Oakwood, if it happens, will be bringing in \$120 million. Whether it's renovations or whether it's expansions or whether it's new, or our Hawthorn Valley Shopping Center on a turnover, that is where our building department has been. The time as an example just today, was about 7 hours with Project Crunch. Intense meeting. And again, we will have news in 10 days. Lastly, these leads to the issue on the agenda that has to do with retirees/rehires. We have four people on that list from the executive secretary with the building department, to review board director for planning, board of zoning and appeal and architectural board and review. We have the director of Mayor's Court and we have a member in the service department. They all have been here 20 years. What is being proposed by me is again, because their vacation time will be cut to 2 weeks to as long as 6 weeks. Then there is longevity. Currently, they were getting \$2,350 a year. That will be cut to 0. In 5 years, they will still be getting \$350. But again, these are loyal, valued employees who haven't missed a day due to COVID or lockdowns or whatever. They have been here. We talking full time and full benefits. There's 4 of them. There is so much going on here. There is nothing going on like this elsewhere. As a matter of fact, Jobs Ohio was here again today as well, bringing in \$1 million of grant money for this proposal on Macedonia/Alexander. So I ask you, it's time to move forward and rehire these people. There are 4 of them. There is too much going on in the term of development and that is exactly why we have the 4th lowest property tax in the entire county. Thank you. By the way, I

haven't had lunch or dinner, I am out of here. I am exhausted today. **Hardin:** Mayor, before you leave, I want to go on the record with this. At this date and time, Mayor, I have been here a long time. And I'm tired. I have had enough. I can't take anymore. **Mayor:** Well, what can we do? **Hardin:** Let me explain something to you. I'm not stupid. The one thing that I have asked from you and your staff is to respect me. **Mayor:** Yes. **Hardin:** I will never, ever be disrespected. Never. And the sooner that you get it through his head, whatever that poison he is spewing in that ***inaudible***, the better off we will all be. **Mayor:** Well, you can inform me of this person.... **Hardin:** I'll do it in executive-I'll give him that much respect that he didn't give me. But I am going on the record. I have supported you for twenty some-odd years. I have watched you move the bouncing ball and the little shiny ball over here and then I dance, and I watch it over there. I have respected you and I have followed your leadership and respected that you have done. But Mayor, I am going on record as of tonight, I will not accept another call. Because going forward, when I get a call from a constituent, since your staff seems to think that the statement, 'I don't know everything', I don't pretend to know everything. And make sure that is explained to everyone in the building department except the clerks. Make sure they understand, I don't think I know everything. But those comments and the disrespect that has been shown to me; I am only speaking for me. I will not accept it. I don't deserve that from your administration. I have tried to be a steward of the money here. I have never ever spoke against you. Ever. We have always been able to have a meeting of the minds. But Mayor, don't take that for weakness. I think you have and it's time we set the record straight. I have had it. **Mayor:** And again, all I can underscore is that in the last 2 weeks particularly, it has been extremely intense, and they are out... There is not another community in Northeast Ohio that is as busy as we are right now. **Hardin:** I accept that. I accept that but let me tell you something. But Mayor, your employees report to the general public. They report to the public and they have an obligation to respect this Council. But unless until you do that, it's fruitless. Okay. Something has been lost in the mail here. But I want you to know and I want you to make sure you see this one, I will not accept it any longer. I can't take it. I don't have to take it. And I am not going to resign but I will do whatever I have to do to gain the respect of this administration. Apparently, there is some misunderstanding somewhere. I worked well with everyone in your departments but one. My constituents work well with every one of your departments but one. You chose not to address some of the situations but as the old folks say down south, that's your choice. So, you can go when the wagon comes with that, too. Because as of tonight, no more. **Mayor:** But I think again, you can't deny that there have been a number of your residents who had issues that have been straightened out. **Hardin:** Absolutely. **Mayor:** So, this is a new one and this will be dealt with very quickly. **Hardin:** Mayor, it's how they do it and it's how timely they do it. But they don't understand they are required to do it. Do you understand that Mayor? They work for the people. **Mayor:** You understand, Monday and Tuesday have been extremely intense. **Hardin:** Mayor, I can have a million-dollar deal laying on the table, but when I walk in these chambers, be it personal, be it job related, I have an obligation to be professional and to perform A-1. **Mayor:** All that would have been done, in fact whatever might have happened, and I don't know yet, we just say, I can see you in 2-3 days. That's all that could have been done; should have been done. **Hardin:** Mayor, you have had ample time to straighten that department out. What's bothering me is that your new employee seems to be going forward with the cr*p. And that is not going to happen. I am telling you. **Mayor:** Again, in 10 days when I am relieved of some of this, I am willing to deal with it. Right now, I have not had lunch, I have not had dinner, I have not had breakfast. **Hardin:** I commend you for your dedication and all of that. I worked for Ohio Bell for 35 years. They paid me every week and they pay me timely. After that, they didn't owe me anything. So, we don't owe you anything. But we are going to respect you. I will speak for me and I'll work with you. But trust me, as of tonight, I will no longer cater to that behavior. I won't accept that. It's not going to happen. **Mayor:** Madam Chairman, I will excuse myself if you don't mind. Any other question? **Hardin:** When will you have the TIFs ready for the Vet Center? **Williams:** I'm sorry, he wants this to pass tonight but he's leaving? **Gaither:** Wants what to pass? **Williams:** 2021-57. **Gaither:** We didn't discuss it. **Hardin:** We are going into executive session so it's up to you. **Gaither:** We didn't discuss it. **Mayor:** Again, I am exhausted.... **Gaither:** It's still tabled. **Williams:** Correct. So, it will still be tabled because he's not here to explain anything for us? Okay. **Gaither:** Most of the question we had Brian had the answers to. **Thompson:** I had healthcare questions to answer. **Williams:** I don't think so, but okay. **Gaither:** Is there things you need Mayor for? That you would want to talk.... **Williams:** I mean, based off of what he just said. **Hardin:** He made the comment. If he wants see it through, he should stay. **Williams:** It doesn't matter to me. It's what he wants to pass. I'll leave it tabled. **Gaither:** We will do whatever after we go into executive session because we can't discuss it now.

