

VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES
December 13, 2022

ATTENDED

Johnnie Warren President
Elaine Gaither Council at Large
Chris Callender-Ward 1
Eloise Hardin-Ward 2
Paggie Matlock-Ward 3
Mary Davis-Ward 4

Tom Haba-Service
John Freeman-Police
Brian Thompson-Finance (Late)
Jim Climer- Law Director (Late)
Gary Gottschalk- Mayor (Late)
David Tapp-Fire
Daniel Marinucci-Building

ABSENT

Candace Williams Ward 5

Ed Hren-Engineer
Carlean Perez-Recreation

Meeting opened approximately 7:04 by Warren

Pledge of Allegiance and attendance taken.

Motion to approve the minutes of the 11/22/2022 Finance meeting by Gaither; Seconded by Callender

VOTE YES: Warren, Gaither, Matlock

ABSTAINED: Callender, Hardin, Davis

Motion to approve the minutes of the 11/22/2022 Council meeting by Gaither; Seconded by Hardin

VOTE YES: Warren, Gaither, Hardin, Matlock

ABSTAINED: Callender, Davis

Motion to approve the minutes of the 11/29/2022 Finance meeting by Gaither; Seconded by Callender

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

ABSTAINED: Hardin

Motion to approve the minutes of the 11/29/2022 Council meeting by Hardin; Seconded by Callender

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

Clerk Correspondence-Morgan: Notification of birthdays and reminder of Sunshine Law training 12/14/2022

Department Reports:

Police-Freeman: We had our annual shop with a cop this past weekend. We took 12 kids shopping at Target in Bainbridge and these kids had \$175. All the area businesses made the donations and Gionino's pizza in Twinsburg donated pizza, Roseland, and McDonald's donated free item coupons. After we shopped, we all went over to the training center, and we had pizza and wrapped the gifts. Also, we went forward with the Bedford Heights dispatch which was approved. Me and Chief Tapp went over and met their Chief's. We got the ball rolling on this. Hopefully at the beginning of the year, we'll all be moved over and ready to go (corrected to February 1st). **Davis:** Walton Hills is still going to keep us? **Freeman:** They are going to be doing our dispatching until this whole situation is done. Whenever it's done, they're done. **Climer:** You will see in the legislation tonight we built in some legislation that it can be continued day to day or month to month as needed. **Warren:** Is it prorated from the original contract? **Climer:** It would be. We didn't specify a price, but we'll figure it out. **Hardin:** We didn't figure out a price to stay a little bit longer. **Climer:** We did not specify a price for day to day or month to month. I think that will be by agreement. **Hardin and Freeman discussed the choice between Chagrin Valley dispatch and Bedford Heights.** **Hardin:** During the day, at some point, we had a lady coming over from Walton Hills to relieve prior to this change. How are you going to man the phones or whatever this lady does during the day? Who is going to relieve her? **Freeman:** The lady that is working now, if she has to take off, what she is doing right now, the part we will need covered is entering tickets in the morning. If she can't make it, Niki can do it, or Vicky can do it. Vicky usually comes over when she leaves. **Hardin:** Where's Vicky? **Freeman:** Vicky is at Walton Hills. **Hardin:** There's my question. So, is Vicky going to keep coming? Are we going to pay Vicky to come over? **Freeman:** Occasionally we do. We have in the past. **Warren:** That is their call. If they have confidence in the lady, I would say.... **Hardin:** I still want to know what we're doing. **Freeman:** She's very, very part time. Say if this lady says.... **Hardin:** But she is on their payroll. **Freeman:** She is on both. When she works, she puts a timesheet in for OV. When she works over there, she puts a timesheet over there. Say if Linda says she is having

an operation and she will be out for a week, we have to call Vicky over to work for a week. **Hardin:** And that is the way you've always done it? **Freeman:** Yes. We have done that since we got rid of the dispatch center. When Rita was off on her vacations, Vicky would come over. **Hardin:** So, it will be Vicky and not someone from BH. **Freeman:** Yes. ***Gaither requested tour of BH facility*** **Hardin:** And the cost is the same? **Freeman:** \$200,000 for BH and \$165,000 for WH. **Hardin:** But the fact is, we don't have a choice. **Freeman:** Yes. **Tapp:** And we are getting a second dispatcher around the clock which we didn't have. **Hardin:** All of that is duly noted; wanted to make sure it was repeated.

Fire-Tapp: A few weeks ago, we had another fire on Cambridge. Moderate damage; no injuries. This past Saturday, we had another house fire in Glen Willow. Very minimal damage; no injuries. We have been working really well with the PD getting this dispatch center. We are looking really forward to going over there.

