VILLAGE OF OAKWOOD COUNCIL MEETING MINUTES

December 14, 2021

ATTENDED

Johnnie Warren-Council President Eloise Hardin-Ward 2 Melanie Sanders-Ward 3

Pat Rogers-Ward 4

Candace Williams-Ward 5

Gary Gottschalk, Mayor (Late) Tommy Haba-Service Daniel Marinucci-CBO Brian Thompson-Finance

Jim Climer-Law Director

Mark Garratt-Police

Absent

Elaine Gaither-Council-at-Large

Chris Callender-Ward 1

James Schade-Fire

Ed Hren

Carlean Perez-Recreation

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

Clerk's Correspondence

Morgan: I am going to pass out something that I just gave to Council President. This is regarding a possible opioid settlement with Johnson & Johnson. I notified our law director today. The cutoff date is December 17th. But it does state'...that if communities are not able to act by the cutoff date, we strongly encourage the adoption of the agreement by the next scheduled council meeting.' So, we are going to try to get that on. Warren: We will get that on. Morgan: We WILL get that on, yes. I also have a copy, because it was asked of Mr. Marinucci to send a letter to Ms. Bell-Ross in regard to the sunroom. That's a copy of the letter that was sent prior to that council meeting. So, that did get taken care of. And the only other thing is happy birthday to Ms. Hardin; happy birthday to Mr. Climer on Friday and the Mayor will have his birthday on Saturday. We can happy birthday him when he gets here. Hardin: Thank you very much. Morgan: And of the council members here, if it is going to go forward, is there anyone that is going to go to D.C. in March? Hardin: I guess we'll know when we get closer. Morgan: Okay, you guys let me know. It's March 14-16. That's all I have.

Motion to approve the minutes from the 11/23/2021 Finance Meeting by Rogers; Seconded by Williams VOTE YES: Warren, Rogers, Williams Abstained: Hardin, Sanders

Motion to approve the minutes from the 11/23/2021 Council Meeting by Hardin; Seconded by Rogers VOTE YES: Warren, Hardin, Sanders, Rogers, Williams

Motion to approve the minutes from the 11/23/2021 Work Session by Sanders; Seconded by Williams VOTE YES: Warren, Hardin, Sanders, Rogers, Williams All Motions passed

Departmental Reports

Warren: May I get our departmental reports? Today, I will start with our illustrious law director. Climer: Thank you, Mr. President. Ms. Rogers had a question concerning the electronic sign ordinances at the last meeting. You were kind enough to send me Bedford Heights ordinance that completely bans electronic variable messages. Rogers: And there were two others. Climer: Right. I actually spoke with Ross about the origins of this request, and it initiated with the planning commission and several requests for variances. And they were hoping to have some kind of objective guidance on permissible signs. When you regulate signs, you get into the First Amendment. You cannot regulate based on content. You cannot regulate based on the identity of the speaker absent an overwhelming public need which almost never exists. In our main sign ordinance, the amendments were made in order to take out those kinds of differentiated issues based on the content of the message and the speaker. It can almost never be justified. In terms of the electronic variable messages, I talked to Ross. They are in the process of having their zoning code redone *clerk coughing*. That is especially true in

our case. Because the one other thing when you regulate signs or other forms of speech, the regulation has to serve the public, health, safety and welfare in some fashion. So, in other words if you have a sign ordinance that say you can't put up a big giant sign in the right of way, that shines very brightly at night such that it blinds people driving up, that is certainly serves the public health, safety and welfare. But we, over the years, have several electronic variable signs that has grown up around Oakwood including in our own front yard. We are going to have apparent adverse effects and so that is going to make it difficult for us to say that there are going to be none of these signs at all based on the public health, safety and welfare since we have our, we have the one at the big church. Well, a couple of church signs. And so the intent here is because we are going to have trouble saying that the public health, safety and welfare demands that we ban all of these, we are trying to get out in front of it and regulate them in a fashion where they don't become obnoxious. Rogers: Okay. So maybe they can be regulated based on zoning? Climer: Yes, you can regulate based on size. you can regulate them on the number of times they turn over because when you have these constantly moving signs, there is a good argument that it is a distraction to traffic when you have a sign that is super bright at night without any nighttime dimming like you do on your dashboard. It becomes a hazard with blinding people and so, we built those kinds of things into this to make sure we can get control of it if we do have somebody wanting to put these signs up. Rogers: I would think we wouldn't want it near residential homes. Climer: Correct. And in different parts of the code, there's specific forms of signs allowed in residential areas and electronic variable signs are not among them. Rogers: Oh, okay. Did you have something done? Because I didn't see it if you did. You were going to have some legislation for us tonight, were you not? Climer: They were on the work session and I think they were referred to the planning commission. Rogers: I'd like to see what you got. Remember we were going to review first and then send it to them. Climer: Forgive me, I missed a couple of meetings. I had understood it was on work session a few weeks ago. I'll send them around. My understanding is they were referred from that work session over to planning. I could be mistaken. Morgan: I think what ended up being was there were going to be some corrections to add about the abandoned signs and that it was pending going to planning until those corrections were made. Climer: Oh, until we get the abandoned signs. Alright. Rogers: But you were going to have something we could all agree to prior to sending to planning. Morgan: Right. Climer: You're right. My apologies. Beyond that, I don't have anything unless there were questions. Hardin: This is a question directed toward the law director. Mr. Law Director, as a councilperson, can we use the mailing list to send out any general flyers and is it your pleasure that all flyers, if in fact we are using that mailing list, that all correspondence come through your office first? Climer: I am happy to review newsletters to make sure we are not getting into any legal issues with them. But it is purely up to you if you want the review. Hardin: What about the mailing list? Are we entitled to use the mailing list? Climer: The Village mailing list? Hardin: Correct. Climer: Yes. You are allowed to publish a Village newsletter. You cannot advocate for or against ballot issues. Hardin: Got it. Climer: Or candidates or a number of other things. Hardin: And those things would be something we should run by you before we send it out? Climer: That's basically what I am looking for when I look at your newsletter. And I think you are more active than others in sending them over. But I am looking to make sure we are not getting into issues of expending public funds to advocate for or against issues. Williams: Issues and candidates, correct? Climer: It's more than just ballot issues.

