

VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES
August 23, 2022

ATTENDED

Johnnie Warren-President
Elaine Gaither-Council at Large
Chris Callender-Ward 1
Paggie Matlock-Ward 3
Mary Davis-Ward 4
Candace Williams-Ward 5

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

ABSENT

Eloise Hardin-Ward 2

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

Meeting opened approximately 7:00 by Warren

Pledge of Allegiance and attendance taken.

Motion to approve the minutes from the July 12, 2022, Finance meeting by Gaither; Seconded by Davis

VOTE YES: Gaither, Callender, Matlock, Davis, Williams **Abstained:** Warren

Motion to approve the minutes from the July 12, 2022, Council meeting by Davis; Seconded by Gaither

VOTE YES: Gaither, Callender, Matlock, Davis, Williams **Abstained:** Warren

No Clerk Correspondence: Attended leadership training

Special Presentation in honor of Rita Bogucki. Thank you for your years of service!!

Departmental Reports:

Police-Garratt: Obviously we covered Rita's retirement. I want to pass this along about the police department in conjunction with University Hospitals is putting on the Teen Driving Rodeo. It's a hands-on workshop for parents and teen drivers. We will have it down at the shopping center by Levin's (**see attached flyer**). Before your break, I mentioned to you about an old homicide case; a cold case we had from 1976 and how interesting it was to get this information. If you remember, and LA reporter called me, and they had the largest bank heist at the time in history in 1974. Our person that was murdered was part of this organization and it led to other homicides. The information we got helped us solidify the case. The players have all moved on or passed away, but we have been able to piece stuff together sharing stuff all the way from LA. Ironically, I got a call from Rhode Island, and this is party interested in one of our homicide cases from 1970. The reason they are interested is they have a missing person they suspect is our person that was never identified. So, we are working with this person today with the Cuyahoga County Sheriff's Dept and coroner's office and going over to see the updated information and get our DNA. At the time, there are some really cool stuff that was done by the coroner's office in 1970. They actually kept parts for future identification. If they still have those parts, we'll find out. The saga is going on but it's interesting in the '50s, '60s and '70s, we have a couple boxes full of different homicide cases. Some of them weren't solved and we are getting interesting feedback with data and communication the way it is these days, it's cool. We are working another one, so I will let you know how it develops and the outcome. We are excited. **Warren:** Do we have a lot of cold cases? **Garratt:** I don't consider it a lot, but any is a lot to me. It's nice to get information to regenerate these because a lot of these cold cases they lack a lot of evidence. Part of our problem with this case, our report was 3 pictures and a news article. Because it's been on the shelf since 1970. Some of those get mixed up with other things. Fortunately, with the Sheriff's office, we can put the case back together. They had jurisdiction at the time. We both did but the Sheriff's office did most of the work. It will be an interesting development and I will keep you apprised of what's going on.

Service-Haba: The only thing we have out of the ordinary is the breakouts. We did the bridges and fixed any damage woods on the two main walking bridges. We stained them all and put preservative on them. Other than that, we are still

crack sealing. We are on Richmond Road now. When we finish Richmond, we did basically all the main roads. We have not hit Broadway on the way to Twinsburg because that is going to be redone in couple of years, so we won't waste our time with that. All that money gets reimbursed from the county. We get the materials from a company, and they give it to use cheap or for free if we buy it from them. Then the county reimburses the material that we use on the county roads. So, we just pay for our labor. **Davis:** On Broadway in front of Roseland, where they cut off.... **Haba:** That was a water main break for Cleveland Water. That is going to be expense to fix. We patched it now. There is a big hole there and they just fixed their broken line, then they leave it, and they fax me a letter. That's what happens every time. We're supposed to be reimbursed but sometimes we aren't reimbursed anything. We sent the paperwork in, and we very rarely get 10% of what it costs. That one right there, we got a price from one company that was \$25,000 and I got another price for \$17,400. **Warren:** Is that the responsibility of Cleveland Water is the main line? **Haba:** I am not sure where the break was. It might have been fire lane going across the street, but it was one of theirs right there in the right of way. They fix the break, but they don't fix the damage. **Warren:** They don't patch it back up, but they backfill, don't they? **Haba:** They backfill that because it's all concrete under that road and when we do that road 2 years from now, they are only going to take off the top few inches because it's concrete below that. We got to go down where they went into the concrete; they went pretty deep and patch that whole all the way up. That's why we have to get a contractor for it. We have patched the holes and it's holding nicely right now but it's not going to hold forever.