Finance-Thompson: No additional reporting.

Building-Marinucci: No report.

Service-Haba: Wanted to make a note that the new calendars that just came out from WM are incorrect after the 1st of July. From July 4th, it's incorrect and that puts the rest of the year out of whack. They are going to produce a new calendar sometime during the 1st quarter of next year.

Law Director-Climer: You will see legislation on the agenda terminating the WH agreement. I'd like to have that approved and in their hands by the end of the year. Their law director is presenting it to their council this week, so everybody understands that we are not doing an automatic renewal for the end of the year.

Mayor: I left with you in a red folder 6 pieces of legislation that have to be passed before the end of the year. There are 6 TIFs and 2 CRAs. The language is all the same. We have passed over 25 of these. The only thing that is different is the owner of the property, the name of the company, the name of the tenant and the address. There were 2 that were with WM. They are back there only because they changed their name from Chambers Waste Management USA to WM Ohio.

Hardin: Would you ask the Mayor to put that in writing and ask the Clerk to get them out to us? **Warren:** A summary. What she is asking you for is what you mentioned to us, a summary of each one since time is of the essence. **Mayor:** You have each on there, but you will see the language is the same. But I will get you a summary of what I just said.

Public comment: (Clerk noted to council that a letter was placed before them from Mr. Hren discussing the situation which the resident, Mrs. Waller, will be addressing.)

Resident 1 Marcolina Waller-23300 Alexander Rd: I am here to petition the council because we have no sewer connection. For the past couple of months, we have had the county tell us that we need to change the whole system. All the tanks need to be dug out and replaced because according to the new law, they are not effective anymore. The system is 28 years old. I don't know all the details. I did a little research and talked to Mr. Hren. He told me to come and petition the council about hooking up to a sewer where one is behind our property on Painter Road. We are the 3rd house from the freeway and there are 3 houses on Painter behind our homes. The problem with the smell coming out of the septic system. We called the county because it was terrible. Come to find out, something was wrong with ours and something was wrong with the neighbors. They insisted for us to dig up the whole system and replace them. So, I am petitioning the council to see if we could hook up to Painter Road, which is not that far. **Warren:** The engineer called me about 10 minutes before I left for the council meeting to explain he is presenting this letter. What he suggested is that we can look into some kind of a grant to bring in a line because I believe there are 10 houses that are affected. He was suggesting we let the county know that we are in the process of applying for a grant in order to bring the sewer down. It's not obligating us for anything more than to apply for it when the time comes, that the county will then relieve their aggressiveness on all the residents. **Mayor:** What is going on? **Resident 1:** I don't know. They gave us a deadline to replace these tanks. **Warren:** Remember when Ed told us way back when that the county has increased their vigilance into converting all the septic systems to this newer system and it was like \$20,000 per house. He is confident and if he knows that the village is looking into extending the sewer, they will relax for a while at the residence until they get confirmation on whether we are going on with it. **Mayor:** You can count on us to apply within the next month and a half, we should have something definitive on this issue. **Resident 1:** Thank you. I also wanted to add that the county claims

the neighbor (septic tank) is hooked up to a storm sewer. I ask how because Mr. Hren said there is not storm sewer in that area. I am looking at this creek that is on our property and their storm sewer is coming out into the creek which is a health issue not only for us but for anybody that is using the creek. Nobody is doing anything to the creek. There is a lot of debris. I called OV; I called county. Nobody is doing anything, and nobody is claiming responsibility. **Mayor:** Dan, work with Ed and with these people. It absolutely should be cited, and this has to end. **Davis:** What is the deadline they gave you? **Resident 1:** 6 months. **Mayor:** We are glad you came to underscore this, and you can count on this council to take action.

Legislation:

ORD 2022-63

Introduced by Mayor &
Council as a whole
1st Reading

AN EMERGENCY ORDINANCE REQUESTING COOPERATION OF THE COUNTY OF CUYAHOGA, OHIO FOR THE TRYON ROAD PHASE II PROJECT LOCATED IN THE VILLAGE OF OAKWOOD

MOTION TO SUSPEND by Davis; Seconded by Callender

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

MOTION TO ADOPT by Davis; Seconded by Matlock

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

MOTIONS PASSED

ORD 2022-64

Introduced by Mayor &
Council as a whole
1st Reading

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER AN AGREEMENT TO TERMINATE DISPATCHING SERVICE ARRANGEMENTS WITH THE VILLAGE OF WALTON HILLS