Warren: Police Chief. Garratt: Thank you, Mr. President. I have a pictorial report in front of you. This past Saturday, we had our Shop with a Cop program. Shop with a Cop started at 9:00 in morning when we took the kids to Aurora Target where they were allowed to spend \$175-\$200. We had extra ones because sometimes they can go over a little bit. They \$175-\$200 per child. They could buy for themselves, or they could buy for family. Most of them buy for the family. It's really a great event. The best group of kids we ever had. It was well diverse group. Some were different ages. We had little teeny ones; we had older ones. They had a really good time. Really well behaved. We came back to our training center where you guys have seen citizens academy where you guys have attended those. We had a pizza party for them, and a lot of the officers and wives and families came in and helped them wrap all their presents. Then Santa Clause came, and they got to tell Santa what they wanted. It was really good. In fact, Santa had his own family there that didn't even recognize him when his kids were on his lap. He has 3 boys. But it was a great event. It really went well. The kids were fantastic. Another year down and we got back into it because you know we didn't do it last year because of COVID. A lot of great donations got us through it. We will look forward to it next year. Mayor: You know, Jimmy Boyd himself never knew his dad was Santa kissing his mother in that song back in the '50s. Garratt: It was really cute. Some great pictures. Acutally we have about 500 picture maybe.... One of them is his son who is 1 ½ or 2 years old just staring at him. It was so bizarre when he was holding him. It was really cute. It went really well. It's such a great event. The parents were super happy. We had one family that had 3 foster kids and they came in with 2 more foster kids that were too young to attend. It eases the burden a little bit and helps family when we can. Like I said, I am looking forward to it next year. We look all year round for kids to attend this event. So, as long as they are still

residents when the event comes around, they are in consideration for it. As we go through the year, if you guys come across somebody.... Now we don't take kids that have already gone if we can help it because it frees up new experiences for the kids. So, throughout the year if you guys come across a family you think will be in need of a little help around Christmas, please let us know. We are always scrambling to find people so it's always hard to find them. Usually, it's officers going on calls and realizing the situation. They write their name down and then we ask the parents if that is something they would be interested getting into. **Mayor**: How many years have you been doing this? **Garratt**: Well, I have been here for 28 years, so 28 years. That's all I have.

Warren: Service director. Haba: Thank you, Mr. President. There is no snow going on lately, so that is a good thing. Which brings us to our seniors' driveways that we plow. We contact most of them. Last year we did most of them ourselves. Luckily, we have had pretty mild winters the last 2 or 3. But this year we have 321 residents on the senior snowplow list. We know it's being abused a little bit. We try not to make an issue or question people. But next year, we might have to.... We did it about 8 years ago, we did it in council chambers where we have 1 or 2 evenings for people that work and 1 Saturday morning, we had for a few hours for people to sign up. It seemed to cut out the people who shouldn't be on it. You know, you got a lot of kids at home teenagers that are on the list. Empty houses that are on it, we take off. We try not to question too much, but 321 is a lot for a Village of our size. Other than that, everything has been going well. This will be the last week for leaf pick up. It's on the website. But if the weather stays nice and we get a chance, we'll keep it on the truck and go out for another week if we need to. But basically, this is the last week for leaf pick up. And that's all I have. Mayor: Thomas, you made the statement, it's nice not having snow on the ground. But if you want to know something, as a Mayor looking at the finances of our community, you hate to see a 60 degree one day and a 30 degree the next day and back up to 60. That really rips the streets.... Haba: Especially it gets worse when its 50 one day and 45 the next day. Mayor: Exactly. Haba: Then especially with precipitation, the water gets in the cracks in the roads and that freezes and expands. **Resident**: Tom, if I may, my name is Joe Bique (?) and we live on Tryon Road. We just want to thank you for all the leaf pick up you did at our house. *multiple voices* Haba: Joe and Callie have been here forever. Joe has those inustrial machines that puts them out there. Resident: I just want to thank you. You guys do a great job with all the flowers and snow plowing. You guys do a great job out there. **Haba**: Thank you.

Warren: Building inspector. Marinucci: Thank you, Mr. President. As you know, Debbie had COVID. She is over it, but there is a lot of coughing and a lot of hacking in the building department. What I did, I went out and got at Walgreens, they are \$21 and you get 2 of them. Then I learned you can go to the library and get them for free, the self-test. The Biocam or whatever the name of that is [google search shows BinaxNOW on TV]. I have been having been having her test and she has been testing negative. So, hopefully we kick it in the butt. And thank you to Tommy, when it happened, when she was sick, we had to spray down everything. So, hopefully everything will be smooth, but I am here for questions. Hardin: There is no one else that is from the administration, so I am going to get a little sappy. This is the first year that I have observed the use of, especially the fire and police, in the manner that I have in my Ward. And I just want to say to all of you, under these extraordinary circumstances, God bless you and thank you. '21 has proven to be a difficult year for all of us. It's the strangest year, I have lived through. Tommy, you are always there and remember our agreement. When you go, I go. So, again to the administration, especially everyday Mayor, because of the age in Ward 2, there is a call there. So, continue blessings over all of you. You are taking your life in you owns hands everyday with this virus. I thank you for everything you're doing.

Warren: Finance. Thompson: Thank you, Mr. Chairman. Just a couple of brief comments on the budget process for 2022. We made good progress moving along with the majority of our departments. We probably have 3 general fund left. A big portion I am waiting to meet with Ed Hren next week. He needed to time to get all the streets, the sewer and some of the capital as well together. That's why we didn't have a meeting today because there wasn't much to discuss. Although we made great strides in a lot of departments, we have a couple more things to get through before the end of the year or within our next meeting. We may need to posture ourselves in a different manner, maybe for the 25% budget. But those are the comments I wanted to make tonight. Thank you. Hardin: 25% budget. What do you mean? *multiple voices* Hardin: ...to meet the timeline. Rogers: How much more is there to do? Thompson: I've got 3 general. As Dan just mentioned, he has been short staffed with the COVID matter. So, he's working on his final budget. The Mayor has been moving along with his which includes rec and senior. Ed has the street, sewer and capital. That will pretty much end it. Hardin: How are you doing and when you planning on doing them? Thompson: We have a meeting on the 28th. We can slot some time for that. Last meeting, we went through quite a few. The summary form we have them in goes through pretty fast if there isn't a lot of questions. I am still optimistic we can get those done. Hardin: I don't want

