

VILLAGE OF OAKWOOD
FINANCE MEETING
November 29, 2022
AGENDA
6:00 pm

1. Call meeting to order
2. Pledge of Allegiance
3. Roll Call

Mayor	~ Gary V. Gottschalk
Law Director	~ Jim Climer
Finance Director	~ Brian Thompson
Council President	~ Johnnie A. Warren
Council At Large	~ Elaine Y. Gaither
Councilman Ward 1	~ Chris Callender
Councilperson Ward 2	~ Eloise Hardin
Councilperson Ward 3	~ Paggie Matlock
Councilperson Ward 4	~ Mary Davis
Councilperson Ward 5	~ Candace Williams

Budget hearings

Finance & Budget Updates

Adjournment

NOTICE OF SPECIAL COUNCIL MEETING

Pursuant to Section 7.09 of the Charter of the Village of Oakwood, notice is hereby given of the calling of a Special Council Meeting by the Mayor to be held November 29, 2022, at 7:00pm to consider the following matters:

RES 2022-60

Introduced by Mayor
Council as a whole
2nd Reading

A RESOLUTION AUTHORIZING THE MAYOR AND ENGINEER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM FOR 2023, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY

RES 2022-61

Introduced by Mayor &
Council as a whole
2nd Reading

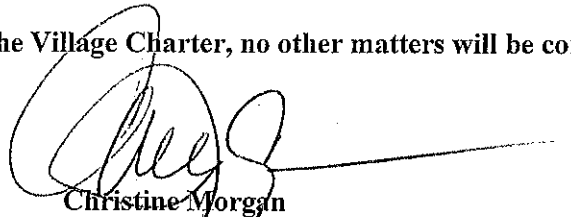
A RESOLUTION AUTHORIZING THE MAYOR AND ENGINEER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR 2021, AND RELEVANT THERETO, AND DECLARING AN EMERGENCY

ORD 2022-62

Introduced by Mayor &
Council as a whole
2nd Reading

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR POLICE AND FIRE DISPATCHING SERIVCES WITH THE CITY OF BEDFORD HEIGHTS

In accordance with the provisions contained in the Village Charter, no other matters will be considered by Village Council other than those listed herein



**Christine Morgan
Clerk of Council
Village of Oakwood**

RESOLUTION NO. 2022-60

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

A RESOLUTION AUTHORIZING THE MAYOR AND ENGINEER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM FOR 2023, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Section 714.02 of the Cuyahoga County Code, there is created the Cuyahoga County Community Supplemental Block Grant program to be administered in conjunction with and using the same grant process as the County Community Development Block Grant Program; and

WHEREAS, the Cuyahoga County Community Development Supplemental Grant (“CDSG”) program shall be administered by the Cuyahoga County Executive through the Cuyahoga County Department of Development; and

WHEREAS, the CDSG program shall be funded through the County Casino Revenue Fund as established in Chapter 709 of the County Code. Fifteen percent (15%) of the funds transferred into the Casino Revenue Fund annually shall be used to fund projects approved through the Cuyahoga County Community Development Supplemental Grant program; and

WHEREAS, CDSG funds are available to eligible municipal corporations to fund projects meeting a community development need related to the health or welfare of the community, which projects include: a) community master plans; b) housing and commercial demolition; c) infrastructure; d) public safety; e) streetscapes; f) parks and playgrounds; or g) community and senior centers; and

WHEREAS, the Village of Oakwood is a municipal corporation eligible to receive CDSG funding for an eligible activity through the Municipal Grant Program; and

WHEREAS, The Mayor and Engineer have advised Council that CDSG funds may be available through the 2023 Cuyahoga County Community Development Supplemental Grant program in an amount not exceeding Fifty Thousand Dollars (\$50,000.00), to fund improvements on Tryon Road as required to improve pedestrian safety by constructing concrete sidewalks and curb ramps compliant with the Americans with Disabilities Act (ADA).

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

SECTION 1. The Mayor and Engineer are hereby authorized and directed to make application, sign and file all necessary contracts and documents with the Cuyahoga County Department of Development for CDSG funding through the 2023 Cuyahoga County Community Development Supplemental Grant program for the following project:

Tryon Road Pedestrian Safety Trail Project

RESOLUTION NO. 2022 – 61

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

A RESOLUTION AUTHORIZING THE MAYOR AND ENGINEER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR 2022, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY

WHEREAS, Cuyahoga County, as an Urban County designated by the Department of Housing and Urban Development (“HUD”), receives and administers an annual entitlement from the Community Development Block Grant program through the Cuyahoga County Department of Development; and

WHEREAS, the Department of Development carries out various housing and community development activities with Community Development Block Grant (“CDBG”) funds including funding eligible activities carried out by other units of local government through the County’s Municipal Grant Program, which eligible activities include: a) community master plans; b) housing and commercial demolition; c) infrastructure; d) public safety; e) streetscapes; f) parks and playgrounds; or g) community and senior centers; and

WHEREAS, the Village of Oakwood is a local government eligible to receive CDBG funding for an eligible activity through the Municipal Grant Program; and

WHEREAS, The Mayor and Engineer have advised Council that CDBG funds may be available through the 2022 Community Development Block Grant program through the Cuyahoga County Department of Development in an amount not exceeding One Hundred Fifty Thousand Dollars (\$150,000.00), to fund improvements on Tryon Road as required to improve pedestrian safety by constructing concrete sidewalks and curb ramps compliant with the Americans with Disabilities Act (ADA).

