

VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES
May 24, 2022

ATTENDED

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

Tom Haba-Service
Daniel Marinucci-Building
Jim Climer-Law Director (via speakerphone)
Mark Garratt-Police

ABSENT

Johnnie Warren-President
Mary Davis-Ward 4

Ed Hren-Engineer
Carlean Perez-Recreation
Jim Schade-Fire
Brian Thompson-Finance
Gary Gottschalk-Mayor

Meeting opened approximately 7:07 by Gaither

Pledge of Allegiance and attendance taken.

Motion to approve the minutes from the May 10, 2022, Finance meeting by Hardin; Seconded by Matlock

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

Speaker: Dinah Mouat-Administrator for Southeast Clergy Meal on Wheels (see attached information)

Hardin: As long as the Law Director approves everything that we send out publicly, we can make our community aware of the services and to see if there are volunteers.

Clerk Correspondence:

Morgan: Nothing to report. Birthday notifications made.

Departmental Reports:

Service-Haba: We witnessed a cracked sealing today on the newer section of Broadway. The older section is too far gone, and we are not going to do but is supposed to be replaced next year. When they start cracking, we seal those up to make them last longer. We would do that tomorrow, but we received the call that the flowers are in, so we'll start to plant tomorrow morning. The Ford plant demolition was supposed to start this week. Found out that they had trouble getting equipment to start excavating, so they will begin next Tuesday (May 31st). They wanted to let us know to be polite and should only affect our traffic around Fair Oaks and Oak Leaf. This demolition could take up to 18 months. **Hardin:** On Forbes, are you going to do anything with where they went into the ground? We are not going to have to wait until Forbes is redone. **Haba:** No, they are going to replace that when they are done. **Hardin:** How soon? **Haba:** As soon as they are done with that part of that. I don't think I can get a timeframe on that part of it. **Hardin:** Another thing, when they are working on Forbes and Lynbrook, and this is to the Police Chief, too; that is a tricky area. I don't know if they need a flag person there. It doesn't happen that often, but you can't navigate a right turn from Richmond onto Forbes with that equipment. **Gaither:** They have someone there directing traffic. **Hardin:** Not when I went through. I'm saying what I saw. **Haba:** I will check with the chief inspector tomorrow to make sure that at the right times there is someone there. **Williams:** Morgan Ceramic where the building was torn down, do we know who is responsible for keeping that up? **Haba:** It is completely the City of Bedford. **Williams:** Do we have a contact we could reach out to because it looks horrendous. Or can I reach out to someone? **Haba:** You can. I can look into it. I went by today and I see it was all gravel and stuff. What area? **Williams:** Right as you turn on to Wright Ave. The grass is super high. **Haba:** We cut that sometimes. I am not sure if that is the borderline piece. We stopped a guy today and he cut Saturday, but he cuts from the hedges in. I told him next time just get the other side of the hedges, too. **Williams:** No, I am not saying we should, but I know people assume it so it's a reflection on us. **Haba:** We are not going to quibble over a couple of feet. We just asked that the next time he cuts it, to get the other side of the hedges so it looks nicer. **Williams:** I'll reach out to Bedford. **Hardin:** One other thing, the Forbes bridge was brought to our attention that it was in need of repair. I don't

think we ever did any real repair work or clean up underneath. Are we going to do any of that? **Haba:** Clean up was clean up, not repair. We checked all the bridges a couple of months ago and they were all okay. The structures themselves. Underneath, we can cut some of that stuff down. We have before and at your request we don't take it down too low. **Hardin:** But you did verify that all the planks are not in need of repair? **Haba:** I am not saying that. I look at the structure of the bridge, not the planks. **Hardin:** Are you going to paint it? **Haba:** We need to when we get time. That needs staining and needs painted. We talked about that fence last year and the Mayor had us put it on hold because he was thinking about using COVID money to put up plastic fence but that never happened. We repaired the fence about 3 weeks ago. But it's needs stained and repainted again this year. **Hardin:** Can you put that on the list since we are not getting a new fence? **Haba:** Yes. It needs it. Also, I'd like to thank the police department. I mentioned it a couple of meetings about the possible cameras because this time of year over the last 3-4 years, we get so many cement spills. We happen to have one yesterday at around 1pm and when I looked at it, there was quite a bit. I called the police department asking them to check the cameras at the gas station. They did find out which company did it. That company was cited, and we did clean it up. The company will be charged for that clean up.