anybody think I'm losing it. Unless and until we can do something a little more safer for council, I feel a little scary about coming up here. I got some news tonight. I am not going to share all that but unless and until we can divide ourselves or shield ourselves off, this is not going away, Mr. Mayor. This virus. Mayor: You know how many people have died from the new Omi virus in the world? 1. Hardin: I am not going down that rabbit hole. Warren: We already know there is a pandemic worldwide. We don't have to negate or negotiate or concede or.... You hear people that don't want to be realistic and accept the realities of it. I am a reality of it sitting in front of you. My breathing is compromised. My stability is compromised. And I go to a pulmonologist and a cardiologist, and they still don't know. So, I don't want to hear any ignorant statements. Mayor: Dealing with doctors Johnnie.... Warren: Point of order, point of order. I don't want to hear about your guy that you got that came out of the blue and giving people stuff or talking about that there is no.... We don't want to talk about it. This is not even a measure or an issue of council. What you said is acknowledged. The next meeting if we can put partitions, we can have a meeting with your 25% budget. There is no way in the world that we can discuss budget issues and have a budget in front of us without it being approved from the issues. This is technically unreasonable to do that. Get us a 25% budget. We'll move on it and at the beginning of the year we will immediately start on it to get our permanent appropriations. Thompson: Okay. Thank you, Mr. Chairman. Hardin: Mr. President? One step further. If in fact we cannot operate safely, we were Zooming and you know I hate Zooming. *inaudible-Warren/Hardin speaking at same time*. Morgan: Before you guys came in and I just told Brian that I was pricing dividers to put in here if you guys agree to get those. I believe they were running about \$60-\$70 apiece. Williams: If we get dividers, we will need microphones that we have been asking for because there is already have a lot of inaudible and it will make it difficult for you to hear. Morgan: I thought about that too. If I put something in the center maybe that would help. Warren: Will we be able to make that determination as far as audibility and all of that? If we have them up there and we see the audio isn't working but at least you are able to do your minutes, that's what more importantly counts. We are facing the audience. If we don't each that's one story, but if we are facing the audience, the audio is going out that way. But it's a nip and tuck and tuck and dry and figure out the best solution. Hardin: We have been trying because we started out at the community center. We are trying. It's not a matter of not trying but at some point, you have to use common sense. It's not going away. Climer: I will caution you; the Zoom option is not presently available under State law. There is a possibility of amending the charter to permit it. It's not practical solution at this point since it takes a referendum. Warren: Just to let the audience know the original meetings we were having under Zoom was because it was mandated by the Governor. Climer: The State Legislature, But that expired, Hardin: But just start thinking of what we are going to do. Warren: We will.

Warren: May we hear from Mayor? Mayor: Thank you, Mr. Chairman, members of Council, staff and residents. We have been taking advantage of what is called a TIF in legislation being passed by council which is a portion of the property tax that goes to the County, the comes back to Oakwood. The reason I brought this up is it will be there on the agenda at the next meeting. We currently have Oakwood Hospitality, which is Hampton Inn. We have Thermo Fisher Scientific. We have Linear Logistics, and we have Swift Filters that we are getting TIFs from as well as two small very small operations; Community Care Ambulance and Buckeye Investment which is Sunoco. For our first-year last year, they brought in a little over \$100,000. We will be getting that every year for the next 15 years. That's \$1.5 million. Additionally, council has passed TIFs for McDonald's, Quality Inn, Family Dollar, Petitti Enterprises, Federal Metals and Shell Landscaping. Between that and it will be on the agenda at the next meeting which are 3 operations; the Vet Center, which will by the way, will be taking over right where you're at over there at the auto parts place. They will be counseling veterans coming back as well as counseling the rest of the family. It will be the first of its kind in Northeast Ohio and right here in Oakwood. It was interesting, the VFW hall right there in Bedford, right there on the corner of Northview and Forbes, wanted to bring their VFW operations there. But it doesn't work when you're having potential addiction problems with alcohol serving that with the Vet Center. So, anyway, they will be tearing the building down and be operating hopefully by the summertime. What will be on the agenda is the Vet Center, View Ray (which is expanding) and Sam's Club. Additionally, for whatever reason in the transition between Debbie Hladky and Christine here, somehow, we lost the legislation for Ohio Machinery, which is also Ohio CAT; the mini CRA for 49%. So, that as well will be on the agenda. And that has to get passed this year. The others can wait but at least that one. Looking at this other grouping, that will be another \$100,000 a year, so you're looking at about a quarter of million a year for the next 15 years from these TIFs coming in. So, it's quite nice. That will be on the agenda at the next meeting. Additionally, View Ray just made an announcement this past week where Northside Hospital Cancer Institute-the largest, most comprehensive cancer network in Georgia where they have 55 cancer centers-have selected the MRI dye radiation therapy system from View Ray here in Oakwood, for its patients seeking cancer treatment for lung, prostate, pancreas, liver and other small tumors in the abdomen and the pelvic area. Currently, there are 46 MRI meridian systems installed around the

