

**VILLAGE OF OAKWOOD**

**COUNCIL MEETING**

May 24, 2022

7:00 p.m.

**AGENDA**

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**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	Paggie Matlock	Chief of Fire	Jim Schade
Ward 4 Councilperson	Mary Davis	Police Chief	Mark Garratt
Ward 5 Councilperson	Candace S. Williams	Building Inspector	Daniel Marinucci
		Engineer	Ed Hren
		Recreation Director	Carlean Perez

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**4. MINUTES** – Motion to approve the minutes from the May 10, 2022, Council meeting

**5. Speaker:** Dinah Mouat-Administrator of Southeast Clergy Meals on Wheels

**6. Correspondence from Clerk**

**7. Departmental Reports**

MAYOR - GARY GOTTSCHALK

LAW DIRECTOR – JAMES CLIMER

FINANCE DIRECTOR – BRIAN THOMPSON

SERVICE DIRECTOR - TOM HABA

ENGINEER REPORT- ED HREN

FIRE CHIEF - JIM SCHADE

BUILDING INSPECTOR – DANIEL MARINUCCI

HOUSING INSPECTOR – N / A

POLICE CHIEF – MARK GARRATT

RECREATION DIRECTOR – CARLEAN PEREZ

**8. 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 (if needed)* – to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

**9. Legislation**

Res 2022-35

Introduced by Mayor &

Council as a whole

1<sup>st</sup> Reading

A RESOLUTION ACCEPTING A FUNDING AWARD FROM CUYAHOGA COUNTY UNDER THE 2021 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE BROADWAY AVENUE ADA ACCESSIBLE CURB RAMPS AND SIDEWALK PROJECT IN THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY.

**10. Adjournment**

**VILLAGE OF OAKWOOD  
WORK SESSION  
AGENDA  
May 24, 2022**

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-26**

Moved to WS 10/26/2021  
Ord 2021-70 Pending Planning

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

**Ord 2021-WS-27**

Moved to WS 10/26/2021  
Ord 2021-71 Pending Planning

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

**Ord 2022-WS-4**

AN EMERGENCY ORDINANCE REAFFIRMING THE PROHIBITIONS AGAINST DISCHARGING, IGNITING OR EXPLODING FIREWORKS IN THE VILLAGE OF OAKWOOD AS SET FORHT IN CHAPTER 1519 OF THE CODIFIED ORDINANCE OF THE VILLAGE NOTWITHSTANDING THE PROVISIONS OF H.B. 172

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  
May 10, 2022

ATTENDED

Elaine Gaither-Council at Large  
Chris Callender-Ward 1  
Eloise Hardin-Ward 2  
Paggie Matlock-Ward 3  
Mary Davis-Ward 4  
Candace Williams-Ward 5

Gary V. Gottschalk-Mayor (late)  
Tom Haba-Service  
Daniel Marinucci-Building  
Jim Climer-Law Director  
Brian Thompson-Finance  
Mark Garratt-Police

ABSENT

Johnnie Warren-President

Ed Hren-Engineer  
Carlean Perez-Recreation  
Jim Schade-Fire

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**Meeting opened approximately 7:03 by Gaither**

Pledge of Allegiance and attendance taken.

**Motion to approve the minutes from the March 8, 2022, Finance meeting by Davis; Seconded by Hardin**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**Motion to approve the minutes from the March 8, 2022, Council meeting by Hardin; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**Motion to approve the minutes from the March 8, 2022, Work Session by Hardin; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**Motion to approve the minutes from the April 26, 2022, Council meeting by Hardin; Seconded by Davis**

**VOTE YES:** Callender, Hardin, Matlock, Davis **ABSTAINED:** Gaither, Williams

**MOTIONS PASSED**

**Clerk Correspondence:**

**Morgan:** Hope the moms on Council had a wonderful Mother's Day on Sunday as well the residents and in the gallery. The only other thing I have is to introduce the guys from the Cuyahoga County Office of Emergency Management who have a special presentation.