Gaither: I'll open the floor for public comment. Any resident that has something they would like to share. Any accolades. Tell us how good a job we're doing. **Climer:** It struck me because I occasionally ask my colleagues, 'Are you getting tired of the piles of letters of praise and thanks on your desk?' None of them say yes. I am sorry, I couldn't

stop myself. I didn't mean that as a reflection of anybody's job here. **Gaither:** If there are no comments from the public, we will close the floor for public comment move forward with the legislation for today.

Ord 2021-57
Introduced by Mayor &
Council as a whole on
8/24/2021-Tabled

AN EMERGENCY ORDINANCE AUTHORIZING THE REAPPOINTMENT OF LILLIE HICKS, CLAUDIO ABBOMERATO, DEBBIE STOFFL AND CAROLYN JONES TO EMPLOYMENT WITH THE VILLAGE OF OAKWOOD

Ord 2021-63
Introduced by Mayor &
Council as a whole
2nd Reading

AN EMERGENCY ORDINANCE ADOPTING AN AMENDED EMPLOYEE HANDBOOK FOR ADMINISTRATIVE PERSONNEL OF THE VILLAGE OF OAKWOOD (OTHER THAN FIRE AND NON-AUXILIARY POLICE)

MOTION TO SUSPEND by Hardin; Seconded by Callender

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

MOTION TO APPROVE by Hardin; Seconded by Callender

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

MOTION PASSED

Res 2021-68
Introduced by Mayor &
Council as a whole
1st Reading

A RESOLUTION DECLARING THE WEEK OF OCTOBER 17-23, 2021, AS STORMWATER AWARENESS WEEK

MOTION TO SUSPEND by Williams; Seconded by Rogers

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

MOTION PASSED

Motion to Adopt by Hardin; Seconded by Gaither

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

MOTION PASSED

Climer: I will finalize the handbook and send everybody a copy. There will be no substantive changes. **Hardin:** I just thought about how are we going to handle those changes. I heard we might just cover those changes and give everybody a copy as the request of the administration. What is your pleasure? **Thompson:** For the handbook? **Hardin:** Yes sir. **Thompson:** Once he makes the final copy, I can administer the distribution and have each employee sign off on it. **Hardin:** That they received a new copy? **Thompson:** Yes. **Climer:** There are forms within the handbook to sign. **Hardin:** And you will make sure that happens? **Thompson:** We can line up the employees to get their signature and then we will put it in their personnel file that they got it. **Hardin:** May I ask that you report when that is completed, please? **Thompson:** Okay. **Williams:** Have you already received fire's handbook or do we have to request it? **Climer:** I think I do have a copy.