world in 16 countries and they have treated 16,000 patients and the Vatican. So, it's quite exciting for a company here in Oakwood that has that kind of prominence worldwide. And lastly, Carlean had over 30 people exercising in the last class. Seniors. That has duck tailed in with what I have been promoting for some time now and that will be again in February where 3 key things: 1) proper nutrition 2) exercise particularly if you can do some cardio for 10 minutes 3-4 times a week and 3) D3. Those things unless you have serious preexisting conditions, will build up your immune system to fight off not just distractions but viruses. Warren: Who had the two highest levels of D3? Mayor: Myself and interesting enough, my son's lady friend. Warren: I thought I was, too? Mayor: You were up there. In fact, I would ask the physicians you've been seeing. There has to be something wrong with your cell tissues absorbing the mineral, the zinc and magnesium in your system. And that could be one of the reasons you're continuing to have respiratory issues. There is something wrong. Something isn't working right. All the entire panels when they do your blood work. They have probably done that but whether you are lacking in quercetin or something where your cell tissues are not opening up to take on the magnesium and zinc as minerals to be able to get in the system and serum to take more advantage of the D3 that you have. Something is not right. But anyway, I was going to give you some papers on that later. Anyway, that ties in as well with as you know, the Hawthorne Valley Shopping Center had been bought by a major firm out of Texas. They are excited and we are excited because already next to Woodcraft, there will be a spin studio. Over 40 bikes. We are working on an arrangement where our seniors will be able to take advantage of that 2-3 times a week for free for an hour and a half to two hours for 20-30-minute class. 2-3 times a week to get their cardio in. Again, I can't underscore enough and it just shocking, that I don't see where the media or the churches are promoting more. You are starting to see more on D3. But exercise, proper nutrition and D3. And that concludes my report, Mr. Chairman. Hardin: Mr. President, I would like to go on the record asking the Mayor a couple of questions. Mayor, let me finish all the questions and then you can answer them. Mayor: Okay. Hardin: Has the Premier project changed and if so, how? Second, prior to tonight from the onset when this project first started, we had all kinds of figures projecting what the income would be brought in based on the project. So, to that degree, I was very excited about it. If it has changed, I want to know, are those still the projected figures that we should anticipate? Thirdly, as this process continues with Premiere, is there any part of that project that will be referred to council? And when will we have a building to show on that property? At the last meeting, you stated that there will be possible traffic changes as a result of Ford coming in or Ford being developed. Mayor: Yep. Hardin: Okay. Between Ford being developed and if in fact there are some changes over in that area, how will the traffic be affected? If so, have we had any impact studies, or do you plan on any impact studies as it relates to traffic? But more importantly, from this point forward, as we have projects and project development, I don't know how you like to arrange it, I would like an update on each one of the projects that we're waiting for. Going forward, I would like to have ongoing scheduled project management meetings. Mayor: To answer your questions, the first council meeting in January, I will be presenting what is going on over there. Regarding traffic studies, there was a major traffic impact study already performed which as well be presented at this meeting, and we will go forward. Eventually, what will happen will be, there will be a development agreement that had been approved by council for Premiere, that will now be approved.... And they are now willing to have their name being used, where up until just 2 weeks ago, they weren't. It's the biggest grocery chain in the United States: Kroger. Williams: I'm sorry. I'm confused. Rogers: You don't know anything about it do you? Williams: Are you talking about the Premiere project that is supposed to be 2 large buildings? Mayor: Yes. That was before COVID. Anyway, all of this will be presented.... Williams: Wait a minute.... Mayor: It's going to be presented ma'am at the first meeting in January. Okay? *inaudible-Rogers/Williams* Williams: So, you kind of skipped over her questions. There are changes coming. Rogers: Oh boy. Warren: The bottom line is.... Williams: Not the bottom line. No *inaudible-Warren/Williams* Warren: I'm saying the bottom line is that the project that was originally proposed to us or the projection of what was supposed to be there which was 2 buildings; maybe 3... Mayor: Maybe 3. Warren: ... 2 buildings, maybe 3, has changed. Williams: Stop right there. So, we knew of this, and council is just now finding out? Rogers: No. Warren: We didn't know about it.... Rogers; We didn't know anything. Williams: Who didn't know about it? Rogers: Nobody. Williams: The council didn't know about it. Clearly, the Mayor knows. Rogers: Oh yeah. Mayor: I didn't meet this company until about 2 months ago. Williams: 2 months? Mayor: They have been quiet for 8 months. They didn't want to reveal their name. We were only in the selection process between Hudson, Pittsburgh, and Oakwood. I didn't go to them. They came to me. Williams: But that's what executive sessions are for. Mayor: This is far beyond.... We are talking about over a \$100 million investment, and they are not wanting to commit their names or anything else until they allow their comfort in terms of what could be done over here. Williams: That's why you have executive session. Mayor: No, you don't have executive session. Williams: That's why you have executive session. Mayor: Ma'am, as I say, stick with what you're doing over there in Ward 5, okay. Williams: Ward 5 is a part of Oakwood. Warren: Executive session is not for business. Williams: What? Warren: Would you read the.... Williams: Write down all the purposes. Warren: Listen to....

Climer: ...you can only have an executive session is.... Williams: Wait a minute.... Climer: Can I finish talking? Can I finish talking? Williams: So, are you telling me there is no way the Mayor can communicate to us *inaudible-MULITPLE voices* Williams: ... I am a council member, and I can definitely ask a question about *inaudible-Warren/Williams* Warren: Okay but the Mayor was talking and explaining to you. So, you've got to give him a chance to explain. Don't ask him a question and shut him down *inaudible-multiple voices* Williams; I'm not. *inaudible-Warren/Climer* Climer: ... executive session, in this circumstance, it is only permissible for.... *inaudiblemultiple voices* Warren: ... executive session.... Williams: Alright, so no executive session. Are you telling me there is no way to communicate this to us? *inaudible-multiple voices continue* Willams: You are acting like there was no way.... Warren: No, I am not. I just want him to explain this to you.... *inaudible-multiple voices* Warren: One second. Resident 2: I don't like the way you're talking to her. Ya'll gotta watch how you treat women up here. You can't talk to her like that. *inaudible-multiple voices* Warren: Point of order, point of order please. Resident 2: Don't think God don't see. Mayor: I didn't say anything. What are you talking about? Warren: So, moving forward with this, I haven't open up the floor for public comment. Williams: But we haven't finished discussing it. *inaudiblemultiple voices* Resident 2: Watch how you talk to people. Warren: I know that. Let's.... Williams: So, we use \$1 million of our community's money, we repay that money. Now there is some massive.... We have people.... We get a rezoning.... We have people that lived in Ward 4 where this building was going behind homes. Were peoples' homes bought? Property bought for this? Rogers: Well yeah. It's been ongoing. Some of it. Williams: And we have major changes, and we haven't said anything to the community? I mean you don't have to disclose specific information.... Mayor: The major changes.... But there was a variance being worked. 30 people and only 8 had to be notified. We notified 30 to come to the meeting for an understanding. Williams: To come to what meeting? Mayor: This has still not been a final agreement. It is still changing on the fly and there was no point of having anything before council when there wasn't anything decided on. Williams: To come to what meeting? Are you talking about the 2018 meeting? Mayor: No. The meeting with the variance that was 3 weeks ago. Williams: You called a meeting? Where? Rogers: Yes, the planning commission... Williams: You had a planning commission meeting... Rogers: And zoning. Williams: You had a planning commission meeting, but you didn't let council know. Mayor: It was public knowledge. It was in the media. Rogers: It was in the media, yeah. Williams: So improper and out of line. And disrespectful. Mayor: I don't have to listen to that either, okay? Rogers: Yep. Williams: Oh no, that's the truth. Warren: Okay. Williams: We can have a civil conversation. Warren: We have talked about this already. The Mayor already knows.... Williams: Talked about what? Warren: I am saying, at the council meetings for the members who were there, he brought it up before. And councilperson Hardin can tell you that I vehemently told him that if you are thinking about bringing 200 vans into Ward 4 across from residential homes, that it isn't going to happen. I am not going to support some company running 200 vans plus tractor trailers when we were supposed to have a pristine development of office buildings. And they were supposed to be glass and all this stuff. Now we have turned it into a truck depot. Williams: You know all of those details about 200.... Why are you talking like you can't give an update tonight when he knows details? Warren: He told us in the council meeting. Hardin: No, no, no. Stop. For the record, the way this council found out anything, 3 residents came and prior to the meeting, one of the residents came to me and said we had a planning commission, and this is what was proposed. I could not believe it. I have the date and I can tell you who it was. So, Mr. Mayor and Mr. President, we have never, ever once been informed of anything from the administration on that night. I can only speak for myself. The 3 people here I thought I would lose my mind when they told us what was going to happen over there. And then later, we got minutes from the meeting. This is how this council has been informed and to this very second, not one official word has been given to me as a councilperson. I can only speak for me. There has never been anything spoken on this floor from the administration regarding this project. And I am going to tell you, Mr. President, I haven't sit all these years getting gray for nothing. I know for a fact.... Mr. Law Director, if I am wrong, correct me. The charter says that you can notify people 'x' number of feet out. Is that correct? When it comes to certain issues? When you send out notification. Climer: Yes. Rogers: I was told it was property owners that have butted. Hardin: Pat.... Rogers: That's what I was told.... Hardin: Pat, let me tell you, if it is an issue that is affecting this entire Village, notification should have gone out to the entire Village. Every person in here contributed towards this million dollars. Williams: Yes. Hardin: Every person in this Village had an opportunity to vote for or against it and your ward had an opportunity to benefit initially from the project. That's all we know. Now, Mr. Mayor, this is the first time, we can go on record. And I don't know why. We don't talk Jesus. But I am going to talk Jesus tonight. That night that I told you at 7:30-something, as of today, I didn't know what I was spouting, but I do know now. Mayor, that was not the way to do this. That is not fair. That is beyond disrespectful. We deserve better than that. Mayor: There isn't anything final yet and they did not want to have their name out. Okay. But nothing has been finalized yet. Hardin: Then, I'll tell you what. And I will speak for myself. Nothing goes past the people in my ward without them knowing