Law Director-Climer: At our last meeting, there was a question on how the Cleveland lead safety program gets into houses for purpose of inspection. The answer: they don't. They require the building owner to get a lead report from a certified lead inspector specialist and there are not 4th amendment issues in terms of entering that house. We have done some work on other cities, and they are basically doing what we are doing in terms of entry for POS inspections which is we do an exterior inspection. If we can be admitted by the resident without an objection, we will do the inspection. If not, if there is probably cause from the exterior inspection to get an administrative warrant to inspect the inside of the house, we can do that. One thing I want to address with Mr. Marinucci is the potential for doing essentially what Cleveland does with its lead safety program which is, 'okay buyer and seller, you come up with a report from a certified building inspector and maybe use that. **Warren:** The report would have to come from a certified lead risk assessor. The assessor is the person who has the XRF machine that he can shoot different items where lead hazards mostly come from objects like windows and doors which are primary lead hazards. I believe that you can get a report that can be honored through the courts of the state unless it's from a certified lead risk assessor. **Climer:** I am talking in terms of our POS inspections. Doing a similar kind of thing that the owners would have to come up with. **Warren:** But they would have to get it from a certified risk assessor. **Climer:** I will discuss it with Mr. Marinucci, and we may have.... **Williams:** You're not specifically talking about lead. **Climer:** I am talking about doing potentially something similar with our POS program which may take some of the onus of the building department trying to get warrants. One other thing, there will be some legislation coming your way next week on the Interstate McBee project. It is a TIF agreement. That agreement takes what has already been agreed to in the development agreement, packaging it up in contract for purposes of the TIF. There are no substantive changes. It was basically taken right out of the development agreement. **Williams:** You said there are no substantive changes, are there any changes at all? **Climer:** There may be a word or two different. It's not like we cut the exact language out of the development agreement. A lot of it is the exact same language. All the numbers are the same. **Warren:** Would we be able to recognize some of the differences when reading the agreement? **Climer:** As a matter of fact, I will give you the agreement and the proposed development agreement section on the TIF agreement and give you the TIF agreement ahead of time.

Building-Marinucci: When it comes to the POS, it's heavily weighted exterior only. We're not inside a lot of the houses and it's a shame. It's a shame we couldn't get into that house earlier (Oakhill) and that particular house is up for sale. We gave them a notice if they are not going to do anything, I am condemning it. If they are going to do something, then it has to be code compliant, and they will now be allowed rent it out again until it becomes compliant. If they sale it, they have the right to pass the violations to the buyer. The buyer will have to bring it up to code before they can move into it. **Warren:** Have you got a chance to do a POS inspection on the inside? **Marinucci:** Yes. We identified all. **Warren:** So the new buyer will know what they need to do to correct it if the seller does decide to put the responsibility on the buyer. And that same concept, the house on Robertdale up around Columbus (the one with the well), that's up for sale. And it's going for \$174,000 and I think I would be tempted to pay that. Whoever buys that is starting from square 1 on it. They're going to need drawings; square 1. That's the same concept that whoever buys that has a nightmare to go through. There's a lot of violations there. **Matlock:** In the meantime, while these homes are being placed out there on hold for someone to purchase, the maintenance and the upkeep around the home, who will provide that? **Marinucci:** We are.