**\*Plaque presented to Assistant Fire Chief David Tapp and Administrative Assistant Nikki Chupa for the OV Ready Certify Emergency Management Certification Program which is a voluntary 5-year recertification program for cities, villages, townships, and organizations that provides objective evaluation of the participating entity's emergency management program. (pictures)\***

**Departmental Reports:**

**Finance-Thompson:** No report; no questions

**Service-Haba:** No report; no questions.

**Building-Marinucci: (Regarding the Columbus Road property)** I should say nothing, but I am excited to be here because I have something positive. I wish we had time-lapsed photography to see what happened in the village the last week and a half. You would have been proud of all the people involved. The law department, both Jim and Ross, what they did and what we had to achieve was phenomenal. And with Chief Garratt and Officer (Captain) Freeman, what they did, we would have never been able to get it into court to have service of process perfected in my opinion. People dodging the system and we got them. Bless Tommy Haba for what he did. This situation was so critical and it's not critical now at all. There was a well and if a little kids fell in it, they would have drowned. The well is full of water. (He) Put up a secure metal grate on it, screwed it into the concrete. It can't be removed. I hope I didn't miss anybody. Then, we had the hearing on Friday in front of the Judge. The game plan was setup that it had to be done by Monday. The balls

were put into motion. By Monday, everything was completed. There was a hearing today and there is going to be a follow-up hearing in the future regarding the property. It's secure and safe. In order to start the process, we had to deal with residents who were not afraid to sign an affidavit of the allegations they made which means they could be called into court to testify. Both people at the last meeting who commented on it, (Kathy Goss and Carl Semenech) signed the affidavit and put the ball in motion. Everybody did a beautiful job. And I am here for questions. **Callender:** I know you mentioned Chief and Freeman and Tommy. I know people are on your case sometimes, but you did a great job and Debbie (Stoffl) as well. I appreciate that. **Hardin:** I thought I would be the only one who would change the atmosphere today because I want to compliment your department. I took the time to read these reports. The format is perfect. **Marinucci:** Thank you. **Hardin:** I had one question; the one column called 'compliance.' Is that the date they are in compliance, or is that the day they have to be in compliance? **Marinucci:** No. If we tell them to do it in 10 days, if it says compliant, that means that they did what we told them to do. **Hardin:** We do have about 3 where there is no date that it is completed. If it's okay with you, I'll call the department and give those addresses. **Marinucci:** I will be there, too. I want you to know I have been working with Debbie and Aaron on this issue. One other thing, Cape Cod, I am personally going to get involved. I want that party to go smoothly without any negativity. I am going to go out with Aaron and make sure we are not missing anything. And if we are missing anything, just notify us. One other thing, we finally were able to get a permit into the computer. First time. We have faults but we could not get the system to take a permit and we got one in last week. I don't know if the system is running. We've had a lot of problems with the computer. Tom (IT) is over there all the time. Hopefully, these glitches will work out. We could not run a report on rental properties for the first time. All the letters are out on the rental properties. **Hardin:** I can take that off my list. **Callender:** Appreciate all the hard work.

**Police-Garratt:** In 1962, President Kennedy proclaimed May 15<sup>th</sup> as National Police Officer Memorial Day. That's coming up next week. With that said, he had the whole week as national police week. I gave the Council clear blue light bulbs and if you have a light on the porch, you can put a blue light bulb in which signifies that you support the police department. A lot of cities do it. She has a stack of them (Clerk). **Mayor:** This on top of Cleveland facing 71 officers resigning. Also, the drug takeback, we had 72.3 pounds of medications. We have not done it in while because of COVID and last time we had 73 pounds. Michigan, Ohio, and northern Kentucky have 410 law enforcement departments who are involved in this. And the total collection was 73,163 pounds of medications. This is significant getting those back to dispose of them properly. **Callender:** When is citizen's academy? **Garratt:** In the fall. Hopefully with COVID subsiding, hopefully we can get that going and get some participation.