what's happening. Mayor: Of course. What did I just say? The first meeting in January, it will all be presented because it all should be finalized by then. Warren: Were you at the council meeting when we found out about it? Hardin: That is correct. That night. Mayor: But nothing is finalized.... Warren: Mayor, I am talking to her right now. When we were talking, and I found out about it the same night you did. Hardin: Standing right here. Warren: And what did I say... cause you looked at me when I said it. I said I am not going to have 200 vans interrupting the peace and serenity of Ward 2 with all the mounding.... It isn't gonna.... Hardin: Ward 4. Warren: I mean, Ward 4, the whole intent was to have 2 office buildings; maybe 3. They were supposed to be pristine with the glass and they were supposed to have office workers or something like that. Hardin: *inaudible-talking along with President* Warren: But when the residents out of Ward 4 came up here along with Pat and Pat was the one to really explain it to me, that we find out that this is going to be a Kroger. And I told you that I'm not supporting it. Williams: It doesn't matter what ward you are in; you have a responsibility to communicate information no matter what ward we serve. That is one. Two, you had enough information to say at least you knew 2 or 3 big buildings weren't going there. That could have minimally been communicated. You know that had changed. The whole dynamics of this community.... Hardin: If it's the way you pictured it and you have to make a trip up Alexander Road and/or certain parts over in Bedford Heights to see these big things looking like prison walls, versus this beautiful building we were expecting. That is not what the deal we bought on to. Williams: And we claim we only allow.... You screen all these businesses. You only chose certain ones. What criteria did you go by to choose this one if it's going to look like these big cement walls and these big refrigeration and food. How did we go from 2 classy, elegant buildings with \$40 million a year to this? What's the criteria? Rogers: Now we have a metal building. It's going to be 50 feet tall which is taller than the mounding that was supposed to block it. So, now we might have a fence on top of the mounding. Williams: How do you get to make this choice without communicating when we represent the people in the community, too? We have to share the information. Rogers: I just want to say, I am the Ward 4 councilperson. I had no idea until I read what was on the agenda November 8th. Then I saw and couldn't believe it. *inaudible-voices* All that was ever talked about was some kind of vague 'Project Crunch.' No details. Hardin: Going forward and I have this on my note tonight; Mr. President, going forward, I want a copy of every agenda for every meeting, just like the members of those meetings get. I want one sent to my house. Rogers: It was sent to your house. Hardin: No, it wasn't. Rogers: Don't you have an iPad or computer? Hardin: I didn't look on it, so I apologize. So, it was sent electronically, so I apologize. I apologize. Even if I saw it, this is not the way to do business. I apologize, I didn't see it. But Mr. Mayor, this takes the cookie. You and I have been here a long time, but this one takes the cake. I had no clue that this was going on. And God knows, I have supported every one of those projects. So, now I am leery about what you have planned for us up on that hill. If I have to stay here another 14 years, they will just set my dead body up here because that is ridiculous that a project would change from one complexion to another and we do not know one thing. It's beyond disrespect. I always said we aren't respected. We are just a bunch of bobbleheads just sitting here and as the stuff go by, we go 'yay, nay, maybe so.' But that's not the way it's going to work now. That is not fair to us, and I will deliver the message just like I delivered the first message how excited I was. I will deliver this one, too. But it won't be nice. It's not fair to this council. Warren: Community. Hardin: I just hope the community understands what has happened here. This is crazy. And you said other cities wanted it. Well, hallelujah. Let them have it. Williams: Right. Hardin: Move it on down the road. Mayor: Why don't I give you a white can with a red tip on it. Why don't you first understand, you're going to get this program in January. Then, you can make all the comments you want. Until then, you don't know. Hardin: You admit that we don't know. Good. Mayor: And I don't either. We are still working on problems within this project, okay? Until they are finalized, there was nothing that could be said. They didn't want to use their name.... Hardin: Well, let me get my cane. You get your walker. And we will go down the road together because this is a hot mess. Williams: Yeah, but to give the businesses that type of influence over our community where you allow them to come in a present something without using their name and you make that okay as a representative of our community, that's on you. Just because they don't want to use their name doesn't mean we have to accept that as why.... Mayor: That's why we have the 4th lowest property tax in the County. *inaudible-multiple voices*