Haba: No. We have cut it a couple of times this year. They request that we did not cut it. **Matlock:** So, is there anything that goes out to them to make them aware that no one is cutting the lawn and it is their responsibility.

Marinucci: Yeah. That is still in court by the way because Ross is working on it. He made a request on it just last week but there is a disconnect. They said they hired a lawyer, and they didn't show up. There is a disconnect on what's going on. **Gaither:** That's the Columbus property. You are talking about the other. **Marinucci:** The issues are the same with those, too. Lori Young is the liaison for the Oakhill property. **Matlock:** Now is there something that we are going to try to do or put in place that could help. These LLCs that are buying these homes and they're not keeping them up inside of the area and they are an eyesore. Some of these homes are eyesores for some of the individuals who own homes around these, it's becoming a habit. The one on Oakhill, the trees are falling and it's causing rodents to come into the yard because the grass is not being cut. It is a problem, and I am thinking Oakhill cannot be the only street with a home from an LLC. **Marinucci:** We have more in OV. **Matlock:** I have talked to people outside of OV and they are having the same issue. **Marinucci:** There are a few. **Warren:** We are writing violations on the homes? **Marinucci:** Yes.

Warren: At what point does it, especially for an LLC, we can probably search and find assistance for a homeowner that is a OV resident. Although, the renters are an OV resident, it's incumbent on owner to keep and maintain the property. So, at what point do we take the LLCs to court? **Marinucci:** After they have been notified. The next time on the one that is going to court, they moved out and they are selling it so there is no reason to take it to the next step. Once we get service, we take them to court. **Warren:** How many pending cases do we have? **Marinucci:** 3-4. One on Pettibone that's in court now. The property you brought in the office the other day, the letter has been sent out and we are not ready yet to file. I am going to get together with the Chief because it's on 4 unregistered cars and one of them is on jacks. We will file next week on that. It was 10-14 days and as of today it was not ready. **Warren:** Because we would like to be more aggressive than that. I don't know if you have a protocol on how many violations or notices you give before they go to court. **Marinucci:** It's on that report you get. We give them a notice and if they call and request additional time, we allow it. Then some comply. Especially the car issue. **Davis:** The ones that have the violations that are now being sold by their owners, who coordinates for the new buyer that makes sure they are notified about all the violations? **Marinucci:** The way it works is the POS, you can't transfer the property through the title company without the POS. That's a beautiful aspect of it. Right now, we have a problematic LLC that we sent a letter today that says, 'if you want to appeal it, you have to go to Columbus.' If we can't get inside there is a problem with this. If we can't get inside, who knows what they're doing. **Warren:** Then, we go to court to get inside, right? **Climer:** You have to have probable cause to believe from an outside inspection that there is some sort of problem inside. **Warren:** Right. 9 times out of 10 if there are problems on the inside, there has to be a problem or a violation that will give you the segway to go inside. I believe that is what Mr. Marinucci is saying is that if you know there are issues on the outside, but you can't get inside. You are probably making the assumption that the inside got to be worse or possibly worse than the outside. **Marinucci:** Does doing the work on the inside without proper permits, so you can make sure the electric is done right if we are doing the work for the inspections? **Warren:** Uh huh. **Marinucci:** That is the biggest part that I am upset with and the plumbing. The plumbing today is different from the plumbing 10-15 years ago. It's all different. **Mayor:** I am counting on the law director to put 'teeth' in this legislation. It doesn't necessarily mean that we need to go to court to get inside the house that the renter can't lease the house out unless he approves us going into the house. **Climer:** The renter or the person living there has the authority to let you in. Even if the owner doesn't want that to happen. **Mayor:** Maybe that is what happens without an occupancy permit being given until that process been taken care of. That's what we want to have happen. **Climer:** There are ways to work through this without getting bogged down in a ton of red tape and without violating the law. **Warren:** But the one thing you've got to realize is although the occupant can let you in, the occupant is the renter and we don't know what kind of intimidation the occupant would feel that if the owner found out the renter let the city in and violated the house, they won't renew their lease. That's probably why you don't get the cooperation from the occupants. We have to be sensitive to that, too. **Marinucci:** Oakhill: The day the inspection was done, she got notice to leave. And think about it; if you're the landlord and you're going to sell the property, why would do you want it to be vacant? **Warren:** Because he is wanting to drag it out and the next thing you know, he is going to be back to renting that house. He just moved that person out. You'll find out in 3 months, that house is going to be rented and owned by the same person. **Gaither:** Someone mentioned to Paggie and myself about residential property that is being used as a business. Is there any way to call the property something other than residential in a residential area? **Climer:** We have provisions for home occupations and home office in our ordinances. Basically, it has to be less than 300 sq ft, has to be part of the main residence, has to draw no more traffic than can be parked in the driveway and only the residents are supposed to work there. Things that are sold there, have to be produced on the premises. But in terms of getting, it rezoned to general business.... **Gaither:** You have a house that someone bought as a business. They bought the house to rent it out and it's a business to them. **Climer:** So, the business is the rental of the house? **Gaither:** Right. Is there

