

VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES
2023-04-11

ATTENDANCE

Johnnie Warren, President	Gary Gottschalk, Mayor
Elaine Gaither-At-Large	Jim Climer, Law
Chris Callender, Ward 1*	Tom Haba, Service
Eloise Hardin, Ward 2	Dave Tapp, Fire
Mary Davis, Ward 4	Mark Garratt, Police
Candace Williams, Ward 5	Dan Marinucci, Building

ABSENT

Paggie Matlock, Ward 3	Brian Thompson, Finance
Carlean Perez, Recreation	Ed Hren, Engineering

Meeting opened at 7:05pm
Pledge of Allegiance

No minutes were approved and no correspondence to share.

Departmental Reports

Fire- Tapp: gave no report.

Service-Haba: We had some wind damage on the pavilion roof. It is in the hands of the insurance company. We are looking at new picnic tables this year. **Davis** asked if the expense is under Service or Recreation. **Haba:** We put it under recreation. **Warren:** It will most likely be charged under the Village since it is a village owned building. **Hardin** asked about garbage overflowing from a rubbish can weekly. **Haba:** If the lid isn't closed, they don't have to pick it up, they are picking these items up now, but we don't know for how long, **Hardin** asked about the schedule. **Haba:** I contacted them but, am waiting to hear back.

Police-Garratt: We had two retirees this week; Al Grant and Mitchell.

Law-Climer: Council has 2023-14 for the Clerk of Council. It is the same version as before. This can be added to the agenda if you choose to,

Mayoral-Mayor: Ohio Cat expansion was approved. Sofie which develops treatment for Alzheimer's has a \$\$3.5 million expansion. I will have that at the next Council meeting asking for 90% CRA. This underscores our brand of being northeast Ohio's high-tech and medical research operations in Ohio. I do not see any issue with the schools. Also, at the next meeting I will review with Council a company wanting to hire 50 ambulance drivers. I have given Council the 2023 Road program in the amount of \$109,000 for county roads. We already received a check for \$250,000 for ARPA funds for Oakleaf. Ed Hren and I were downtown for the second reading of their legislation. On another note, a lady ran into our car making a turn into traffic hitting the passenger side of our vehicle where I was sitting. She didn't have any insurance, so she got back in her car and took off. We had the car towed. A Cleveland officer appeared 30 minutes after the incident. Additionally, I have a meeting with the County Executive Director, Chris Ronayne along with Senate Rep District 18. On the matter of Cleveland Water Line Replacement Program, all our roads must be ODOT inspected first. This legislation will be at the next meeting. **Hardin** asked about it. **Mayor:** It involves lead surface line replacement with copper tubing. **Hardin** asked the cost to review the roads. **Mayor:** About \$8,000 which is necessary. Lastly, Live Nation 1490AM came to two of our concerts, Jackie Wilson and Elvis shows. These concerts will remain at the shopping center

unless it rains, it will be at the Fine Arts Center. I am looking at Hotel California (tribute to the Eagles) and Dancing Queen (Abba tribute band). He added, Mr. Bugarcic moved his chickens. We have a court date of May just in case they come back. **Warren** asked if we have that in writing. **Mayor**: They are gone for now. **Climer**: We will contact his attorneys. **Hardin**: We want to comply for this project but how much. **Mayor**: Between \$5-8,000 for the road inspections. **Warren** asked him to confirm that amount. **Davis** asked about the May date for Bugarcic. **Mayor**: I will have to get that to you. It is a jury trial. **Williams**: How do we define reasonable in a public records request. **Climer**: There are a lot of things to consider; the number of records, time frame in which to work, clarity of the request. **Williams**: So we just make up the rules as a request comes in. **Climer**: That is not true. The courts addressed the requests on a reasonable timeframe. **Williams**: So, there are guidelines in the Ohio Revised Code. We had a meeting on March 29th and I requested Fire Dept. salaries separated from their budget and year end salaries as well as Fire Chief, Assistant Chief, Acting Fire Chief. Brian said he was short-staffed, and he just got back yesterday. I wanted to make sure how we are doing with that? **Warren**: We are short staffed. He has to hire new people and train them. **Williams**: Do we know when we will fill those positions? **Mayor**: Ralph will be coming back part time. **Williams**: Do we know when he is coming back? **Mayor**: The next few weeks.