Building-Marinucci: We're hiring a part time employee. Hopefully it's going to start on Monday. It's limited. The only function I am going to have her do initially for a while is the digitizing of the street files and get them into the computer. It's going to be a long process. Today I met with IT to make sure the digitizing works. We are having trouble where you put the big building drawings. All the 8 1/2x11, the permits, the hardcopies are all going to be digitized. We have some of it done but realizing there are 50 years' worth of documents that need to be put into the computers. **Hardin:** I left a note for Aaron. **Marinucci:** I talked to Lilly the same day and I was told he checked those 2 properties, so he's working that. I don't have the addresses, but I am working with him, and we are going to go out. I want to make sure it gets done and the follow up. You can see the system working. I put in the date (5/9) that we had for the mattress issue. It's terrible. I had trouble getting service. But we got it and we had to extend the time. The gentleman called-which is good-and asked for additional time. Aaron gave him more time. As soon as that date comes, that's it. He won't get a second date. It's 3-4 mattresses along with the other debris. **Hardin:** Those 2 addresses that I gave you are in really bad shape, and they have never been painted. Period. **Marinucci:** I don't know if this is the one. There are two houses that are in it that we contacted to paint it. I don't know if these are the two, but they asked if they can paint it in June. **Hardin:** And I did ask for verification of where trashcans should be placed. **Marinucci:** When we first move, we put a screen up. I'd like to hit everybody and say, "Put a screen up." I talked to the Mayor on this but I agree totally. **Hardin:** If you worked with the building department so we are consistent. The Clerk was in on this and all she could find was 25 feet from the house, but I don't think that is what are trying to enforce. So, we know what we're doing here, and we don't tell one person one thing and one another. Make sure we have the ordinances in place. **Climer:** I'm happy to do that. **Williams:** So, is that the plan to create legislation? **Hardin:** Whatever the Law Director says because what I read was being enforced. But when I checked, there wasn't an ordinance. So, I don't want them out doing one thing and there is nothing to support it. **Marinucci:** I talked to the Mayor, and it was screening is the best way to go. **Hardin:** We need some direction, so we are consistent. **Climer:** As I understand it, you would like for me to get with Mr. Marinucci to get on the same page about exactly what our ordinances say about the storage of trash cans, so we enforce that uniformly.

Police-Garratt: Wanted to give you the heads up about the flock cameras. One is installed right and the other 5 should be installed tomorrow. Richmond and Solon, southbound is up and running. A couple things they have to do is drop some extra power and various things, but all should be installed tomorrow to get them up and running. We just utilized some of those flock camera in another city on the thefts of the exhaust systems. Also, there has been a bunch of armed robberies going around Cleveland. The cars have been located in some of the burbs, Warrensville and Lyndhurst. The other thing that I want to give you a heads up on is I forgo the cars last year. Nothing is available for cars. They are getting police packages out for more tahoes. So, I will get the legislation out for the next council meeting for you to look at and maybe if we can entertain it, we can see if we can pass it and get the orders out this year. I don't know if we will get it before January, but we will have our order in to put us on the list. **Hardin:** *Discussion including Chief Garratt regarding the fatal shootings that took place in at Robb Elementary School in Texas on May 24, 2022 and the various other shootings.*

Law Director-Climer: No report.

Williams: The Finance Director is not here tonight, and I know we are on the 4th meeting which is usually the finance report. So, two things: I want to make sure that we don't lose some precedence. We had originally discussed a few years

ago if we cancel a finance meeting, which is a public hearing, that we should have some kind of notice as to why it is being canceled. But I am noticing that we have the finance reports for February and it's May. **Morgan:** That is because they are adjusting to the new system. They updated to a completely new system for payroll and everything. It's been a constant battle and they are just now getting caught up. He is almost done with March. He is hoping to have March and April in the next week or so. **Williams:** So, it's May. Just some type of notice that we are going to be 2-3 months would be reasonable. **Morgan:** I will let Brian know. And I ask Brian before each time whether he needs a meeting and so far, he has declined.