anything that can be done about an LLC buying a group of houses to rent out to make money. Is it residential or is it commercial? **Climer:** It gets tricky, but we will look to see how far we can push that. **Warren:** We have to first start out with how the county identified the house as residential or commercial, too. **Matlock:** Even in a residential area? **Warren:** Even if they are in a residential area and they are already zoned commercial, then it is zoned with the county as commercial. You will be surprised that I have run into houses that are zoned by the City of Cleveland as multi family or something like that and those things have to be worked out. But the county is the one that you basically have to comply with as an overall identification of residential or commercial or general business. **Climer:** I think that is basically for tax purposes. They have got to list it as commercial for purposes of appraising it. That doesn't govern the permissible use. **Warren:** But if a person wanted to change the zoning from commercial to residential, how do you do that? **Climer:** They would have to put it on for a referendum just like anybody else selling property. **Warren:** Then the whole village will have to vote on it? **Climer:** Yes.

Finance-Thompson: Just a recap, we had our finance committee meeting. I reported that the general fund collected over \$6 million. We spent about \$5.1 million, and our ratios were in line with where they're supposed to be through 7 months of the year. Also, we touched base that the rec program is pretty much done for the year and their ratios are in line as well. Just want to note that our next meeting will be somewhere around September 26, but I will nail that down with the Council Clerk. Letters will be going out by the end of the week to start the 2023 budget process. I am going to ask the directors to start compiling the information to turn into finance. **Gaither:** Can we get that done by the end of November? **Thompson:** Yes.