Open Floor Comments

Pat Malone 22796 Drake Road: I am here for my monthly update on Fair Oaks. **Mayor**: The roadwork will begin in June. Fair Oaks and Alexander realignment will take place. In the meantime, the road will be completed from Broadway to Oak Leaf. The entry of that site must be established as well. **Malone**: This is all dependent upon Kroger. **Mayor**: The realignment of that intersection has to be done, but 85% will be completed and the last 15%. **Malone**: When will it be done. **Mayor**: It will be done satisfactorily. **Malone**: I don't know if I can believe you or not. You said May at first. You said we were going to put up a noise barrier, but now we can't do that. We were going to put trees up. **Mayor**: The road will be 85% done. We are waiting for Kroger because of the \$25 million merger with Albertson and the White House is involved now. In the meantime, we are moving forward with this project. That is the reason for the delay. **Malone**: Last year, Albertson wasn't in the equation. **Mayor**: Albertson wasn't part of that last year. There was an anticipation of higher grocery prices. A merger isn't the issue, it is too much rain in California, fertilizer prices are up, and delivery costs. Prices are not going down amid anti-trust regulations. You are dealing with career politicians. Kroger/Albertson merger is 22% of the market, Costco and Amazon are about 10%. **Malone**: I was speaking. When this all starting with Fair Oaks, it was way before Kroger. You promised me we are going to get it done. Thank God for Tommy's crew trying to make it halfway decent. I don't believe Kroger will get done. Chief Garratt, we have replacements for the retiring officers. **Garratt**: We can't fill those until we have a vacancy. We are looking at lateral transfers and open hiring. **Malone**: Fire Chief, is everything at I Schuman resolved? **Tapp**: Our part is completed. **Malone**: As far as the air quality. I don't have much faith in EPA. When we smell burning from Agmet Metal, I call them, and I don't get answers. **Tapp**: I will contact the State on their report. **Warren**: The EPA and other agencies were controlling that site. We are waiting for the results. **Mayor**: Other agencies were involved, not just EPA. **Malone** thanked them for their time.

Ben Sizemore 25091 Garden Rd: I heard on the news lead is bad in this area. Agmet Metals don't help either. Are there plans to get a low budget to get people's driveways done, work on their house? **Mayor**: Agmet is spending \$9 million dollars for safety equipment. **Sizemore**: Kids are suffering. Our decisions are affecting them. **Mayor**: At the last meeting, we introduced an advanced learning center in Oakwood with credited classes on careers in medicine. The few doctors you have are concerned about losing their jobs with government involvement. The best we can do is educate our youngsters to understand what will be in demand in the next 3-5 years, not worrying about the government. **Sizemore**: We need to take care of our own back yard instead of passing the buck to someone else. It is terrible to go outside, and it smells like an electrical fire all the time. I have grandkids, I love them, and I love every kid on our street. We walk the streets. We can have all the concerts we want, build a grocery chain, but I just want you to do your job. **Mayor**: There have only been two complaints since Christmas. I wouldn't have allowed the smokestack industry if I were Mayor when they came into the Village. **Sizemore**: I understand that. I have been to Washington and the State. We messed up every generation with NAFTA. Then the problems with Southeastern Ohio. **Mayor**: I believe East Palestine will be inhabitable in 3-5 years. **Sizemore**: I am only asking you all to do your job. **Warren**: I sent out newsletters about programs available