Gaither: Can I get a Motion to retire to executive session? **Climer:** There will be no more business after executive session.

MOTION TO RETIRE INTO EXECUTIVE SESSION by Hardin; Seconded by Callender

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

7:49pm

MOTION TO ADJOURN by Rogers; Seconded by Hardin
VOTE YES: Gaither, Callender, Hardin, Sanders, Rogers, Williams
MEETING ADJOURNED @ 9:25pm

Adopted _____

Christine Morgan, Clerk of Council

Johnnie Warren, Council President

SECOND AMENDED ORDINANCE NO. 2021 - 57

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN EMERGENCY ORDINANCE AUTHORIZING THE RE-APPOINTMENT OF LILLIE HICKS, CLAUDIO ABBOMERATO, DEBBIE STOFFL AND CAROLYN JONES TO EMPLOYMENT WITH THE VILLAGE OF OAKWOOD

WHEREAS, the Lillie Hicks, Clauddio Abbomerato, Debbie Stoffl and Carolyn Jones desire to take their PERS retirement to which they are currently entitled, and continue to work for the Village of Oakwood in their current positions; and,

WHEREAS, said employees bring valuable skill and experience to their positions and their continued employment confers substantial benefits upon the Village and its citizens;

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

SECTION 1. The re-appointment by the Mayor of the following employees to their respective positions be and the same is hereby confirmed immediately upon their respective retirement dates:

Lillie Hicks – Building Secretary

Clauddio Abbomerato -- Laborer

Debbie Stoffl – Building Secretary

Carolyn Jones – Clerk of Mayor's Court

SECTION 2. The said employees shall be re-appointed at their rates of pay in effect at the time of their respective retirements, shall be entitled to retain to their credit with the Village of Oakwood of all unused but accrued sick and vacation time that they may have previously earned while employed by the Village of Oakwood and shall be entitled to such other employment benefits as are afforded other full-time Village employees, except that any entitlement to vacation time off and longevity payments shall be calculated from the date of re-hire after taking their PERS retirements.

SECTION 3. All provisions of all other Ordinances and Resolutions which are inconsistent with the provisions contained herein shall be modified accordingly.

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 and the ability to provide uninterrupted services to the citizens of the Village, therefore, provided it receives the two-thirds 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

Christine Morgan, Clerk of Council

Presented to the

Mayor _____

Approved: _____

Mayor, Gary V. Gottschalk

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Second Amended Ordinance No. 2021- 57 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2021.

Christine Morgan, Clerk of Council

POSTING CERTIFICATE

I, Christine Morgan, Acting Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Second Amended Ordinance No. 2021- 57 was duly posted on the _____ day of _____, 2021, and will remain posted for a period of fifteen (15) days thereafter as provided in the Village Charter.

Christine Morgan, Clerk of Council

DATED: _____

SECOND AMENDED ORDINANCE NO. 2021 - 57

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN EMERGENCY ORDINANCE AUTHORIZING THE RE-APPOINTMENT OF LILLIE HICKS, CLAUDIO ABBOMERATO, DEBBIE STOFFL AND CAROLINE JONES TO EMPLOYMENT WITH THE VILLAGE OF OAKWOOD

WHEREAS, the Lillie Hicks, Clauddio Abbomerato, Debbie Stoffl and Carolyn Jones desire to take their PERS retirement to which they are currently entitled, and continue to work for the Village of Oakwood in their current positions; and,

WHEREAS, said employees bring ~~invaluable and irreplaceable~~valuable skill and experience to their positions and their continued employment confers substantial benefits upon the Village and its citizens;

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

SECTION 1. The re-appointment by the Mayor of the following employees to their respective positions be and the same is hereby confirmed immediately upon their respective retirement dates:

Lillie Hicks – Building Secretary

Clauddio Abbomerato – Laborer

Debbie Stoffl – Building Secretary

Carolyn Jones – Clerk of Mayor’s Court

SECTION 2. The said employees shall be re-appointed at their rates of pay in effect at the time of their respective retirements, shall be entitled to retain to their credit with the Village of Oakwood of all unused but accrued sick and vacation time that they may have previously earned while employed by the Village of Oakwood and shall be entitled to such other employment benefits as are afforded other full-time Village employees, except that any entitlement to vacation time off and longevity payments shall be calculated from the date of re-hire after taking their PERS retirements.