**Law Director-Climer:** No report. **Gaither:** There was a question with the Mayor and Mr. Sears. Do we have that together yet? **Climer:** We are on track. I have communicated with him. As of Friday, he knows what needs to be done. **Mayor:** Do I need to sign, and he get that down to county? **Climer:** He need to get a mylar finished for the re-platted property because he moved a couple of buildings around. **Gaither:** With the additional 25 feet? **Climer:** Yes. **Mayor:** Will he be able to do that so we can get this done? **Climer:** Yes. **Mayor:** The new resident in OV on Kentucky Drive is going to be putting up at least at \$350,000 house amongst a number of CMHA houses. We want to make this as easy as possible for him. **Climer:** And we are but the ball is in his court. He needs to get the mylar drawn.

**Mayor:** In underscoring one of our big projects, Fair Oaks. The bids are in early June. This project we are looking at \$800,000 for that and we are getting a grant for a quarter million. The \$300,000 we are getting a loan at 0% interest for 20 years for the half million. So, we are only paying \$20,000 a year for project which includes the resurfacing of not just Fair Oaks but the reconfiguration of the intersection at Alexander and Fair Oaks as well as the signalization there. Additionally, the project will begin in August and will be finished some time this year. The project on Solon Road in Bedford Heights at Richmond Road, is \$330,000 and we should be getting grants for about \$50,000 for that project. That road has not been done in 30 years. Lastly, a number of things are going to be mailed out from the Mayor's office over the next 30-45 days. The first one on health. What will be going out is titled 'Vitamin D deficiency and inadequate sunlight links to severe COVID and other illnesses.' This will be going out to the residents because we will be providing a second go round of free Vitamin D test conducted by UH. And if they are sufficient, they will be getting \$400 of Vitamin D products for the next 3 months. Vitamins can help but D is the real thing and from sunlight particularly. It's really a hormone synthesized through your skin and into your bloodstream. It can be very, very effective in terms of not just COVID and other viruses but you are really talking about building up your immune system. Clearly, they found a link between sunlight and Alzheimer's and dementia in terms of getting worse if you were not getting it. That's one of the problems with some of the nursing homes that were built years ago, and they didn't have the patio space for the seniors to

get out and get sun. This will be going out and testing will be Friday, June 3<sup>rd</sup> at community center. Additionally, Robert Mathis will be opening up a spin center in our shopping center with 45 bikes. We will be offering a stipend to the owner and Carlean Perez will be running the programs twice a week from 10-noon for seniors to take advantage of the spin center to get their cardio. There is nothing better than good nutrition, some cardio and D3. And unless you have some serious preexisting conditions or family history of problems, your immune system should be strong enough to fight off any of the viruses, bacteria, and diseases that are out there. That will be going out. Additionally, I just spoke with Maxine Nightingale yesterday and she will be performing a tribute to Donna Summer. Lastly, as Christine was mentioning, the legacy that we should be leaving our children is very important. Particularly after their remote learning and other things that have happened in public schools in general. We have had our camp program in the past for 8-14-year-olds which will start again June 13 and last for 8 weeks. But particularly because of the 9<sup>th</sup>-12<sup>th</sup> graders and those just graduating, we are talking youth in OV or grandkids whose grandparents live in OV. This is for 2 ½ weeks. This will be stressing on the subjects that will in demand in the next 5-8 years in the real world. Automation is going to take over much of the job you are having. Public schools are not focusing yet on any of this. So, we are excited over the 2 PhDs with a tract record of unleashing the creative genius in kids with the subjects they are teaching starting on June 7<sup>th</sup>. The schools will be sending right out to the parents whose kids are in that age group. In addition, on Broadway, you can see where they are moving right along with the Veterans' Center. **Davis:** You know what I am going to ask you about the letter for Ward 4. **Mayor:** The reason I wanted the Vitamin D program to go out at the same time to every resident as well as Kroger. UH has been holding this thing up and I wanted to make sure this time it will be very smooth. **Davis:** Okay. Thank you. **Hardin:** The next meeting, can we get an updated spreadsheet on our indebtedness? **Thompson:** Yes. **Gaither:** There was a question on the spin center. Would there be time for parents of children who are getting of at 5-6 o'clock in the evening to have an hour to go there? **Mayor:** We have to work that out because at this point, he expects it to be busy times. That's why we were going to be focusing more on older people that can be coming in there between 10am and noon time when things are quiet. Additionally, Carlean will be in there when we have our groups come. That is something we can work out and seeing the interest of young people. **Gaither:** Some of the parents of the children would like to have maybe a couple times where they could access. **Mayor:** Even the schools are interested. I could be looking at the fall and winter times particularly for the athletes.