Public Comment:

Resident 1-Sharyn Macklin 7473 Oakhill Road: I have a problem with the house next door. I gave you pictures. There is a tree there I have been fussing and complaining about this for the last 7-8 years to come down. This tree, when it falls down, is going to hurt somebody. The part over my property, when it falls, it's going to tear up my car, it's going to tear up my deck and if my kids or grandkids are outside, it's going to kill one of them. If you look at the pictures, one of those big branches fell off in her yard. The grass has not been cut all year. On the side of the house, there are weeds growing up. There are mouse running all over her yard. She had an exterminator come out and he told her there was nothing he could do because the grass is too tall, and you have mice and moles digging tunnels everywhere. I don't need that. I'm scared of mice. I don't need that. My husband is killing snakes coming from over there. Something's got to be done with the landlords who get these houses and don't live in them and let them go to rot. This is bullcr*p. I don't feel like I should live like this. I have lived in OV all my life and I have never had to live like this. This house needs to be.... She sleeps in the basement, and it's flooded twice she told me. There is black mold down there. She sleeps down there because she doesn't want her kids to have a room to themselves. The kids ran into the garage door and tore it up with the lawnmower that they should have been cutting the grass with that they are not doing. Now, her garage is open, so now we are going to have animals running in and out of there. You get rid of them in one place, and they will come to the next place. **Gaither:** What is the address? **Resident 1:** 7465 I think it is. It's time for this tree to go. This tree has got to go. If this tree doesn't go, something is going to happen to it. I can't tell you what, but I'll figure out something. This tree has got to go. If one of kids gets hurt, there is going to be a serious problem. They told me to make sure I complain so if something happens, their insurance will have to pay for it. This girl calls this landlord who says, 'Well, I'm not doing it.' Well, what are you going to do? This girl has something where her rent in paid up until July, but I got to live like this until July? Her backyard is worse than my farm where my cows feed. It's terrible. She has a swimming pool she bought that they put together. Never put water in it and it's flipped upside down and there is water on it that has been there for over a year and there's mosquitoes. Why do I have to live like this? Why does she get to live in a house and do nothing? If you're renting, then you know what you got to do. Cut the grass. 'Oh, I don't do grass. I don't come in the yard.' 'Well, you got to do something. Don't tell me what you're not going to do. I don't like living like I'm living next door to you.' I'm of the snakes. I'm tired of the mice. I'm tired of all this cr*p. The skunks, the (ra)coons are all living over there. It's crazy. Why do I have to live like this? Why do people buy these houses and do nothing with them and putting people in them? That girl pays \$1,100 a month. First of all, I wouldn't pay that amount for that house. I would not pay it. If I pay \$1,100, I am moving out of OV, a new part of OV, something. It won't be on Oakhill unless I build there, and I still won't pay \$1,100. But you are living like that, and you're satisfied with it? The kids play in the street, and they don't get out of the street. When I come down the street, they run because I told them; 'When you see a car coming, you move.' They don't do it. They stay. Then they had their friends come out and the neighbor across the street had to tell him to watch his mouth. He's out there cussing and acting a fool with the kids. The lady across the street had to tell him, 'Could you please watch your mouth and turn your radio down?' I know my kids play their music loud, but my kids know when and when not to do something. They are grown. These are grown people I'm talking about. I just can't live like this anymore. You came and seen that tree (to Mr. Haba). **Haba:** Yes. **Resident 1:** It needs to come down as soon as possible. **Haba:** I went and looked at it and Ms. Matlock looked at it the day before. We don't have that responsibility to do that. I told her to check with the Law Director. In a lot of cities, if it is over your property, you can cut it if you want. **Resident 1:** I am going to cut it down and drag it back to her yard. **Haba:** I am not going to tell you what to do. ***inaudible-multiple voices* Marinucci:** This may be part of what she is saying, these LLCs are driving me crazy. Yesterday, I had 4-5 hours trying to figure out, you have LLCs, you have names that don't correspond with anything, telephone numbers that do not work, statutory agents that are out of state. And yesterday, I ended up calling this law department, but it wasn't. It was the lawyer who did the foreclosure. He gave me a telephone number and Aaron has been trying to chase it down. What she is saying, and I don't know if it's specific for this house, but they are paying \$1,100 for this house, \$1,900 a month. Part of what we tell them is put your monthly money into and escrow fund. We