SECTION 3. All provisions of all other Ordinances and Resolutions which are inconsistent with the provisions contained herein shall be modified accordingly.

SECTION 5. 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 and the ability to provide uninterrupted services to the citizens of the Village, therefore, provided it receives the two-thirds 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: _____

Christine Morgan, Clerk of Council

Johnnie A. Warren, President of Council

Presented to the

Mayor _____

Approved: _____

Mayor, Gary V. Gottschalk

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing [Second Amended](#) Ordinance No. 2021- 57 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2021.

Christine Morgan, Clerk of Council

POSTING CERTIFICATE

I, Christine Morgan, Acting Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing [Second Amended](#) Ordinance No. 2021- 57 was duly posted on the ____ day of _____, 2021, and will remain posted for a period of fifteen (15) days thereafter as provided in the Village Charter.

Christine Morgan, Clerk of Council

DATED: _____

RESOLUTION NO. 2021 - 69

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1
FOR THE VALLEJO COMPANY INCREASING THE
CONTRACT BY AN AMOUNT NOT TO EXCEED
\$25,000.00 FOR THE 2021 OAKWOOD ASPHALT
PAVEMENT REPAIRS PROJECT LOCATED WITHIN
THE VILLAGE OF OAKWOOD AND DECLARING AN
EMERGENCY**

WHEREAS, Council approved legislation on June 24, 2021 authorizing the Village Engineer to begin the preparation of plans and specifications for Road Repairs on Various Streets and to provide advertising for bids for said project in the Village of Oakwood, and

WHEREAS, the bids for the 2021 Oakwood Asphalt Pavement Repairs Project were opened on September 10, 2021 at Oakwood Village Hall; and

WHEREAS, on September 21, 2021, the Oakwood Village Board of Control authorized the Mayor and the Village Engineer to enter into a contract with The Vallejo Company for the 2021 Oakwood Asphalt Pavement Repairs Project in the amount of One Hundred Ninety Nine Thousand Six Hundred Dollars and Zero Cents (\$199,600.00), as listed on the bid record on file in the Office of the Clerk of Council; and

WHEREAS, the Mayor, Service Director and Fire Chief have requested that the Village Engineer direct additional work to be performed as required to repair sections of deteriorated asphalt pavement in the parking lot located behind the Oakwood Village Fire Department.

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

SECTION 1. The Council of the Village of Oakwood hereby authorizes Change Order No. 1 for The Vallejo Company, to increase the contract for the 2021 Oakwood Asphalt Pavement Repairs Project in the amount not to exceed Twenty-Five Thousand Dollars and Zero Cents (\$25,000.00) as required to repair sections of deteriorated asphalt pavement in the parking lot located behind the Oakwood Village Fire Department.

SECTION 2. 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 so that the additional work can begin in a timely manner and be completed in the 2021 construction season, 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 this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____

Johnnie A. Warren, President of Council

Christine Morgan, Clerk of Council

Presented to the
Mayor _____

Approved: _____

Mayor, Gary V. Gottschalk

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Resolution No. 2021-69 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2021.

Christine Morgan, Clerk of Council

POSTING CERTIFICATE

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Resolution No. 2021-69 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.

Christine Morgan, Clerk of Council

DATED: _____

ORDINANCE NO. 2021-70

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE ENACTING REGULATIONS OF ELECTRONIC, DIGITAL
BILLBOARD SIGNS LOCATED IN THE VILLAGE OF OAKWOOD**

WHEREAS, the Village of Oakwood is desirous of enacting ordinances for the regulation of electronic, “digital billboard” signs located within the Village in order to promote the health, safety, welfare, and general aesthetic of 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 following be adopted and incorporated as section 1185.10 of the codified ordinances:

Digital billboards must:

- (a) Display only static messages that remain constant in illumination intensity and do not have movement or the appearance or optical illusion of movement;
- (b) Not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of one hundred and fifty (150) feet;
- (c) Be equipped with a fully operational light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light;
- (d) Change from one message to another message no more frequently than once every ten (10) seconds and the actual change process is accomplished in two (2) seconds or less;
- (e) Be designed to either freeze the display in one static position, display a full black screen, or turn off in the event of a malfunction; and
- (f) Not be authorized until the Code Official is provided evidence that best industry practices for eliminating or reducing uplight and light trespass were considered and built into the digital billboard.

SECTION 2. The Codifier is hereby instructed to insert the adopted Codified Ordinance 1185.10.