to the residents from agencies in Cuyahoga County to assist in those issues including exterior home repairs, low interest loans. **Sizemore:** I care. All my neighbors have to do is look at me and I will help them. **Warren:** I was at the I Schuman site. The reporter was there, and I met with him. I was told I couldn't go past a line due to the ecological issues there. They have to identify the chemicals there. It is out of our hands. Our Fire Chief can't even be involved now. I got the report from the Fire Chief. It ended up being a 180. We have a part time dept. which coordinated 13 other departments to contain that fire and explosion within 2.5 hours. I am proud of our Fire Dept. **Sizemore:** These guys do their job. **Warren:** If we can do anything legally, we will, but right now the EPA is controlling it. **Sizemore:** I would get hold of Sherrod Brown. I have spoken to him before. **Warren:** We are pursuing that and looking at that. I will get the information from the agency before it comes out. You can call me. **Sizemore:** I appreciate it. **Mayor:** You have more issues in the ground than emissions in the air. **Sizemore:** You go there in the summer. You can smell it. **Mayor:** There is a new operation there and it has been better. They shut down when I get a call from a resident because I call them. **Hardin:** I have a newsletter going out about the programs the President shared. He has information on 211. **Sizemore:** When you have corporations get in front of a judge and lie. That is sad.

Karen Howse, Oakwood Village: I asked a question previously about an address. Could you provide me in the sunshine laws that a resident has to give their address. **Climer:** It isn't required. **Howse:** That must be a format you use. **Climer:** I believe it is in the rules of Council. If you are aware that is illegal. **Howse:** I never said that. **Climer:** It isn't required but not prohibited either. **Howse:** Last time I was here, I asked about 2021-79 and 2021-80. I mentioned appropriations being passed without attachments. This year was the first-year appropriations were passed without them. If you can look that up. The previous Clerk of Council switched 2021-79 which should be permanent appropriations and 2021-80 as temporary. The evidence to the fact is they were passed without the attachments. It is in your minutes in 2022. It was asked about it by one of the Council members. Can Council investigate that. It happened in January or February. I am saying this because I have a concern that I am a resident. What happened to accountability. I have nothing against the Mayor or Finance Director. They are doing their job, but accountability is important for Council. When things come before you, you have more power than you know. You can disagree then come up with an answer. You have your own convictions. None of these seats are birthrights. Every time you have a Council meeting don't despair if they are asking questions. Instead of thinking they are against the Village, how about they are for the village when they ask questions. I challenged the Mayor but I don't have anything against the Mayor. We worked together on what we presented to the Council was on point. When I was here, I made presentations, so you didn't have to ask questions. I didn't have an issue being transparent. I have a problem with legislation being passed without attachments. How can you pass budgets and not know what you are passing. It wasn't until I said something that it was noticed. We closed with \$72,000 in the general fund. That was your carryover. **Mayor:** There were reimbursements of over \$300,000 from the County coming in. **Howse:** I have the floor. **Mayor:** Point of order. **Warren** gaveled. **Howse:** At the end of this year there was \$142,000. I know you don't feel comfortable about building a reserve. The Chief of Police said two people are retiring. What if they retired in January? Would we have enough to cover the payout? You would be using special revenues to do that. You should never feel comfortable dealing with legislation in fear the Mayor won't support you. You can't be afraid to say no to legislation with the fear someone will be upset with you. Most of you have been here a long time. Just like the Mayor yells. I know he doesn't mean it but that doesn't bother me. I can yell back. We can communicate way better. I don't bow down to people who talk loudly at me. I respect you and I expect you to respect me when I am on the floor and as a resident. You tell me to call you. I do call you and you tell me, I don't have time. I just got back from working out, I'm swimming. I know you have a life but when I am calling you and it is rare, you can have a conversation with me. I expect a call back as a resident. **Mayor:** I do call back. We have the fourth lowest property tax. **Howse:** Mayor, stop it. You know as well as I do, I know that. **Warren:** Let's move on. **Howse:** I need you to show me where all this money is. I am saying where is your comfort when you are passing legislation. Be mindful of that because it matters. When you talk about the learning center who does that benefit again? Is that private sector, public sector, is that only benefiting the gifted? **Mayor:** Here we go again. **Warren:** Mayor, she is talking. **Mayor:** We can't take care of all. **Howse:** Mayor I am talking. **Warren:** Just to let you know Ms. Howse, Mayor, stay out of it. **Howse:** You mentioned advanced learning center. I asked if that is for the public or private sector. **Warren:** It has nothing to do with the village funds or Council. He mentioned it as a courtesy. **Howse:** We do have a public school district and I advocate for them. If there is anything we can do to