Warren: I will open the floor for public comment. Resident 2: [Shirley Stevens] I would like to thank the Mayor and the building director for coming out to my house. I have been living with my son, because my furnace went out. I did everything right, yet my house is cold. I made them come here. God knows, I was married for 50 years. I had a helluva husband. My husband did everything by the book and when I would try to get off the track, he'd pull me back on. There's no shortcuts. When they came, they were going to come through my house and not do anything. No paperwork or anything. I said, 'Are you registered with the Village? Have you taken out a bond?' I said, 'You have to go by the record. You have to go by the rules.' *inaudible-mumble* I don't know what's going on but women are being so disrespected. They don't know me. They think I don't have cover (?). Just because my husband is gone, I still have

cover (?) now. They don't know me. They come to my house and treat me disrespectful when I'm home. I didn't say anything. I just was cool. I stood back and didn't say anything. I paid that man \$2,600 and my house is cold. I have been waiting. I have been waiting to get the transcript of that bond. I was told to do certain things that if I did that, I would not have been able.... I don't know too much about this stuff. Ernie would have handled all this stuff. Warren: Could you please, because I don't know the history of it? You're saying you had a furnace put in your house... Resident 2: Yes. Warren: ... that is not working... Resident 2: No. Warren: ...that was inspected by the city. Resident 2: Well, it never got resolved because it's so cold in the house. I called the Mayor. I called the Mayor and he came out and it was so cold in the house, because when you put it down around 70, it just don't work. It just don't work at all. We always kept our house around 69/70. That's where *inaudible-mumble*. He was a trip. But anyway, it's so cold in the house right now, it's an icebox. So, he came out. I ain't stupid. He said he was going to call the guys and he was going to look into it. They guy had a bond. So, I knew the holiday was coming up and everybody fixing to leave. So, I have been calling for 2 days because he didn't come that day. And this is why you have this letter. And I apologize it is handwritten, but it dawned on me today when I left work, that if I don't get this information, because of what they are telling me to do, *inaudible-mumble* my money telling me to... treated me, as far as I'm concerned, lower than a dog. Because you can treat a person like a dog without saying you're a dog. You know that. Your mannerism. How you step back. I'm in business for myself. I kiss more fanny than a little bit. Because I appreciate every customer that walk through that door. I know good treatment when I see it. I didn't feel like I was treated fair. I don't think I was treated fairly today when I call up all day to that service department three times trying to find out this information, so I can get a resolution. Warren: You mean building department. Resident 2: Building department. Warren: You said service and I know... *inaudible-Warren/Resident* Resident 2: The fire department came out and saved me when all that stuff was going through my house. God takes care of me. He takes care of me, and I am not going expect no less. Hardin: What happened, Shirley? Resident 2: So, what had happened.... Okay, now he's going to tell me.... Warren: Please let us know what happened. Resident 2: What happened is.... If I do the 2 things I was instructed to do, okay, he's says he's going to call the guy. Hardin: Who instructed you to do something? The man or *inaudible*? Resident 2: Well, they said.... Wait a minute, let me finish my part. He said to.... He was going to call the company.... Williams: I am sorry, who is 'he'? Which 'he'? [Mr. Marinucci raises hand] Okay, Mr. Marinucci. Thank you. Resident 2: And they were going to come out and he was going to see if they would come out because he thought there was something wrong with the thermostat. And then if he didn't come out, he's going to have the Village to come out. I don't know what they are talking about *inaudible-mumble* them guys up there with some waiver. Because if I had done that, if anything was really wrong the furnace or not, they can say, 'Hey, we didn't do anything.' The company can say, 'No, you went out and did that and you went out and.... That's on you now.' Legally, the only person that can do anything with that furnace is this here company. Now that's what I thought. I don't know. Warren: Now, I am going to tell you. I don't know who told you that, but you can't have somebody to work on the furnace because you will void the warranty. Whoever installed that furnace would be the person to come out. Resident 2: Now he said it may be the thermostat. But I don't want to get into that. Cause I don't know nothing. Warren: The company is supposed to come out to verify whether it's the thermostat or not. Resident 2: Okay. Warren: What's the name of the heating company? Resident 2: Reliable Climate Control, INC. I'm not calling those people. I'm not calling anybody.... Mayor: Okay, very simply where we're at then was simply this. The building inspector felt it was the thermostat and not the furnace. Marinucci: She needs a new thermostat. Resident 2: You don't know what I need. Mayor: Shirley was concerned that if anybody touched the furnace, she would lose her legal opportunity. Then we had Tommy come out and they were out there, and they were ready change the thermostat. Resident 2: No, they were not. *inaudible-multiple voices* They wanted me to sign a waiver. I wasn't signing jack. Marinucci: And I call the contractor *inaudible-multiple voices* Haba: ...the property.... Resident 2: I know, I know, I know. Haba: People would say if we did something to your wall or something putting the thermostat in, then we're not liable for it. Resident 2: Right. I understand that. Haba: The Mayor was very worried about you. He called me Saturday morning as soon as he found out and asked if I knew much about furnaces. I said, 'No.' Then they thought it was the thermostat. He called me Monday and said if I was able to change the thermostat if that was the case. I said, 'Yeah, we can change the thermostat.' Warren: So, the contractor put a new furnace in, but he didn't replace your thermostat, right? Haba: Correct. Resident 2: I didn't know it needed to be replaced. Warren: No, but I'm just saying, he did not do it. *inaudible-multiple voices* Resident 2: He probably did not know that was it. Now, come on. We don't know that is the problem. Warren: I know that, but I'm just trying to get.... Resident 2: And then, he sent me a message saying.... And I'm like you that's why he told me to call him. I shouldn't call him; he should call me. He sent a message, 'Well, I'll put a new thermostat in if she buys one and I'll charge her \$95.' He will never get another dime out of me. You don't treat me like that. I am your customer. I put a check for \$2,600 and you can't get the decency to call me and say, 'Hey, Ms. Stevens. I see you have a problem here.