SECTION 3. This Ordinance is to go into effect at the earliest time permitted by law.

PASSED: _____

Johnnie A. Warren, President of Council

Christine Morgan, Clerk of Council

Presented to the
Mayor _____

Approved: _____

Gary V. Gottschalk, Mayor

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2021-70 was duly and regularly passed by this Council at the meeting held on the ____ day of _____, 2021.

Christine Morgan, Clerk of Council

POSTING CERTIFICATE

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2021-70 was duly posted on the ____ day of _____ 2021 and will remain posted in accordance with the Oakwood Village Charter.

Christine Morgan, Clerk of Council

DATED: _____

ORDINANCE NO. 2021-71

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE ENACTING SEVERAL CHANGES TO OAKWOOD VILLAGE
CODIFIED ORDINANCES RELATED TO THE REGULATIONS OF SIGNS LOCATED
WITHIN OAKWOOD VILLAGE**

WHEREAS, the Village of Oakwood is desirous of amending its ordinances regulating the postage, maintenance, features, size, and erection of signs in the Village to align with contemporary standards;

WHEREAS, the Village of Oakwood is desirous of amending its ordinances regulating the postage, maintenance, features, size, and erection of signs in the Village in order to ensure the constitutional rights of its citizens;

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

SECTION 1: Section 1185.01, Purpose, which currently reads as follows:

Sign regulations, including provisions to control the type, design, size and location thereof, are established in order to achieve, among others, the following purposes:

- (a) To promote attractive and high value residential districts, by permitting only nameplates, bulletin boards and signs related to the development, rental or sale of residential properties;
- (b) To provide for reasonable and yet appropriate conditions for advertising goods sold or services rendered in business districts by relating the size, type and design of signs to the type and size of establishment; and
- (c) To provide for appropriate signs for service and industrial developments.

Shall be and hereby is amended to read as follows:

1185.01 PURPOSE.

The purpose of this Chapter is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic structures, convenience to citizens and encouraging economic development. This Chapter is intended to and should be interpreted in a manner consistent with the First Amendment guarantee of free speech.

SECTION 2: Section 1185.02, Definitions, which currently reads as follows:

Signs are defined as to design and contents as follows:

(a) Content of Signs. Signs are herein classified according to contents and use as follows:

(1) "Name plate" means a sign indicating the name, address and/or profession of the person or persons occupying the zoning lot.

(2) "Bulletin board" means an announcement sign directing attention and located on the lot of a public or semipublic institution.

(3) "Real Estate and development sign" means a sign directing attention to the promotion, development, rental, sale or lease of property on which it is located, or a sign indicating the name, owner, or manager of a development.

(4) "Business sign" means a sign which directs attention to the name of the business or establishment, the goods or commodities sold and/or services rendered on the zoning lot on which the sign is located.

(5) "Service and industrial sign" means a sign directing attention to the name of a service or industrial establishment, goods produced or sold or service rendered on the zoning lot on which the sign is located.

(6) "General advertising sign" means a sign directing attention to a business, product, service or entertainment conducted, sold or offered elsewhere than upon the same lot on which the sign is located.

(7) "Directional sign" means a sign indicating the direction to which attention is called either on the same or another lot.

(8) "Political sign" means a sign advocating action on a public issue or candidate for public office.

(9) "Portable sign" means any freestanding sign which is designed to be moved and is not permanently attached to any part of a building or to the ground.

(b) Design of Signs. Signs are herein classified and defined, according to design, as follows:

(1) "Flat or wall sign" means a sign erected parallel to, painted on the surface of or integral with the wall of any building.

(2) "Projecting sign" means a sign erected on the outside wall of a building and which projects out at an angle therefrom.

(3) "Marquee" means a sign attached to the soffit or fascia of a marquee, roof over a walk or permanent awning.

(4) "Pole and ground sign" means a sign erected on a pole, poles or posts and which is wholly independent of any building for support.

(5) "Temporary sign" means a sign applying to a seasonal or other brief activity constructed of cloth, paper or fabric of any kind with or without a frame, or a "portable sign" as defined in subsection (a)(9) hereof.

Shall be and hereby is amended to read as follows:

Signs are defined as to design as follows:

(1) "Flat or wall sign" means a sign erected parallel to, painted on the surface of or integral with the wall of any building.

(2) "Projecting sign" means a sign erected on the outside wall of a building and which projects out at an angle therefrom.