enhance our district, I am all for it. If we have STEM programs, trades, I am all for that. That is what I would address in the public forum. What can we do to help them. Our property taxes do pay for our school district. People move to communities for the school district. I will say my prayers for the Police and Fire Departments because you have hard jobs. There are two sides to every coin. Every time I hear the news, I do pray for your safety every day. I will never dummy down or be bullied just because I am expressing my opinion. I will comment as much as I can. I will not degrade you, but I don't want that in return. **Warren:** You are right. You made an imprint. You worked with me, and I made sure you stayed in that position, so you had my protection. When he wanted Tryon Road done at a no interest loan. I told him we will go for a 50% grant, and we did. With the Engineer's assistance we went to the state. I always stood up for our residents, our employees, and never gave him a stamp of approval. People have seen us in Council meetings. **Howse:** I want to rescind that statement. What I will say is this, I am asking Council to fight for the residents and Mayor, you work for the residents. You cannot get upset because someone has a different view than yours. **Mayor:** Other than Ms. Williams. **Howse:** If she has a difference of opinion. What would it be like if we all had the same ideas, what would be the originality of the city. That is why we have seven people in seven wards to bring uniqueness. **Mayor:** That is exactly what you have. **Howse:** You cannot have temper tantrums because someone disagrees with you. I worked with you for a long time; 12 years as the Finance Director. I know how you work. I know when to walk away. Johnnie, you are right, don't look at them as working against the grain or against you. We have young people coming in here. They think differently and it is time for you to think differently. Encourage these young people who are coming. Encourage them to come to Council meetings and bring ideas. **Mayor:** I want to say. **Warren:** Point of order. You are welcome and I appreciate you coming. **Hardin:** I can't hold it another minute. I can't do this. We don't have the core anymore. It is totally out of control, and it starts with the Mayor. That means there is a lack of respect. This has got to stop. I look at what happened in Tennessee. It is right here. There is no core. No respect for Council, for the people, this is called a Council meeting and at any point in time, we can ask for the Mayor's information in writing. If the Mayor cannot control himself and respect this body. This is the day. I have been wondering how much longer. I have been here for many years. Tonight, is the night. I have learned from these young people; we have an obligation to mentor these people. We are not accepting your crap. We need an organized unity to respect the rules. The rules have gone out of the window. Mayor, you are awesome at community development, but this cannot continue. I cannot sit here another meeting. I pray you never do this again. I have been upset all day because I dreaded this happening. It is time we have professionalism Mayor. You have Police and Fire here and the Service here. These people work hard but to come here and have to hear this. I am tired of it. I am sick of this. The information you gave us when we question it cannot keep going on Mr. President. This is not acceptable. Mayor, you are a much better person than this. All you do, on nights like this you disrespected this Council tonight and that is why I am upset. She expressed her opinion. If I leave no other legacy but Ms. Hardin spoke up and we are going to use decorum in meetings. We will have mutual respect. **Mayor:** All I wanted to do was correct a statement. The closing balance for the year was \$75,000 but was not said there wasn't a problem because we were getting over \$300,000 from the County in the next few months. That had not been said. **Hardin:** But you interrupted her and didn't let her finish. **Warren:** The bottom line is she was accurate in stating the carryover was \$72,000. You can't count what you haven't received yet. It is the report that is the issue. For years we have talked about having a plan for a separate account with at least \$25,000 a year and the only way it would be touched would be authorization of Council. **Hardin:** We talked about that 15 years ago. I appreciate that we work together to make it happen. We know what we have to do. It is how you say it. This is embarrassing. This is a public record. This is crazy. No more should this go on. You don't hit the gavel I am ready to get up and walk out of here. Mr. President, I will ask for decorum. Mr. Mayor, we have been around for many years. It is time to stop. Who needs this? **Mayor:** Audience should know there was \$300,000 coming from the County in two months. That wasn't being said. **Williams:** That is part of the problem. We always do that each year. We can't go on what we don't have. That is improper way. **Mayor:** If it wasn't expected. **Williams:** What if the County was in trouble, you cannot count on future funds. That is why we need to have a reserve budget, so we don't overload this village. It is horrible practice; it is not the best practice for finance. It isn't relevant to her point of what we end the year at. **Howse:** I was going to say, you close one year at \$72,000 in the general fund. The money coming back to you, you didn't get an advance to support special revenue funds which means the funds go back into the special revenue funds. You aren't paying yourself back. I am fully aware of how that works. When you are passing budget legislation you want to make sure you have a reserve for our employees who have been