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

SECTION 1. The Mayor and Engineer are hereby authorized and directed to make application, sign and file all necessary contracts and documents with the Cuyahoga County Department of Development for CDBG funding through the 2022 Community Development Block Grant program for the following project:

Tryon Road Pedestrian Safety Trail Project

SECTION 2. The Mayor be and he is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance and further upon the recommendations of the Village Engineer, and approved as to form by the Village Law Director, in accordance with all authority granted to and limitations upon the Village Director of Finance.

SECTION 3. This Resolution 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 necessary to timely submit the application

ORDINANCE NO. 2022-62

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR POLICE AND FIRE DISPATCHING SERVICES WITH THE CITY OF BEDFORD HEIGHTS

WHEREAS, the Village Oakwood and the City of Bedford Heights deem it advantageous to each of them to enter into a contract for Bedford Heights to provide police and fire dispatching services to Oakwood; and,

WHEREAS, Ohio Revised Code §737.04 authorizes municipalities to contract for police services and protection and Ohio Revised Code §9.60 authorizes a governmental entity to contract with another jurisdiction to obtain fire protection or emergency medical services; and

WHEREAS, Oakwood and Bedford Heights have agreed in principle to the terms of an agreement whereby Bedford Heights will supply police and fire dispatching services to Oakwood as set forth in the document attached hereto and incorporated herein by reference and marked Exhibit "A".

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

SECTION 1. The Mayor be and is hereby authorized to enter into an agreement for dispatching services substantially in the form of the Agreement attached hereto and expressly made a part hereof by reference and marked Exhibit "A".

SECTION 2. 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 continuation of uninterrupted police, fire and rescue services is of paramount importance to the citizens of Oakwood, therefore, provided it receives two-thirds ($\frac{2}{3}$) 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

EXHIBIT "A"

AGREEMENT FOR DISPATCHING SERVICES BETWEEN
THE CITY OF BEDFORD HEIGHTS OHIO AND
OAKWOOD VILLAGE OHIO

This Agreement is entered as of this _____ day of _____, 2022, by and between the city of BEDFORD HEIGHTS, OHIO ("Bedford Heights"), an Ohio Municipal Corporation, with office located at 5661 Perkins Road Bedford Heights, Ohio 44146, and OAKWOOD VILLAGE, OHIO ("Oakwood Village"), an Ohio Village

, with principal office located at 24800 Broadway Avenue Oakwood Village, Ohio 44146.

WHEREAS, Ohio Revised Code §9.60 authorizes a governmental entity to contract with another jurisdiction to obtain fire protection or emergency medical services; and

WHEREAS, Bedford Heights is a charter municipality with constitutionally-granted home rule powers; and

WHEREAS, Oakwood Village is an Ohio Village with all powers conferred upon it by the Ohio Constitution and Ohio Revised Code; and

WHEREAS, Oakwood Village seeks to obtain necessary police and fire protection services from the City of Bedford Heights in the form of dispatch services ("Public Safety Services"); and

WHEREAS, the Bedford Heights City Council on _____, 2022 passed Ord No. _____, authorizing this Agreement with Oakwood Village for public safety services; and

WHEREAS, the Council of Oakwood Village on _____ passed Resolution No. ___ authorizing this Agreement with Bedford Heights for purchase of public safety services; and

WHEREAS, it is the desire of Bedford Heights and Oakwood Village to provide for public safety services in accordance with the terms and conditions set forth herein.

Services provided by Bedford Heights as may be necessary to ensure the provision of Dispatch Services. Any equipment or radio consoles delivered by Oakwood Village to Bedford Heights under this Agreement shall be returned to Oakwood Village if said Agreement is ever terminated. Oakwood Village acknowledges that Bedford Heights in the future may incur additional costs in upgrading, repairing, and replacing equipment necessary to provide the Dispatch Services for the benefit of Oakwood Village and other communities. Oakwood Village and Bedford Heights agree to negotiate, in good faith, their respective responsibility for any such costs for the benefit of Oakwood Village that are not reimbursed by grants. Oakwood Village shall be solely responsible to individually pay for its own user fees for such services as LEADS, CAD, RMS, MDC airtime, public notification systems.