****Moved to 2nd reading due to incorrect dates in the legislation exhibit****

RES 2022-65

Introduced by Mayor &
Council as a whole
1st Reading

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE SAFETY COMPANY, LLC, FOR THE PROVISION OF A JOB RETENTION GRANT AND DECLARING AN EMERGENCY

MOTION TO SUSPEND by Davis; Seconded by Matlock

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

MOTION TO ADOPT by Davis; Seconded by Callender

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

MOTIONS PASSED

Hardin: This was asked at the budget hearing; the company at the corner of Richmond.... **Mayor:** Yes, it's another company tied up with the bank. Remember Roseland is in foreclosure. The bank won't want to deal with Bugarsic (sp) in acquiring one more piece of land until the new owner makes that decision. So, this thing has gotten all tied up because of that. **Mayor:** We have pictures of the chicken. He is going to court very soon. Unless he is able to show the court that it's winter and that they can be out of there by the beginning of March. If he doesn't have that in place to show the court, we will go to court and have a jury trial. **Davis:** He has tractors parked on his property.... **Mayor:** That is another point. You have a couple of vehicles for sale in his front lot and they have been there more than a week. **Davis:** He has construction machines in his backyard and machines in that corner.... **Mayor:** Right on Macedonia Road across from Drake. **Marinucci:** We will send him a letter tomorrow. **Davis:** Why are we giving him till March? As a resident of Ward 4, we promised the neighbors he would be gone. Now, we are giving him until March. **Mayor:** That is why we are either going to have that letter to show the court so there can't be any continuances at that time or we will have a jury trial. We put an ad in the paper in Holmes County to try and sell the chickens and there wasn't any interest. **Davis:** We keep prolonging this. **Mayor:** I have spoken to the neighbors.... **Davis:** And they are okay with that? **Mayor:** Like I said, without that letter, we're going to court. **Warren:** Why don't we put the pressure on him now and take him to court? **Climer:** I will talk to Ross and see if he can get a date on the books for the trial so that is hanging over his head. I am not sure how early the judge will schedule it. **Hardin:** Where are we on the property over on Somerville? **Marinucci:** I can

answer. This week we got a call from the police department, and we reissued the service. **Climer:** Ross sent me a communication and he is serving it somewhere in.... ***inaudible-multiple voices*** **Freeman:** Mrs. Johnson's old house. The owner lives in University Heights, and we went there last night. She wasn't there. They left the green card to call the PD. We haven't heard back. We will serve it a couple more times to see if she shows up. **Mayor:** Apparently there is an LC that owns 6 homes in OV. Remember we are working on legislation to be able to get into those homes and have an observation before they get leased out. **Climer:** You are talking about having the right to prohibit the rental of property and the answer is no. Enforce the building codes. There are means now to do that. We just need to take advantage of them.

MOTION TO ADJOURN by Gaither; Seconded by Callender

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

MEETING ADJOURNED @ 8:06pm

Adopted


Christine Morgan, Clerk of Council


Johnnie A Warren, President of Council

● M E M O

To: Oakwood Village Council
From: Ed Hren – Village Engineer
Date: December 13, 2022

Subject: Alexander Road Septic System Failures
Proposed New Sanitary Sewer

Good afternoon Council Members,

Last week I spoke with Ms. Marcolina Waller, a resident of 23300 Alexander Road, regarding her failed septic system. The Board of Health has informed her, and to my understanding another resident in the area, that their septic systems will need to be replaced. Ms. Waller indicated that she may be attending tonight's meeting to request assistance from Council. The options are to replace the septic system, most likely with an aeration system, or construct a sanitary sewer to service the area. Modern aeration systems can run up to \$20,000 - \$25,000 to install.

The section of Alexander Road between Fair Oaks and Macedonia is the last section of Oakwood that lacks a sanitary sewer. I've attached a drawing which shows the proposed Alexander Road sewer location that would provide sanitary sewer service to this area. The Alexander Road sewer would connect to the existing sanitary sewer on Painter Road and the estimated construction cost would be in the vicinity of \$140,000.00.

The affected residents could petition council to assess the sanitary sewer work and the cost of the improvement could be split between the parcels of land equally, or a front footage calculation could be used. Assessments could be paid off immediately or over a 20 year period similar to the method used for the Robertdale and Richmond Road sanitary sewers. As with the Robertdale and Richmond Road sanitary sewers, I would recommend that the Village apply for supplemental funding from sources such as the Ohio Public Works Commission to reduce any assessment costs.

I stand ready to assist with this matter and will wait for direction from Council and the Mayor.

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