#### **Public Comment:**

**Resident 1-Jennifer Araya 7299 Free Ave:** I would like to request your help in getting a noise barrier on the west side of 271 in the area between Forbes and North Lane. The noise from the freeway is very bothersome and so I ask in helping to improve the quality of our neighborhood. Thank you. **Mayor:** She has a very legitimate complaint down there. Particularly with Oak Leaf being as rutted as it is, it's pretty tremendous noise from the vehicles going south on Fair Oaks or 271. That project is being submitted for a grant for resurfacing for next year. Fair Oaks is this year and Oak Leaf is next year. That itself would make a big, big difference, because it's terrible down there. But I hear you. **Resident 1:** Thank you.

#### **Floor closed**

#### **Legislation:**

##### **Res 2022-27**

Introduced by Mayor &  
Council as a whole  
2<sup>nd</sup> Reading

##### **A RESOLUTION OF CONDOLENCE TO THE FAMILY OF GRACE BYRD**

#### **MOTION TO SUSPEND by Hardin; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

#### **MOTION TO ADOPT by Hardin; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**Res 2022-28**

Introduced by Mayor &  
Council as a whole  
2nd Reading

A RESOLUTION AUTHORIZING THE VILLAGE OF OAKWOOD TO BECOME A  
POWER A CLEAN FUTURE OHIO COMMUNITY AND TO ADOPT A GOAL TO REDUCE  
GREENHOUSE GAS EMISSIONS WITHIN THE VILLAGE

**MOTION TO SUSPEND by Callender; Seconded by Hardin**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**MOTION TO ADOPT by Hardin; Seconded by Davis**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**Morgan:** And with a quick pause, we do have the folks from Power a Clean Future Ohio. **Eleana, Kwame and Deputy Director, Sandra all congratulated OV to be the first this year to join. Photos taken.**

**Res 2022-29**

Introduced by Mayor &  
Council as a whole  
2nd Reading

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

**MOTION TO SUSPEND by Hardin; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**MOTION TO ADOPT by Hardin; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**Ord 2022-30**

Introduced by Mayor &  
Council as a whole  
2nd Reading

AN ORDINANCE ALLOWING THE MAYOR TO SIGN A MEMORANDUM OF  
UNDERSTAND BETWEEN THE CUYAHOGA COUNTY BOARD OF HEALTH AND THE  
VILLAGE OF OAKWOOD AUTHORITY CONSENTING TO PROVIDE PHASE II  
STORMWATER SERVICES IN 2022-2025 AND DECLARING AN EMERGENCY

**MOTION TO SUSPEND by Davis; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**MOTION TO ADOPT by Hardin; Seconded by Davis**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**Res 2022-31**

Introduced by Mayor &  
Council as a whole  
2nd Reading

A RESOLUTION RECOGNIZING MAY 1-7, 2022, AS THE 53RD ANNUAL  
PROFESSIONAL MUNICIPAL CLERKS WEEK

**MOTION TO SUSPEND by Hardin; Seconded by Davis**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**MOTION TO ADOPT by Davis; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**Ord 2022-32**