(3) "Marquee" means a sign attached to the soffit or fascia of a marquee, roof over a walk or permanent awning.

(4) "Pole and ground sign" means a sign erected on a pole, poles or posts and which is wholly independent of any building for support.

(5) "Temporary sign" means a sign applying to a seasonal or other brief activity constructed of cloth, paper or fabric of any kind with or without a frame, or a "portable sign" as defined in subsection (6) hereof.

(6) "Portable sign" means any freestanding sign which is designed to be moved and is not permanently attached to any part of a building or to the ground.

(7) "Plate sign" means a plate not exceeding two square feet in total area attached to or on a residential lot.

(8) "Bulletin board" means a board upon which several smaller signs may be posted located on the lot of a public or semipublic institutional use.

(9) "Digital billboard" means "a sign that is static and changes messages by any electronic process or remote control."

SECTION 3: Section 1185.04, Permitted and Prohibited Signs, which currently reads as follows:

Signs shall be permitted in each use district and regulated as to type, content, size and location as provided in the following sections. Unless indicated otherwise, each permitted sign shall be placed on the lot to which it directs attention. Poles signs, as defined in this Chapter, shall be prohibited in all Zoning and Use Districts of the Village. Variances from this prohibition shall be sought through the Board of Zoning Appeals, as the same may be reviewed by Village Council, in accordance with the applicable provisions of the Codified Ordinances of the Village of Oakwood and the Oakwood Village Charter.

Shall be and hereby is amended to read as follows:

(a) Signs shall be permitted in each use district and regulated as to design, size and location as provided in the following sections. Unless indicated otherwise, each permitted sign shall be placed on the lot to which it directs attention. Pole signs, as defined in this Chapter, shall be prohibited in all Zoning and Use Districts of the Village except as expressly permitted in this Chapter. Variances from this prohibition shall be sought through the Board of Zoning Appeals, as the same may be reviewed by Village Council, in accordance with the applicable provisions of the Codified Ordinances of the Village of Oakwood and the Oakwood Village Charter.

(b) With the exception of any sign erected by the Village, county, state or other governmental authority and all signs pertaining to traffic regulations, parking regulations and fire zones which are subject to the rules and regulations of state traffic law, no sign, poster, sticker, flag or advertising device shall be permitted within or upon the right-of-way of any Village, state or county road or highway or upon any Village, county or state or other publicly owned land, or upon any utility pole, tree, fence, or any other structure or object located upon a publicly owned road, right of way or land.

(c) No sign shall be permitted to be placed upon private property without the express consent of the owner of the private property.

SECTION 4: Section 1185.05, Residential Districts Signs, which currently reads as follows:

Signs in residential districts shall conform to the regulations as set forth in this section, and the following types of signs shall be permitted:

(a) Nameplate. One nameplate not exceeding two square feet in total area shall be permitted for each dwelling unit of a one or two-family dwelling and may be located not less than twenty-five feet from any lot line of the premises. Illumination shall be permitted. Such nameplates shall not be permitted for dwellings of three or more units.

(b) Signs for Governmental, Civic and Religious Buildings. One bulletin board not exceeding twenty-five square feet in area and not exceeding six feet in height shall be permitted on the premises of any institutional use.

(c) Directional Signs. Directional signs necessary for the safe and efficient movement of traffic on the premises.

(d) Temporary Signs. Temporary signs for special events may be permitted by Council provided the signs are not confused with traffic signs and do not interfere with the movement of vehicular and pedestrian traffic, and further provided that no such permit by Council shall exceed fifteen continuous days without coming to Council for additional approval and receiving same.

(e) Real Estate Signs.

(1) "For Sale" or "To Rent" signs, one temporary sign, not exceeding six square feet in total area or four feet in height shall be permitted for each dwelling or lot. Such sign shall be located

not less than twenty-five feet from the front or any side lot line. Rental of room signs shall not be permitted in windows. Such signs shall be removed within ten days of the sale or rental of the premises.

(2) Submission development signs shall not exceed 100 square feet in total area for each street frontage and shall be located not less than 100 feet from any occupied residence. Permits for such temporary signs shall be for a period not exceeding one year and may be renewed while construction is being pursued diligently. If no part of the development abuts a major or secondary street, directional signs not exceeding two square feet in area may be permitted in public tree lawns for specified periods.

(3) Development signs of permanent construction, indicating name, owner or manager shall be permitted if not exceeding twenty-five square feet in total area for each development and not exceeding five feet in height.