Mayor: With Dee here, we are going to show highlights from the last 2 concerts which were phenomenal (Staying Alive, Bobby Wilson and the Chiclets). And I am going to show a very prophetic statement back in 1965 by Paul Harvey. (**Video presentation of 'If I Were the Devil'**). I gave you all a red folder and you will see I have been criticized from those in Ward 4. I was hoping to have back 3 years ago some office buildings there. It turned out to be Kroger. We voted on office buildings and at the time, that's what I was hoping for but now you can see Progressive Insurance are selling all 5 of their office buildings. They are all up for sale. The Council President can tell you what's happening to some of those in Cleveland. They are being turned into apartment buildings. The other point is University Hospital in Bedford. Bedford had filed a restraining order closing the emergency room, the surgical department, radiology, and inpatient services. The response by Bedford was that '...this was reckless and racially insensitive since it affected Bedford, Bedford Heights, Maple Heights, and OV predominately African Americans.' Very unfortunate statement. What's most incredible is this: Let's say the court does reverse their decision and wants UH to reopen. You will never be going to back to the emergency ward in Bedford. Neither will Bedford Heights. Marymount Hospital would be where they're going. We aren't going to a place that is understaffed and in fact already for the last 30 days, had the fire department going to Ahuja anyway or the resident wants to go to Marymount or South Pointe, they can. We are not going to an understaffed place where if you went there, they could only handle about 1/3 of the people that are brought in. What has University done? UH is understaffed as well as just cutting back because of population. As an example, Maple Heights population has dropped from 38,000 to 22,000. But on top of that, they weren't able to keep their own people. What they have done is transferred those that were still there to other facilities where there is enough staff to be able to treat somebody professionally. In the case of OV, Ahuja is 4.8 miles or 6 minutes. Marymount is about 4 minutes and South Pointe is 3 1/2 minutes. These are adequately staffed. Interesting enough, Cleveland Clinic themselves is having a job fair in about 2 weeks because they feel they are understaffed in Marymount and some of their other facilities. This is exactly why in our summer camp program, we promoted as one of the classes, the careers that are available and are in the medical field. **Davis:** How long is it to take for the Bedford decision to be made? **Mayor:** It's irrelevant because we won't be going there anyway. I don't know. We are not going to go to an understaffed emergency ward. **Warren:** Did you say that Bedford wasn't going there either? **Mayor:** Bedford fire department is already working arrangements with Marymount. **Williams:** I had residents that called over the summer about the McBee and the WM projects. Particularly on North Lane, the landscaping and trees being removed. Not all of them are here and I believe one of them may speak but can you give a recap? **Mayor:** Because of the concern and in fact there was a letter brought to my attention from the US Army Corps of Engineers (USACE) about having a meeting to ask if they were interested to hear them. It had to do with Army Corps, part of the area that McBee is in is a wetland. But it's not currently where they have been working. It's further back. I want to ensure the residents of North Lane first that are adjoining the property that their property is not affected in anyway by what the Army Corps sent about Interstate McBee and complying with federal, state and our own laws regarding screening in the springtime. They hope to be getting into the building about August. We will be doing mounting and screening from the backyards of the residents adjoining in part with North Lane property. Those are the

two plans in place. **Williams:** So, if the residents are seeing trees cut down, there is a plan in place for those trees to be replanted? **Mayor:** Incredibly right now those of the mini swamps and a couple of the back lots of the residents right now before this project even started was caused by them cutting trees down. However, as I'm saying, everything will be in compliance. Their properties are not infected and what we are going to be doing, once they finish the earth work, etc., where the building currently is, we will be putting a mounding up to screen the facility from the backyards of the residents on North Lane. That will be done in the spring, and we will work with yourself and those residents on North Lane. I think the biggest concern was when they heard of this notice because it appeared that their lots will be affected, and they have to comply. That is not the case. This is normal protocol when a facility is going into a site that is a wetland. It is McBee having to go through this and is not affecting the homes on North Lane. **Davis:** Premier: You were going to have those trees put back up... ***inaudible-Mayor & Davis*** **Mayor:** The issue with Kroger has been slower. With Interstate McBee, dealing with the CEO who is a classy person. Dealing with him, his finance person and his legal person, so I have been talking with decision makers. In the case of Kroger, there are 5 different committees we're talking to and none of which themselves made the decisions. This is taking longer. I alerted Premier that I was not happy with the situation but as I saw the environment changing, that I no longer feel that office buildings will be able to work. **(Repeat of the funds expected and program expected from Kroger).** **Davis:** But Premier is supposed to be putting the trees back... ***inaudible-Mayor & Davis*** **Mayor:** ...the Bacerina (sp) property on Alexander will be this fall, and the spring, enclosing the north side from where the mound currently is, the property line. Now the south line to the property line. **Davis:** So, that spring Macedonia will be spring.... **Mayor:** No, I want to see Macedonia done this fall. **Davis:** And the trees on Alexander, the trees.... **Mayor:** The trees on Alexander will be this fall. And Candace, again, we will work with the people on North Lane to assure they don't have any anxiety in terms of that notice and that we will be working and screening in the springtime where dirt will be done around where the building is.