- C. Certain Support Services: Bedford Heights shall further provide Oakwood Village with data entry and/or related clerical services, specifically limited to those necessary to comply with applicable LEADS requirements.
- D. Personnel: Bedford Heights shall provide all personnel necessary to provide Dispatch Services to Oakwood Village. All staffing issues, including the number of dispatchers working at any given time, shall be determined by the Bedford Heights Chief of Police. Bedford Heights shall be solely responsible for the management of all Dispatch Center personnel and all personnel-related issues are within the sole management discretion of Bedford Heights, after consultation with Oakwood Village.
- E. Operating Procedures/Operations: Control of operating procedures and operations for the dispatch center shall generally rest within the sole discretion of Bedford Heights. However, Bedford Heights agrees to undertake consultations in advance with Oakwood Village and any other contracting communities regarding any proposed material changes in operating procedures or policies, through a joint advisory board composed of two (2) representatives from each contracting community, being the Police and Fire Chiefs of each participating municipality, or their respective designees. The board shall be established to meet periodically and make non-binding recommendations to the City of Bedford Heights concerning such operating procedures or policies, including but not limited to review, revisions and recommended changes concerning training standards and requirements; standard operating guidelines, policies, and procedures; and purchasing and replacement of technical equipment to enhance operations and public safety. Supervision and management over dispatch personnel shall lie solely with the City of Bedford Heights. Notwithstanding the above, nothing undertaken by the City of Bedford Heights in connection with its operation of the dispatch center shall materially interfere with the standard operating procedures, response protocols, or other internal operations of the Township or the other various individual contracting communities. Notwithstanding the above, the parties will utilize best efforts to seek maximum participation by all communities in the process of determining future procedures and policies for Dispatch Center operations.

remain in effect for an initial term of twelve (12) months ending December 31, 2023, but will renew automatically from year to year unless terminated upon six (6) months advance written notice by either party terminating the Agreement, with or without cause for any reason or no reason.

Either party may terminate this Agreement due to a material breach by the other party, provided; however, the party seeking termination gives at least thirty (30) days' notice of its intent to terminate under this provision. If the other party fails to correct the alleged breach, the Agreement shall be terminated thirty (30) days after the notice provided for under this Section.

ARTICLE III - PUBLIC RECORDS

Parties agree and acknowledge that records created pursuant to this Agreement may be public records under the Ohio Public Records Act and agree to coordinate with each other, in a timely manner, on responses to public records requests and regarding determination of records retention schedule periods and time for destruction. Notwithstanding this provision, the parties agree that nothing in this Article shall be construed as limiting a party from responding to a public records request in accordance with Ohio law. Processes will be established to enable Oakwood Village to obtain access to its recordings of radio and telephone traffic.

ARTICLE IV – NOTICE

All notices required hereunder shall be in writing and delivered to the following addresses:

Bedford Heights:

Contact: Mayor Fletcher Berger
Address: 5661 Perkins Rd Bedford Height, OH 44146
Phone: 440-786-3200
e-mail: MayorBerger@bedfordheights.gov

With a copy to:

Contact: Ross Cirincione, Law Director

ARTICLE V - CERTIFICATION OF FUNDS

Ohio Revised Code §5705.41 requires Oakwood Village to certify that the funds necessary to pay for this Agreement have been appropriated and either collected or are in the process of collection. Oakwood Village and Bedford Heights acknowledge and agree this Agreement may automatically renew, and does not provide for a specified final term or end date.

Oakwood Village, in accordance with Ohio Revised Code §5705.41, will initially certify this Agreement totaling Two Hundred Thousand and 00/100 Dollars (\$200,000.00), and shall re-certify this Agreement each year it is in effect for such amounts as may be required to ensure its respective obligations under this Agreement. Upon obtaining the appropriation of additional funds, the Agreement shall be re-certified by the Treasurer or Finance Director of Oakwood Village; and a copy of the additional certification shall be provided to Bedford Heights's Finance Director.

Failure to certify additional funds, as required by this Agreement, shall be grounds for immediate termination of this Agreement.

ARTICLE VI - MISCELLANEOUS PROVISIONS

- A. Entire Agreement: This Agreement represents the entire and integrated agreement between Bedford Heights and Oakwood Village concerning the within subject, and supersedes all prior negotiations, representations, or agreements, either written or oral.

- B. Modification of Contract: It is understood and agreed that this Agreement may not be changed, modified, or altered except by an instrument, in writing, signed by both parties and duly approved and authorized by each party's legislative authority in accordance with the laws of the State of Ohio and of each individual party.

Mayor Gary V. Gottschalk
Oakwood Village

Approved as to form:

Oakwood Village Law Department
James Climer, Law Director
34305 Solon Road, Suite 100
Cleveland, Ohio 44139
440- 248-7906

Mayor Fletcher D. Berger
City of Bedford Heights

Approved as to form:

Bedford Heights Law Department
Ross S. Cirincione, Law Director
5661 Perkins Road
Bedford Heights, OH 44146
440-786-3229

INITIAL CERTIFICATION OF AVAILABLE FUNDS

I certify that the money required to meet the first year of this proposal has hereby been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of this fund, free from any previous obligation or certification as required by Ohio Revised Code §5705.01 to §5705.47.

Date

Fiscal Officer, Oakwood Village