

VILLAGE OF OAKWOOD
WORK SESSION MEETING MINUTES
March 8, 2022

ATTENDED

Johnnie A Warren – Council President
Chris Callender-Ward 1
Eloise Hardin-Ward 2
Paggie Matlock-Ward 3
Mary Davis-Ward 4
Candace Williams-Ward 5

ABSENT

Meeting opened at 9:23 by Warren

Ord 2022-WS-2 AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE ENGINEER TO PREPARE PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS, FOR THE RESURFACING OF SOLON ROAD FROM THE WEST CORPORATION LIMIT TO RICHMOND ROAD

Warren: The only thing on the work session today is the engineer asked that 2022-WS-2 be moved to the regular agenda so he can go down to Columbus. He has to prepare the plans and everything. (*see attached letter read by President Warren*). This is just the Ohio Public Works and we have done this for all our projects (Broadway Phase I, II, III; Richmond Road; the bike trails etc.) We find that when we go there with the plans, their committee is more receptive because they hate authorizing funds and then having to recapture them when the community doesn't perform. That's one of the best advantages OV has had in dealing with the OPWC. We come in ready to move on a job and every job that they have given us, we have gone through and constructed. We come highly regarded with the Small Government Divisions of the OPWC. All need to do now is agree to put this on the regular agenda. **Davis:** How did he pick Solon Road? **Warren:** This is something that he proposed last year.

Poll to move ordinance-YES: Warren, Gaither, Callender, Hardin, Matlock, Davis, Williams

Hardin: I have a question regarding the board of appeals process. There was a zoning board of appeals meeting on November 29th. Years ago, when we used to get paper, any time the agenda was always forwarded for all the meetings. I'd like to request a hard copy from Debbie in building department the agendas prior to the meetings. **Davis:** Planning, zoning, ARB. **Warren:** Does she forward those to you? **Morgan:** I get emails like everybody else does. **Callender:** They come in emails. **Hardin:** I know. **Warren:** She is asking for a hard copy. Can you print those and put them in our packets please? **Hardin:** The reason I am asking, at what point should certain items be automatically forwarded to Council? From what board? **Warren:** Board of Zoning Appeals **Davis:** And planning. We are the ones that pushed to put it on zoning. Planning votes to put it on zoning or not with a lot of variances that they ask for. I would definitely want planning. ARB is for landscaping and colors of building or roofing. **Hardin:** My question is this, under what circumstances or what commission are issues automatically forwarded to Council. **Davis:** It says it in the ordinances. **Warren:** I think the Board of Zoning Appeals is the one that Council has 30 days to change it. **Davis:** I thought is said planning. **Warren:** Not planning or ARB. **Hardin:** I am going to say I am almost positive that it is the appeals for sure. With that being said, this is water, I don't want to do this anymore. Why were we not notified through the right process? Why was it not automatically forwarded to us for action? **Warren:** We were all here when I asked and the answer was, Council has that right and they were notified via email of the board meeting and the privilege with the report online. **Hardin:** The response from the Mayor was it was online like for everybody else. That was the response. Somebody needs to be held accountable. I have been put on the spot now. I want to know why we were not notified properly to give us the opportunity to do our job. Why were we not notified by the board secretary? **Warren:** The board secretary does

not have an obligation to notify council of that. That is what the law director told us. **Hardin:** Who was supposed to refer it to us? **Warren:** I was told when you know about the meeting, you have the opportunity to attend them.