Public Comment:

Resident 1-Pat Malone 22796 Drake Road: Question for Chief Garratt. I was here in June, and you had said something about decals that said, 'No Solicitation'. **Garratt:** We have them up front. You can get them at the front office. **Resident 1:** Was there anything sent out to the residents stating.... **Garratt:** We just got them in. There are a couple of good stacks at the front office. Somebody had it in their letter, but we will make sure it gets out on the Village Website. **Mayor:** Mr. Law Director, can you give us a paragraph about why this is being done so the residents can understand the legal ramifications. **Garratt:** There are stickers that we had made up that say, 'No Solicitation' meaning that people come here and get permits to go door to door to sell. If you have that sticker on there, you have that on there, they are not allowed to knock on your door or try to sell you something. If they do, they are in violation, and we can cite them. **Resident 1:** I notice as I go through Macedonia Road in Macedonia that they have, 'We support our police.' Now, is that something that we have to buy or that you can look into? **Garratt:** I can look into it. Usually, PD hand those out. **Gaither:** Is that something on the ballot? **Resident 1:** A couple of minutes ago, I thought you said there may be up to 1,000 robots at Kroger. **Mayor:** Yes. **Resident 1:** When this all started, it was going to be 500. **Mayor:** They indicated it will be 1,000. **Resident 1:** I am saying what you said. I'm not saying what they indicated. When is the project going to start? **Mayor:** The ribbon cutting may be the spring, but it will be a year and a half before they are actually operating. **Resident 1:** You were expounding about the amount of money we are going to get after the 3rd year. **Mayor:** Because of the guarantees they have given us, in fact we can be getting collateral from that for road improvement, etc., once they even begin the foundation. Very unusual but again Armond Budish couldn't believe this was part of the agreement. **Resident 1:** So, you said road improvements, which is why I am here. At the last meeting, bids were going to go out. Have they gone out? **Mayor:** They went out and we only had 2 bidders. **Resident 1:** When? **Mayor:** I wasn't here when they went out. It was in July at some point. There were only 2 bidders. They were overbidding and we are going to be rebid. The county is going to supplement any difference, so we don't spend anymore than what we were going to in early spring. **Resident 1:** I am talking about Fair Oaks and Oakleaf. **Mayor:** Fair Oaks first. This is the land; this is the roadway from Alexander back to Broadway running parallel to 271. **Resident 1:** I live very close to that. And I listen to the traffic. Are you planning on getting this done? **Mayor:** Businesses themselves are wanting to have this happen as well as the residents. You're down there and the trucks going over these ruts is such a terrible noise. **Resident 1:** You have no idea. So, you are not waiting for Kroger to start their project to do that. **Mayor:** No, this is happening. Again, only because only 2 bidders. We have another bidder ready for the springtime. This will be happening. I will bet my life this will happen in the early spring. ***inaudible-multiple voices*** **Resident 1:** Oh and you were talking about putting up trees where the expansion is going. Don't hold your breath. I got promised we were getting some kind of screening which we have never got. **Mayor:** Well, this is when the road project is done. **Resident 1:** No, this was before the road