tried to get the telephone numbers or an address to somebody to sent it to. I know exactly what you mean. We have LLCs in Israel that controlling properties here. I feel for what you're saying. **Gaither:** Can we find out the owners of this particular property? **Resident 1:** I told her I was coming up here and I told her I was going to complain. Because I told her she didn't have to live like that. Your kids should not have to live like that. I can rent my house for \$900 if you want to pay some money. But you're living in an \$1,100 house that is not more than \$500 if you're lucky to get it. You're complaining about all these bugs and things running around your house. You are complaining about mice running around your house. You're complaining about (ra)coons at the door. Now, what's going to happen with the garage door? There's going to be (ra)coons. What makes it so bad is that the girl who used to live there, used to catch skunks because her sister-in-law would raise skunks. So, she would let the skunks go into this place and she would take the babies to give to her sister-in-law. So, the skunks are used to going in there. The put a piece of wood over there. Then how long is that going to last with the snow and rain, and it rots away. It's crazy. Something has got to be done with this property. **Haba:** I said the tree, we won't take the responsibility on going there and cutting that tree because then we are liable. But as far as the grass goes, I will get together with Dan and have his housing inspector give notice. They will have about 10 days and then we will cut the grass. **Resident 1:** I got to wait 10 days? **Haba:** We have to give them notice. **Matlock:** The question is to the Law Director, is there anything else we can do since this is an LLC for our renter? ***inaudible-multiple voices*** **Marinucci:** Get a copy of her lease. **Resident 1:** I'll see if she will give it to me. **Marinucci:** That will give me everything I need to know. There should be a contact. We will put out a notice tomorrow morning. ***inaudible-multiple voices*** **Gaither:** Between Mr. Marinucci and Jim Climer, there will be some resolution. **Marinucci:** I will be out there tomorrow and put the notice up. ***inaudible-multiple voices*** ***Ms. Matlock repeating and explaining in more detail of the situation to Mr. Climer*** **Matlock:** I have been there to see the tree and it is a safety issue. The tree is all broken up. The limbs are falling over into her property. It does need to come down and it does need a resolution. We are running under some type of legal issue with this tree if we cut it down. What would you suggest? **Climer:** We had a situation a while back and our ordinances are a little vague on the matter. I think the last time around we resolved by agreement. I will take a look at it and give Tom a call tomorrow. **Gaither:** This is rental property as well. **Matlock:** Is there anything that we can do with this being rental property and it's not being held to what it should be for the community as far as animals, mold, flooding, etc. **Climer:** We can gain voluntary access for an inspection from either the tenant or the landlord. The person that has possession has the authority to let Dan in. If they do not cooperate, then we can look at the exterior conditions and see if there is probable cause to get an administrative warrant which worked very well in our last situation. I will talk to Dan and Tom tomorrow with options both on grass and on the tree and the potential for getting an inspection. **Resident 1:** She asked me a while ago could I get somebody to inspect the house. **Gaither/Matlock:** They are going to do that. **Resident 1:** She will let you in to inspect it. **Marinucci:** That has to be put in writing but to answer your question, yes, that could be done. That will not happen tomorrow, but we could set it up. There is a form that needs to be fill out and signed to let us in. ***inaudible-multiple conversations*** **Matlock:** We have to move on this. There is safety and health issues. We have kids there. There is mold. **Marinucci:** If there is mold, she will have to leave. **Matlock:** If that's the case, so be it. The point behind it she can't live in an unsafe environment. **Marinucci:** Also, understand, there is nothing keeping her there. **Matlock:** There is nothing keeping her there but now that the rabbit hole has been opened, we need to go ahead and crawl in it. **Marinucci:** I will have her call legal aid.