Williams: That don't sound right. **Hardin:** A thousand years ago, Debbie referred to our clerk any item that required out action. Ask her. **Warren:** What actually happened Paul Grout made sure that the council clerk actually put it on the agenda. That's what actually happened. **Williams:** I think her point is there is someone that is responsible for notifying of information that needs to be seen. That process needs to be restarted. **Warren:** That's why I said to have it forwarded to clerk so we get it in our packets. **Hardin:** This should have never happened. It's enough confusion on such a big project already. But we have to go back and fix it. **Davis:** This contract with Kroger has a lot variances to go back in front of zoning again to add on. There are 5 variances that will need to be approved. There is a lot coming. **Hardin:** Right and there is double reason why Mrs. Williams was concerned about the involvement of council last night. How do we know which one we should be involved? **Williams:** There is an ordinance regarding the engineer that isn't being followed well. **Warren:** When you find it, can you send it to Mrs. Morgan. **Williams:** I passed it out at previous meeting. **Hardin:** And forward that to the administration. We want that followed Mr. President. **Williams:** Ordinance 111-10 (Clerk note: The correct ordinance is 1994-78 and is Section 1 read by Councilperson Williams) *'The Village Engineer is hereby authorized and directed to provide written notification to each member of Council of the time and place of all preconstruction meetings and further to provide prior written notification to each member of Council affected by any construction project over which the Engineer has supervision, of the scheduled day of the commencement of the project work in said Councilperson's Ward. In the event of the existence of exigent circumstances, the Engineer shall use his best efforts to orally provide the notification to the members of Council as called for herein.'* **Warren:** Let me just explain one of the things when you read that. It says preconstruction meeting. The preconstruction meeting means the building is already done. You are sitting down and explaining to the developer or contractor that now this is what you have to do (traffic barriers, etc.). That is what a preconstruction meeting. **Williams:** I talked to another municipal law director and a preconstruction meeting can mean a variance of things. **Warren:** I don't know what this other law director told you. I have been in construction my whole life. Multifamily projects.... **Hardin:** We are at that point right now.... **Warren:** I can get another law director.... **Williams:** If you are talking about the deal and what's going to be constructed, that can be considered.... **Warren:** No, it isn't. That is not a preconstruction meeting. You can google preconstruction and it is the meeting you have to explain the scope of work-and that's why they say the councilperson should be there-and the configuration of the job. But by that time, we already do everything.... **Gaither:** My buyer is getting ready to have a preconstruction meeting. He's done everything; survey, got the lot and all that stuff. Preconstruction is sitting down now with the builder to determine anything that goes into the building. It's already approved. **Williams:** If it was already approved, then you would know about it and it would be explained. **Warren:** They have a preconstruction meeting to explain. Every job.... **Williams:** You said it's already been approved. If it has already been approved, you would know the project. **Warren:** You already know the project but in a preconstruction meeting to anybody that wants to attend, you explain the scope of work, you explain the process of ingress and egress for construction matters, construction vehicles, etc., so that the Councilperson can tell that resident this is where the construction is going to be coming in at. This street is going to be blocked off. That is the point of precon meeting. **Williams:** What I would like to see is the minutes where this was approved. I would like to have that context because if it's already been approved, then you would know the details. So, why would you need this ordinance to say preconstruction meeting? **Warren:** Because of that fact that every job has a preconstruction meeting no matter. **Williams:** You said it has already been approved so you already know the details then. **Warren:** Exactly. That's what I'm saying. What they are doing is saying the councilperson has a right to come to that preconstruction meeting. Just like the road widening. The councilperson could have attended that meeting and said this is how it's going to start. But the deal is already done. **Hardin:** So, somebody right now may attend...*inaudible-mumble* ****Repeated explaining of what a preconstruction meeting entails by President Warren. **Williams:** But the opinion said she cannot discuss.... **Warren:** Well, let me just tell you. That's gone. The project has already been approved. You can talk about this the rest of your life to anybody. You are not completely locked out of it now. It was just that you couldn't influence the vote or the decisions that were being made. But now that it's done, you have every right as the councilperson to know everything that is going on with that project and articulate it now. That's a matter of record and it's on the recorder. **Williams:** Do you have access to minutes from this far back? **Morgan:** Probably. Warren reads definition of preconstruction meeting. **Gaither:** There is no need for the preconstruction because you don't have anything. If no contract has been approved and entered into, what do you need a preconstruction meeting for? **Warren:** Send an email to the engineer that going forward, any projects in Ward, the council member should be made aware of the preconstruction meeting and invited to preconstruction meeting in a timely manner. **Hardin:** I asked Brian to give us the information on the next exterior

maintenance project. The next work session, can we all be prepared to start working on updating that and that will be inclusive of the other wards based on income from the project when it starts.

MOTION TO ADJOURN by Davis; Seconded by Callender

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

MEETING ADJOURNED: 9:52 pm

Adopted

5/10/2022

Christine Morgan, Clerk of Council

Johnnie Warren, Council President

● M E M O

To: Council

From: Ed Hren – Village Engineer

Date: March 8, 2022

Subject: WS 2022-2 Solon Road Resurfacing Project



Good afternoon all,

Please excuse my absence from tonight's work session meeting. Unfortunately I had a previously scheduled event that I could not reschedule this evening.

I wanted to prepare a brief memo on the legislation which I requested and will be discussed as WS 2022-2 this evening. This legislation will authorize my Team to prepare final plans and specifications for the Solon Road Resurfacing Project, and to advertise for bids for the project if partial funding is provided by the Ohio Public Works Commission Small Government Program.

Earlier this week the District One Public Works Integrating Committee (DOPWIC) informed me that the application for funding which the Village submitted in September 2021 for the Solon Road Resurfacing Project has been forwarded to the Ohio Public Works Commission (OPWC) for consideration of funding under their Small Government Program.

The OPWC Small Government Program place a strong emphasis on a project's readiness to proceed when scoring applications for funding consideration. The plans and specifications were brought to a preliminary stage for the September submittal and my Team is able to bring them to a final stage and submit them to the Ohio Public Works Commission Small Government Program Administrator prior to the final scoring which takes place on April 1, 2022.

Completing the plans will maximize the project application score and give us our best chance to secure funding. The County has committed \$145,000 in funding towards the Solon Road Resurfacing Project and our OPWC application seeks an additional \$185,000.00 towards the estimated \$330,000 project cost. Securing the OPWC funds will meet our goal of \$0 cost to the Village. Council President Warren is very familiar with the OPWC Small Government process and understands the significance of having the plans completed as we've taken this approach on other projects.

If the OPWC funds are not secured we will not bid the project and will reapply next year. **As the due date for the plan completion is April 1, 2022 I will need to have the legislation considered for passage under emergency at the March 22, 2022 regular council meeting.** I plan on attending the March 22, 2022 meeting and will make myself available to answer any questions that you may have. If you have any questions prior to this please do not hesitate to call or email me directly.

Thanks for your consideration.