This is how we're going to work it out.' Warren: Well, one thing for sure is that the contractors' bonds and all that stuff is readily available and should be readily available.... Marinucci: I am not executing on a contractor's bond when... *inaudible-multiple voices* ...is not part of the contract. For \$95 he will change the thermostat. Warren: Well wait a minute now, let me just tell you something sir. You don't know whether it's the thermostat or not. Marinucci: I inspected.... Warren: I don't even care what you're saying. You don't know. *inaudible-multiple voices* Resident 2: You don't know. You don't know that. Marinucci: I do know it. *inaudible-multiple voices* Resident 2: The furnace cut off. Warren: Let me just explain something. I build a house on Forbes Road. I rehab one on Jean Drive. I have been in construction for 40 years. 44 years. And I know twice as much about building than you ever,... Marinucci: Oh, you know a lot more.... Warren: I know. All I am saying is.... *inaudible-multiple voices* ...I oversee \$140 million in construction. And all I am saying is that I don't make an assumption. If a person calls me and says, 'My furnace isn't working,' and I say, 'Well, what you're telling me sounds like the thermostat. But if the company comes out and put a furnace in, they should give you the courtesy to come out and look at it.' Now, the other thing is that this is a matter of public record, and I am telling you as council that you should give her the information she requested. Marinucci: Oh, she is going to get the information... *inaudible-multiple voices* ... I never said no to that. Warren: Okay, well give her the information so that.... Marinucci: She can have heat with one telephone call. Call the guy.... Resident 2: No. Huh uh. Now, you are belittling me. Telling me to call him. I'm not going to do that. I ain't going to do that. Warren: Well, let me ask you this, Mrs. Stevens. Who should call the contractor? Resident 2: Pardon me? Warren: Who should call the person that installed the furnace? Resident 2: *inaudible-mumble*...right now when I get this information because I know everybody is going on vacation under the Freedom of Information Act. As soon as I put that in his hand, the clock starts ticking, I think. And I know you can write it out. It doesn't have to be typed out or anything. So, the Freedom of Information Act starts ticking. Tomorrow, I'll check. Now, as for your question, I'm not going to tell him what's up. I am going to be very professional. Just because I am emotional up here, when I go and get in that car.... Marinucci: Shirley, the only thing we have.... *inaudible-multiple voices* Resident 2: ...somebody will contact the company. But I am not going to stand up here and say because I feel like I have went overboard to be professional. I made sure I gave him a cashier's check because this is the time when taxes and insurance and everything are coming out of my business account. I want to make sure he got his money. I don't think I was gave the same courtesy. You going to tell me to go take care of his stuff. Huh uh, I'm not going to do that. So, somebody will.... I don't know where we are in the process. All I know is that I got a furnace that has not been approved. It has not been inspected. That's all I know. Marinucci: You know... *inaudible-multiple voices* Mayor: Dan, let her finish. Resident 2: I think I have a right to get this information. Unknown: You have a right to get this information. Resident 2: *inaudible-multiple voices* ...you called me. I'm so glad you called. So, I appreciate it. Warren: Mrs. Stevens, when did they install the furnace? **Resident 2**: When did they put that thing in there? They put it in Monday? **Warren**: This past Monday? Resident 2: Yeah. Rogers: Yesterday? Mayor: Yeah. Resident 2: And my house is still cold. Now, I am not fixing to start that, 'Well check this and check that and check that and check that.' I can have all these people running in. That's not the way it's supposed to be done. I had a contractor sitting in there. I had...I'm not getting into all that either cause I'm just writing it down. Because a lot went on. Warren: But the bottom line is that you're entitled to get the information that you request which is the thing as far as the contractor's bond information. Resident 2: Yes, the bond under the Freedom of Information Act. Thank you. And the last thing, too. Because I love my Village, I had made an appointment for this SafeBuilt (?) to come out. They called me Saturday and said they would come out Monday at 8:00 to inspect the furnace after they put it in. They put it in Friday. They called me Saturday and I said, 'Fine, come on out and inspect it.' Then I talked to the Mayor and he was very concerned about it. And he came out and so I can call these people and cancel. So, he was in the driveway, and he called this guy right here and I told him, I said, 'Well, I don't think I can use you now because my Mayor and the building department coming out to inspect it.' I said, 'Do you know Mayor Gottschalk?' He said, 'No, I don't know him.' I said, 'Well, okay, they are coming and I am going to have them do it. I don't want a whole lot of people in it.' He said, 'Okay,' and hung up. Then when I called the building department today, the real nice lady said, 'Why did you tell them to come out and then you cancel and now we got to pay them \$91?' I said, 'That's not the way it went down at all, sweetheart.' 'He said you told him not to come in.' I said, 'That's a lie. I told him that the Mayor and the building department was coming out.' So, you know, I just wanted to get that straight because I don't want people thinking I'm so looney tunes. Because when it comes down to it, I believe this will all my heart. What you put out there, you get back. Whatever you do, you see it sooner than later. So, be truthful. Don't lie and try to live the best you can. Cause God sees. So, where we go from here on this I don't know. All I know is that I am out \$2,600, my house is still cold. I'm not going to go from here to that and that and that I I not fixing to start doing it. 'Well maybe this it.' 'Try this.' 'Call him and tell him....' Well, what if it's not the thermostat? Now, where are we fixing to go? I didn't think inspections run like that. And that's why I backed up and

said, 'No. I'm not doing that.' That's why you got that piece of paper because everybody fixing to go on vacation for the holiday. I want to go on one too. Now, depending on cold my house is, I may be up here in one of those hotels or something. So, I want to thank you all for letting me rant. I know what I am talking about. I done spent my money. I did excellent customer service. You should see me jumping around there. I expect the same. Mayor: Mr. Law Director. Shirley let's get a plan of action. You're going back to a house that's cold. I still think at this point that by touching the thermostat isn't going to affect anything with the furnace. That's the issue. Why can't we just get that thermostat.... Marinucci: You could change the thermostat without losing any warranty on the furnace. Mayor: At least she'll have a warm house. Where are we... *inaudible-multiple voices* Resident 2: Come on over, but I'm not signing a waiver. Tommy takes care of me. Climer: I have absolutely no idea what the warranty on a furnace is or isn't. Resident 2: And I am not going to have anybody touch it. Marinucci: And that's a beautiful furnace. Climer: I can say that Mrs. Stevens has the right to make a public record's request for the contractor's bond. Marinucci: She's going to get the complete file tomorrow. Climer: Okay. Warren: And that's all I ask. Resident 2: And that's all I ask. Mayor: But can we have action tomorrow. Is something happening tomorrow? Marinucci: What do you want me to do? Mayor: Not you. *inaudible-multiple voices* I don't see anything happening by tomorrow night either unless they get out there themselves or we just touch the thermostat. Marinucci: You know, I talked to the gentleman yesterday. It's \$95 to change a thermostat. Mayor: That's another issue. Unknown: That's what it is. Resident 2: Oh and thank you for the poinsettia from my ward. Warren: I'll close the floor for public comment. We'll start with today's agenda. Climer: Thank you, Mr. President.