Introduced by Mayor &  
Council as a whole  
2<sup>nd</sup> Reading

AN AMENDED ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT THOSE PARCELS REQUIRING THE OWNERS OF THE IMPROVEMENTS THEREON TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING THE WMO MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS, AND DECLARING AN EMERGENCY

**Davis:** What does this involve? **Climer:** This is the TIF incentive for the WM project. The Mayor has the numbers but the money essentially comes back to the village to use in the area of that project for public improvements. **Davis:** Are the 5 parcels that are involved, are they all WM? **Climer:** The WM property is outlined on the map. Also, the entire area on which the public infrastructure improves are to be made with the money generated by the TIF. So, it's not limited just to WM property.

**MOTION TO SUSPEND by Hardin; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**MOTION TO ADOPT by Davis; Seconded by Hardin**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**Res 2022-33**

Introduced by Mayor &  
Council as a whole  
1<sup>st</sup> Reading

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF PASTOR GEORGE O. STEWART

**Hardin:** For the record, I was the one that requested this. He was my pastor and he will be missed.

**MOTION TO SUSPEND by Hardin; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**MOTION TO ADOPT by Hardin; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**Res 2022-34**

Introduced by Mayor &  
Council as a whole  
1<sup>st</sup> Reading

A RESOLUTION OF CONGRATULATION TO MAYOR GIGI TRAORE

**Callender:** If you don't know, GiGi was sworn in as the first black Mayor in the history of Newburgh Heights.

**MOTION TO SUSPEND by Hardin; Seconded by Callender**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**MOTION TO ADOPT by Hardin; Seconded by Davis**

**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams

**MOTION PASSED**

**Callender:** Real quick, our next NOCCA meeting is the 19<sup>th</sup> so, if you are attending, please let me know.

**MOTION TO ADJOURN by Hardin; Seconded by Callender**  
**VOTE YES:** Gaither, Callender, Hardin, Matlock, Davis, Williams  
**MEETING ADJOURNED @ 7:56pm**

Adopted \_\_\_\_\_

\_\_\_\_\_  
Christine Morgan, Clerk of Council

\_\_\_\_\_  
Johnnie Warren, Council President



RESOLUTION NO. 2022 - 35

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**A RESOLUTION ACCEPTING A FUNDING AWARD FROM CUYAHOGA COUNTY UNDER THE 2021 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE BROADWAY AVENUE ADA ACCESIBLE CURB RAMPS AND SIDEWALK PROJECT IN THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY**

**WHEREAS**, on December 30, 2021, by Resolution 2021-77, Council authorized and directed the Mayor and the Village Engineer to file an application for funding to the Cuyahoga County Department of Development for the Broadway Avenue ADA Accessible Curb Ramps and Sidewalk Project under the 2021 Community Development Block Grant Program; and

**WHEREAS**, the Cuyahoga County Department of Development has notified the Mayor and the Village Engineer that the Village of Oakwood has been awarded \$150,000.00 for the Broadway Avenue ADA Accessible Curb Ramps and Sidewalk Project under the 2021 Block Grant Program which will include the construction of a concrete sidewalk within the right of way and easement areas on the northerly side of Broadway Avenue from the Oakwood Community Center to Tryon Road; and

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

**SECTION 1.** The Mayor is hereby authorized and directed to enter into any agreements with the Cuyahoga County Department of Development as may be necessary and appropriate for securing the grant award funds for the Broadway Avenue ADA Accessible Curb Ramps and Sidewalk Project.

**SECTION 2.** The Village Engineer be and is hereby authorized and directed to prepare plans and specifications for the Broadway Avenue ADA Accessible Curb Ramps and Sidewalk Project.