project was even on the agenda. We were going to get trees, we were going to get this, we were going to get that. So, far Drake Road and High Road and Fair Oaks have got nothing. Just more noise. And someone mentioned this to me: At the time that 271 was being resurfaced, there was a cement plat right across the street. Why didn't we utilize that? Couldn't we have talked to ODOT or somebody? **Mayor:** All I can say is welcome trying to work with governments. You see the inefficiency and ineffectiveness. **Warren:** The other thing is, they go out for bids on these projects, and you have to have performance bonds, payment bonds. It could have been a possibility that the company couldn't perform at the volume that they were expecting. **Resident 1:** But wouldn't you in the initial talks that I am sure the Mayor had, with whoever did ODOT expansion, wouldn't you have not sent it sooner? That's like when I asked last year, why don't we have a wall? Because nobody wanted it. **Mayor:** No. Our engineers work for 23 communities including walls. In most cases unless the street is running parallel to the road and not perpendicular, the case of High or Drake, they are ineffective. **Resident 1:** I have listened to this for years that we are going to get some kind of resolution and now we have to wait until spring. **Mayor:** What about the people on Forbes where Richmond Road is, they have been waiting 6 months for a simple stormwater and sanitary pump to be put together because of the shortages in supplies. **Resident 1:** Mayor, I appreciate that thought but I don't live out there. I live on Drake. I hear that. My neighbors got me a very nice rocking chair to sit on my front porch. Do you know how much noise? Even when it's not busy. I guess that means we are not going to get anything done this year. **Mayor:** Well, the other thing you are saying about the delay; until we realize what Kroger is requiring and what we were requiring in terms of traffic coming from Alexander onto Fair Oaks, that would change about 1/5 of that road anyway on the intersection from Alexander to Fair Oaks. So, if fact we had done this a year and a half ago as an example, that road would have had to be re-ripped. **Resident 1:** Again, I am disappointed. **Mayor:** I am too. I wish that we had enough bidders so this project could get started and it would have been completed. **Resident 1:** How many people did you send out bid requests? **Mayor:** We are talking about the best engineering firm and our Council President will agree; Chagrin Valley Engineering. **Warren:** What they have to do in any of these projects is they have to advertise. They advertise in the paper. The state or whoever your funder is calls for you to advertise for 2 weeks. They have it in the application for the funds that you are pursuing. So, that's what generally happens. They have to advertise it. Sometimes the developer or the community that has contractors they know specifically, so they will give them special advice. But they have to give a general invite and it has to be somewhere publicly accessible. **Resident 1:** I know part of that. **Warren:** The article has to run for two weeks.... **Resident 1:** ...so long to put those requests out for bids. I saw all kinds of construction going on earlier in the year. So, when do they send out their bids? **Warren:** What happens is sometimes you can do prep work. You can prep the site and everything but not do the bricks and mortar part of the construction and if you do, you lose the opportunity to get a grant. If you apply for a grant and give them the scope of work, you can't do any of that work until the grant is obligated to you. Any work you do on the outside, first of all, it gives whoever did that work lien rights on that property. That's why the state and federal government says you can't pursue or do any work until the grant is committed and obligated to you. Plus, you have to get the approval from the different agencies that have money committed to it. Most of our projects are not just coming through the state. Ed goes out and get supplemental resources from the county and other places like that to bring the project together. That's why you hear the saying the project is \$380,000 but our out-of-pocket expense is only \$25,000 or \$30,000 because we are getting grants from different areas. You have to wait to get the commitment from one grant in order to apply for the other one. **Resident 1:** Again, I have asking and talking about this for 3 years and now we have to wait again. I just don't know. **Warren:** I think that when you were talking about it 2 years ago, with all due respect, it was a different project. **Resident 1:** No, 271 was being built. **Mayor:** It's a different project because the intersection from Alexander onto Fair Oaks down a certain amount of length has to be redone. It has to be expanded because you are now talking about more traffic. **Resident 1:** Yes and thank you for Kroger. I get a lot more traffic. **Mayor:** Again, that's the stick in things. Be blessed that you have the 4th lowest property tax in the county. **Warren:** I think she is commenting on the noise or the inconveniences they project to have or currently experiencing. **Mayor:** ...but again, we will have that project and it will be done before the summer hits next year. **Resident 1:** Is there a recording going on for this? **Warren:** Right here. **Resident 1:** And I want to thank you very much filling up all those holes and doing the best you can. Your guys have really done their best. I guess thanks for nothing. I leave here with the answer I have had for the last 3 years.