Shall be and hereby is amended to read as follows:

Signs in residential districts shall conform to the regulations as set forth in this section, and the following types of signs shall be permitted:

(a) Plate sign. One Plate sign not exceeding two square feet in total area shall be permitted for each dwelling unit of a one or two-family dwelling and may be located not less than twenty-five feet from any lot line of the premises. Illumination shall be permitted. Such Plate signs shall not be permitted for dwellings of three or more units.

(b) Bulletin Boards. One bulletin board not exceeding twenty-five square feet in area and not exceeding six feet in height shall be permitted on the premises of any public or semi-public institutional use.

(c) Temporary Signs. Temporary signs may be permitted by application to the Building Department provided the signs are not confused with traffic signs and do not interfere with the movement of vehicular and pedestrian traffic, and further provided that no such permit shall exceed sixty continuous days.

(d) Pole and ground signs. One temporary sign, not exceeding six square feet in total area or four feet in height shall be permitted for each dwelling or lot. Such sign shall be located not less than twenty-five feet from the front or any side lot line.

SECTION 5: Section 1185.06, Business and Industrial District Signs, which currently reads as follows:

Signs in business districts shall be accessory to a building or use permitted and conform with the regulations set forth in this section.

(a) Contents of Signs. The following types of signs shall be permitted:

(1) Nameplates and bulletin boards, if accessory to a residential or institutional building or use;

(2) Nameplates for offices;

(3) Business signs;

(4) Real estate and development signs;

(5) Directional signs.

(b) Design of Signs. The following types of signs shall be permitted:

(1) Flat and wall signs;

(2) Projecting signs;

(3) Ground signs;

(4) Temporary signs;

(5) Marquee signs.

(c) Area of Signs. The total area of all permanent signs for each retail, service or office building shall not exceed the number of square feet indicated in the following table:

Building Maximum Square Feet

Frontage of

(Feet) Sign Area

Under 15 45

15-19 60

20-24 70

25-29 80

30-34 90

35-39 100

40-44 105

45-49 110

50-54 115

55-59 120

60-64 125

65-69 135

70 and over 145 + 5

For each additional 5 feet of
frontage or fraction thereof

Sign areas shall be permitted in addition to the areas stated on the above table, as follows:

(1) Nameplates. Professional or service offices and organizations above the ground floor of a building may have additional signs provided the total area of the signs does not exceed two percent of the floor area occupied by the establishment or fifty square feet, whichever is the smaller. Any window sign shall not exceed two square feet in area.

(2) Theaters and places of amusement. The size, area and design of a sign shall be determined separately for each establishment and regulated by Conditional Use Permits.

(3) Temporary development signs. Temporary development signs announcing a proposed building, a building under construction or advertising the sale, rental or lease of a building, or part thereof, shall be located on the zoning lot occupied by the building or use advertised and shall not exceed forty square feet in total area for each street frontage.

(4) Permanent development signs. Permanent development signs indicating the name, owner or manager shall be permitted; size and design to be approved by the Planning Commission.

(5) Directional signs. Directional signs of permanent construction indicating traffic routes, and similar functions, shall be permitted in addition to the above limitations if each sign does not exceed four square feet in area.

(6) Temporary signs. Temporary signs announcing sales, new products and special business events may be permitted by Council provided the signs are not confused with traffic signs and do not interfere with the movement of vehicular and pedestrian traffic, and further provided that no such permit by Council shall exceed fifteen continuous days without coming to Council for, additional approval and receiving same.

(d) Location of Signs. Signs in business districts may be located on the surface or project from, the building wall adjacent to a street, a pedestrian way or adjacent to a parking area, or be erected on poles or other ground supports in yards as herein regulated. The maximum dimensions set forth shall include the structural members unless otherwise indicated.

(1) Flat or wall signs shall not project more than eighteen inches in front of the building wall and shall not project beyond any building corner. A sign may not extend above the height of the building and in any case not more than fifteen feet above the finished grade.

(2) Projecting signs shall be limited to not more than one sign for each establishment or store unit. Such signs shall be attached to the wall and shall project at an angle of ninety degrees therefrom. No sign shall project over a public right of way, nor shall it extend above the height of the building to which it is attached. Any face of a projecting sign shall be not less than five feet from a side lot line or party wall of another store unit.

(3) Marquee signs may not extend above the fascia. The vertical dimension of such sign, including fascia, shall not exceed four feet.