Legislation

Ord 2021-10 AN ORDINANCE AMENDING ORDINANCE 2019-22 AUTHORIZING THE ESTABLISHMENT
Introduced 1-26-2021 by OF AN EXTERIOR HOME REPAIR ASSISTANCE PROGRAM
Mayor & Council

Hardin: So that everybody knows, this is dealing with the intersection. The program itself stays in place. Rogers: There was an amendment to the original ordinance. Hardin: Right and so we are taking that amendment off as it relates.... Warren: And it will go right back to where it was before the original order. Rogers: And I have no objection to beautification. Let me just make that clear. Hardin: You don't have to clarify. We got you. Rogers: I am saying it for the Mayor's sake. I just want it to be separate and not attached to this ordinance. That's where I'm at on this. That's it.

MOTION TO SUSPEND by Rogers; Seconded by Hardin VOTE YES: Warren, Hardin, Sanders, Rogers, Williams MOTION PASSED

MOTION TO ADOPT by Rogers; Seconded by Williams VOTE NO: Warren, Hardin, Sanders, Rogers, Williams MOTION FAILED

Ord 2021-74 AN ORDINANCE ENACTING A NEW CHAPTER 510 "FLYING MODEL

Introduced by Mayor & AIRCRAFT/UNMANNED AERIAL VEHICLES (UAVs)" OF THE CODIFIED ORDINANCES OF THE VILLAGE OF OAKWOOD AND DECLARING AND EMERGENCY

2nd Reading

Warren: Anybody have any questions about this? Hardin: No, but I think it's a great idea and thank you, Pat. Rogers: Let's thank Christine. She was the one to present it. Hardin: Thank you, Christine.

MOTION TO SUSPEND by Sanders; Seconded by Rogers VOTE YES: Warren, Hardin, Sanders, Rogers, Williams MOTION PASSED

MOTION TO ADOPT by Hardin; Seconded by Sanders VOTE YES: Warren, Hardin, Sanders, Rogers, Williams MOTION PASSED

Ord 2021-75

AN EMERGENCY ORDINANCE AUTHORIZING THE REAPPOINTMENT OF ROSS CIRINCIONE TO EMPLOYMENT WITH THE VILLAGE OF OAKWOOD

Introduced by Mayor & Council as a whole 2nd Reading

Climer: I spoke with Ross again today. He's still expecting advice from OPERS which you think they add this as temporary. I request that table this again. It may not be necessary. Warren: Well, this one is on second reading. We can just let it be on second reading at the next council meeting, we'll have a decision. Okay. Hardin: Second reading? Morgan: Third. Warren: I talked to him too, and he's waiting on them to get some information. He said the complication is because he works for a few different communities. At least that's what they claim anyway. Climer: That's exactly right. There is one group down there that says keep working. And others say otherwise. I would thought he would have had this decision long ago.

Hardin: Mr. President, before we adjourn, I would like to go into executive session just for 5 minutes. Williams: Are we dealing with that? I don't see any of the TIFs. Is there going to be a document for us to review regarding all those TIFs. Mayor: Yes. You will get it before the meeting. 3 or 4 days before the meeting. Williams: I don't see them on the work session. Mayor: This is just boilerplate. We've done 5 of these. It's the same wording other than the name of the company and what they do. That's all. Williams: Will you have a schedule? The schedule you usually provide with the TIFs and the year and the amounts? Thompson: We can put something together. Mayor usually drafts those TIFs, but I am sure we put something together. You want a summary, like all the TIFs.... Warren: Yes. Rogers: Yes, that would be nice.

MOTION TO RETIRE TO EXECUTIVE SESSION by Hardin; Seconded by Rogers

VOTE YES: Warren, Hardin, Sanders, Rogers, Williams

Executive Session Time 8:17

MOTION TO RECONVENE FROM EXECUTIVE SESSION by Hardin; Seconded by Sanders

VOTE YES: Warren, Hardin, Sanders, Rogers, Williams Reconvened and Adjourned to Work Session @ 8:33

Adopted

Christine Morgan, Clerk of Council

Johnnie Warren, Council President

OVPP Shop with a Cop 2021





BUILDING DEPARTMENT: Daniel F. Marinucci, Chief Building Official 23035-B Broadway Avenue, Oakwood Village, Ohio 44146 // Phone 440-232-9980 Fax 440-232-5874

November 22, 2021

Kathryn L. Bell-Moss 7250 Hyannis Drive Oakwood Village, Ohio 44146

Re:

Sunroom Issues

Dear Mrs. Bell-Moss:

This office reviewed your file regarding the installation of a sunroom. The permit was pulled by your contractor and issued in the year 2000. As such, this office cannot provide you with any services regarding that construction project.

I remain,

Daniel F. Marinucci

CBO: Oakwood Village

Quel In Maurice

HVAC PERMIT



Village of Oakwood 23035-B Broadway Ave Oakwood Village, Ohio 44146 440-232-9980

Permit Number:

21-000026

Date Issued:

12/09/2021

Address(es): 7251 LYNBROOK DR (PP#: 79512045)

Applicant:

Owner:

RELIABLE CLIMATE CONTROL INC. 5180 RICHMOND RD. #3 BEDFORD HTS.

7251 LYNBROOK DR

OHIO.44146

OAKWOOD VILLAGE, OH 44146

Reliable Umale

ERNEST & SHIRLEY STEVENS

Permit Description: REPLACEMENT OF EXISTING GAS FURNACE

Dan Marinucci, Chief Building Official MR. MARINUCCIT, Freedom of informat act I respectfull ask for a copy the information on the board this company * MAYOR GARY GOTT SCHALK * DAN MABINUSCI, Chief BUILDING INSpector + LAW DIRECTOR S JIM ZLIMER * MEMBERS OF COUNCIL * Onio Dept of consumer Appairs