Resident 2 Bernice Butler 7217 Lynbrook Drive: I have addressed this with you all before. This is about the ravine between the houses on Lynbrook Drive and Richmond Road. Still having problems with it. There's water coming down there. But because it was so cluttered, the water will stop. The water is coming into my backyard along that line. I brought this to your attention before and Mr. Haba, one of your guys came out. Then went up and down and looked at it. One of your guys said to me, 'they own half of this, and you own the other half.' I've never been told this since I have been in OV. Is that true? Is that true that I am responsible? **Haba:** I could find out. I don't believe we have an easement there. It's correct. Wherever your boundary line is you are up to his property. I imagine that is the case. **Resident 2:** I need to know that for sure. **Haba:** I will give you an answer within a week. **Resident 2:** Because what happens is they build those houses on Richmond Road up an incline. So, they just throw their things down in there and nobody even tracks that ever. I want to be able to go into my backyard and not be walking in mud all the time. Those trees have been there since 1970. Some of those limbs fall down there all the time. There is one tree over the line behind my house. I went to the owners, and I said, 'Let's have that tree cut down. If you pay half and I'll pay half.' They laughed at me and said, 'it's not bothering us.' No, it's not because it's leaning that way toward my house. I am tired and I would like to live the rest of my life in OV. But it's things like that, I can't make it happen. That's why we have you all. **Haba:** A lot of times like that, it's a civil matter. We don't have to power to tell that man to cut his tree down. I am not sure what it is in OV, but in most cities, if something is hanging over your property, you're allowed to cut it. Anything hanging over

your property, you can take care of. **Resident 2:** And our lives will be in danger. Can you imagine me hiring somebody to cut that tree? Like one of neighbors whose tree hangs over my fence, I go out there with a thing and try to cut it, it's too threatening for us to do that. **Haba:** I understand but the city cannot go on property and go do that. **Resident 2:** Then can it be addressed? If it's true that I own part of it and they own part of it, let me know and I will try to do the best I can. I intend to live in that house until God calls me home. **Gaither:** Mrs. Butler, he's going to check to find out who owns what. **Resident 2:** I have been here since 1970 and nobody has ever said when they built those houses.... Lynbrook was there before a lot of the houses on Richmond Road, and nobody ever said, 'okay, you own half of this ravine, and they own the other half.' **Gaither:** He is going to check that. **Haba:** Yes, we will check it. With neighbors, wherever your house busts up to, that is where the property line is unless there is an easement in rare instances. But usually, wherever the property line is, that is a shared property line. But I will look into it. **Resident 2:** Let me know. If that is true that I own that, then I will do what I can to make sure that water doesn't come over into my backyard. I have a shed sitting there. I am afraid to go into that shed. **Haba:** I didn't see if my guys were out there, but they said it didn't look too bad. But if it's something, we can dig a little trench for 45 minutes, we'll do that for you. I will find out. If there is something we can do to appease you with a reasonable amount of effort and time, we will try to do that for you.

Floor closed

Legislation:

Res 2022-35

Introduced by Mayor &
Council as a whole
1st 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 PREPARATIONS 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

Hardin: Is this the one where we owe the \$50,000? What were the dollar amounts? **Climer:** This was prepared by Mr. Hren. **Morgan:** Mr. Hren will be here next meeting and he will have another piece of legislation. He will go over both then.

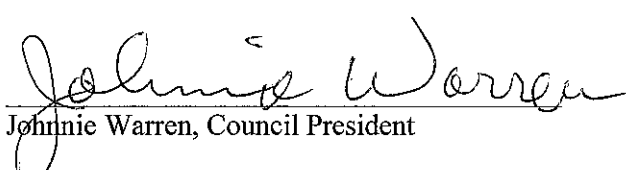
MOTION TO ADJOURN by Hardin; Seconded by Callender

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

MEETING ADJOURNED @ 8:18pm

Adopted


Christine Morgan, Clerk of Council


Johnnie Warren, Council President