Resident 2-Karen Howse 7209 Glenshire Road: Road program for 2022, I was curious, do we have a list of that? Remember how I used to write on a big piece of paper all your roads. **Mayor:** It was interesting, we have done the minor repairs on the commercial streets. **Warren:** Is there a list? **Mayor:** Broadway, Pettibone, Forbes. However, the big project on Forbes looks like next year unless the bids are bad then it's the year after that. It's the same with Broadway. Interestingly enough though, what we are going to have on some of the streets, and there is a question on part of the residents, there was somebody in the Meadows concerned about some of the residential streets there. There is a program

put together by CVE that rates them according to ODOT standards and so we can do that. If you have a particular street in mind that needs to be done, we can check that as well and see if it matches up with ODOT standards to see which of the ones are the most essential of the residential streets that can be done first or second. The good part about this with the Kroger thing we will be able to get money from the bank not when the building has been completed and the money is coming in but it can be done when that building's foundation begins based on the guarantees they have given to OV.

Resident 2: In regard to Kroger, they have that in the contract. **Mayor:** Yes. Budish couldn't believe it. **Resident 2:** Question in regard to the public records act. Do we have a records commission... What is the process for asking for public records? **Climer:** Just file the request. **Resident 2:** Is it filed through you or to whomever we want the public records through? **Climer:** I would suggest that you file with whoever you want the records through but if you could copy me, that will help the process. **Resident 2:** Any information that you would see that might be privileged and gets redacted, so I ask for a public record, would it go to you to review to see if needs redacted or anything like that? **Climer:** On occasion unless there is no question. **Warren:** It's almost doubtful because of the fact that anything that we do, there is no secret contract or anything. Everything is public; everything we pass in council has agreements, correct? ***inaudible-Climer & Resident 2*** **Resident 2:** ...credit card information, social security numbers... **Climer:** Correct. Those things are redacted. The public records act is about this thick (visual) and there are a number of exemptions and things that are required to be redacted. **Resident 2:** Brian, I want to appreciate that you did call me back. I am looking forward to that public records information. Do you have a timeline? Obviously, I am being reasonable because I know it takes some time. **Thompson:** My staff is already working on things for the 1st of next week. I will have it for you. **Resident 2:** One last thing, I love our service department. They are fantastic. When I call for something I need, they are just there and they have always been great in that aspect.

Legislation:

Motion MOTION TO APPOINT DESIGNEE FOR COUNCIL

Motion to suspend by Davis; Seconded by Callender

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

Motion to suspend by Gaither; Seconded by Davis

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

MOTIONS PASSED

Res 2022-43

Introduced by Mayor &
Council as a whole
1st Reading

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE HONORABLE
STEPHANA A. CHILD-CAVINNESS

Motion to suspend by Gaither; Seconded by Davis

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

Motion to adopt by Davis; Seconded by Gaither

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

MOTIONS PASSED

Res 2022-44

Introduced by Mayor &
Council as a whole
1st Reading

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF ROBERT MERRIWEATHER

Motion to suspend by Davis; Seconded by Callender

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

Motion to adopt by Davis; Seconded by Gaither

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

MOTIONS PASSED

Ord 2022-45

Introduced by Mayor &
Council as a whole
1st Reading

AN ORDINANCE ACCEPTING OPIOID SETTLEMENT FUNDS AND DIRECTING
PLACEMENT OF SUCH FUNDS IN A SEPARATE FUND, AND DECLARING AN
EMERGENCY

Motion to suspend by Davis; Seconded by Gaither

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

Motion to adopt by Gaither; Seconded by Davis

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

MOTIONS PASSED

Res 2022-46

Introduced by Mayor &
Council as a whole
1st Reading

A RESOLUTION OF GRATITUDE FOR DEDICATED SERVICE TO RITA BOGUCKI

Motion to suspend by Gaither; Seconded by Davis

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

Motion to adopt by Davis; Seconded by Callender

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

MOTIONS PASSED

MOTION TO ADJOURN by Gaither; Seconded by Davis

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

MEETING ADJOURNED @ 8:20pm

Adopted _____

Christine Morgan, Clerk of Council

Johnnie A Warren, President of Council