(4) Ground signs shall not be less than five feet from another business lot and not less than twenty-five feet from a residential district line or exceed ten feet in height. The maximum size of one face of any ground sign shall not exceed fifty square feet. Temporary development signs may be located in front of the building setback line and a permanent development sign may be located in front of the setback line if approved by the Planning Commission. Directional signs may be located within the required yards.

(e) Height of Signs. The height of the lowest member of any sign which is not integral with a wall surface, shall be not less than eight and one-half feet above a sidewalk or other pedestrian way. Unless otherwise regulated, the maximum height of any sign shall not exceed thirty feet.

Shall be and hereby is amended to read as follows:

Signs in business districts shall be accessory to a building or use permitted and conform with the regulations set forth in this section.

(a) The following types of signs shall be permitted:

(1) Plate signs and bulletin boards, if accessory to a residential or institutional building or use;

(2) Flat and wall signs;

(3) Projecting signs;

(4) Ground signs;

(5) Temporary signs;

(6) Marquee signs.

(b) Area of Signs. The total area of all permanent signs for each retail, service or office building shall not exceed the number of square feet indicated in the following table:

Building Maximum Square Feet

Frontage of

(Feet) Sign Area

Under 15 45

15-19 60

20-24 70

25-29 80

30-34 90

35-39	100
40-44	105
45-49	110
50-54	115
55-59	120
60-64	125
65-69	135
70 and over	145 + 5

For each additional 5 feet of
frontage or fraction thereof

Sign areas shall be permitted in addition to the areas stated on the above table, as follows:

(1) Plate signs. Professional or service offices and organizations above the ground floor of a building may have additional signs provided the total area of the signs does not exceed two percent of the floor area occupied by the establishment or fifty square feet, whichever is the smaller. Any window sign shall not exceed two square feet in area.

(2) Theaters and places of amusement. The size, area and design of a sign shall be determined separately for each establishment and regulated by Conditional Use Permits.

(3) Temporary signs. Temporary signs may be permitted by Council provided the signs are not confused with traffic signs and do not interfere with the movement of vehicular and pedestrian traffic, and further provided that no such permit by Council shall exceed fifteen continuous days without coming to Council for, additional approval and receiving same.

(c) Location of Signs. Signs in business districts may be located on the surface or project from, the building wall adjacent to a street, a pedestrian way or adjacent to a parking area, or be erected on poles or other ground supports in yards as herein regulated. The maximum dimensions set forth shall include the structural members unless otherwise indicated.

(1) Flat or wall signs shall not project more than eighteen inches in front of the building wall and shall not project beyond any building corner. A sign may not extend above the height of the building and in any case not more than fifteen feet above the finished grade.

(2) Projecting signs shall be limited to not more than one sign for each establishment or store unit. Such signs shall be attached to the wall and shall project at an angle of ninety degrees therefrom. No sign shall project over a public right of way, nor shall it extend above the height of the building to which it is attached. Any face of a projecting sign shall be not less than five feet from a side lot line or party wall of another store unit.

(3) Marquee signs may not extend above the fascia. The vertical dimension of such sign, including fascia, shall not exceed four feet.

(4) Ground signs shall not be less than five feet from another business lot and not less than twenty-five feet from a residential district line or exceed ten feet in height. The maximum size of one face of any ground sign shall not exceed fifty square feet.

(e) Height of Signs. The height of the lowest member of any sign which is not integral with a wall surface, shall be not less than eight and one-half feet above a sidewalk or other pedestrian way. Unless otherwise regulated, the maximum height of any sign shall not exceed thirty feet.

SECTION 6. The Codifier is hereby instructed to substitute the adopted versions of Codified Ordinance 1185.01, Codified Ordinance 1185.02, Codified Ordinance 1185.04, Codified Ordinance 1185.05, and Codified Ordinance 1185.06 in place of the previous versions of said Codified Ordinances.

SECTION 7. This Ordinance is to go into effect at the earliest time permitted by law.

PASSED: _____

Johnnie A. Warren, President of Council

Christine Morgan, Clerk of Council

Presented to the
Mayor _____

Approved: _____

Gary V. Gottschalk, Mayor

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2021-71 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2021.

Christine Morgan, Clerk of Council

POSTING CERTIFICATE

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2021- 71 was duly posted on the _____ day of _____ 2021 and will remain posted in accordance with the Oakwood Village Charter.

Christine Morgan, Clerk of Council

DATED: _____