**SECTION 3.** The Village Engineer be and is hereby authorized and directed to advertise for bids according to law for the repairs and other work as specified in Section 1 hereof.

**SECTION 4.** Upon receipt of the bids, the Mayor shall provide all members of Council with a bid tabulation summary for each bidder prior to the Board of Control awarding any contract for the matters described in Section 1 hereof.

**SECTION 5.** Council hereby authorizes the expenditure of an aggregate amount not to exceed One Hundred Eighty Thousand Dollars (\$180,000.00) for the design, bidding and construction of the Broadway Avenue ADA Accessible Curb Ramps and Sidewalk Project as provided above. The Director of Finance be and is hereby authorized and directed to issue vouchers in the amounts and for the purposes as expressed above upon the award of contracts pursuant to

Board of Control approval, said amounts to be charged to the Street Construction Maintenance and Repair Fund.

**SECTION 6.** 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 it is required to ensure the construction of the facility prior to the September 30, 2022 deadline established by the Department of Development, therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

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

\_\_\_\_\_  
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 Resolution No. 2022-35 was duly and regularly passed by this Council at the meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
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. 2022-35 was duly posted on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, and will remain posted in accordance with the Oakwood Village Charter

\_\_\_\_\_  
Christine Morgan, Clerk of Council

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

ORDINANCE NO. 2022-WS-4

INTRODUCED BY THE MAYOR AND COUNCIL AS A WHOLE

**AN EMERGENCY ORDINANCE REAFFIRMING THE PROHIBITIONS AGAINST DISCHARGING, IGNITING OR EXPLODING FIREWORKS IN THE VILLAGE OF OAKWOOD AS SET FORTH IN CHAPTER 1519 OF THE CODIFIED ORDINANCES OF THE VILLAGE NOTWITHSTANDING THE PROVISIONS OF H.B. 172.**

**WHEREAS**, the Governor, on November 8, 2021, signed H.B. 172, amending Ohio Revised Code 3743.45, effective July 1, 2022, allowing any person authorized to possess consumer grade fireworks to discharge, ignite or explode fireworks on their property or, if permitted, on another person's property on certain designated days of the year; and

**WHEREAS**, H.B. 172 also provides that, pursuant to home rule authority, a municipality may choose to restrict the days and times that a person may discharge, ignite or explode consumer grade fireworks or may impose a complete ban on the use of consumer grade fireworks, and

**WHEREAS**, the Oakwood Police Department strongly recommends that the Council of the Village of Oakwood opt out of H.B. 172 and reaffirm the existing ban on discharging, igniting or exploding fireworks set forth in Chapter 1519 of the Codified Ordinances; and

**WHEREAS**, this Council finds that the discharge of fireworks poses a significant danger to the public and may cause serious injuries as well as significant property damage, especially in densely populated residential and business areas; and

**WHEREAS**, this Council finds that continuing the prohibitions against discharging, igniting or exploding fireworks presently set forth in Chapter 1519 of the Codified Ordinances will best protect the public's right to the quiet enjoyment of their respective premises.

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

**SECTION 1.** That the Council of the Village of Oakwood expressly opts out of the provisions set forth in H.B. 172, and reaffirms the prohibitions against discharging, igniting or exploding fireworks as set forth in Chapter 1519 of the Codified Ordinances of the Village of Oakwood.

**SECTION 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** 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 provisions of H.B. 172 are scheduled to take effect on July 1, 2022 and it is necessary for this legislation to be effective in advance of that date so as to preserve the protections afforded the citizens of Oakwood by C.O. Ch. 1519, therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

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

\_\_\_\_\_  
Christine Morgan, Clerk of Council

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

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 Ordinance No. 2022 - was duly and regularly passed by this Council at the meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
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. 2022 - was duly posted on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, and will remain posted for a period of fifteen (15) days thereafter as provided by the Oakwood Village Charter.

\_\_\_\_\_  
Christine Morgan, Clerk of Council

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