dedicated for years. You need to make sure their pension and accruals are paid out. You need to work on that. I have said that in previous Council meetings. I am not saying anything deceptive to make the village look mad. I live here but I know how to read financial statements. Because I have that information, why not share it with the community. It is a public record. If you can, show me where that money is coming and show me when it is put back in the general fund.

Mayor: It is interesting, I can't underscore enough the County has the 9th biggest population loss in the entire United States. The interim suburbs are broke and can't raise taxes. If you have 100% credit, you don't have to pay Oakwood anything. In South Euclid you couldn't get a tax increase of over 3%. They had to decrease their credit to zero. They pay where they work and where they live. Many are having to do the same thing. We fortunately don't have to. We have a vision and with the proper team to attract the type of companies to work. Cleveland has 375 officers resigned or left. The buildings are empty and being turned into apartments. We aren't conventional and you do what you have to do. The point of having the 4th lowest property tax in the County is huge. Give all the glory to God.

Closed Floor

Legislation

2023-13 A resolution authorizing participation in the ODOT Road Salt Contracts awarded in 2023

Motion to suspend made by Hardin seconded by Gaither

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

Motion to adopt made by Hardin, seconded by Callender

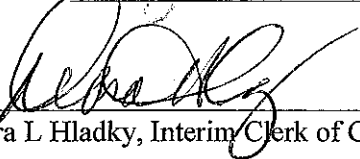
VOTE – YES: Warren, Gaither, Callender, Hardin, Davis, Williams

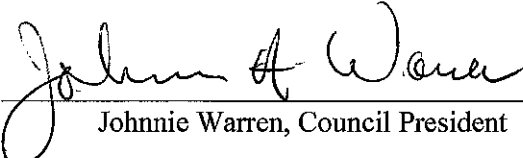
Climer: I request 2023-14 Appointment of Dionna Hammett as interim Clerk of Council. This is necessary because the interim Clerk of Council will not be available for the next month or so. **Williams:** Were you aware you are being appointed. **Hammett:** They asked me to step in when a new Clerk is here. It is just to be here for April. **Williams:** We created legislation without having a conversation with her? **Warren:** The Mayor supposedly talked to her about it. **Williams:** It is up to her. **Warren:** You didn't know? **Hammett:** I was surprised to see it. **Williams:** Do you have any conversations? You need to consider it. **Hammett:** It was brought to me as a fill in roll down the line. I wasn't aware of it in that respect. There are questions I have. **Davis:** Debbie is gone in April. **Hammett:** She can't do May. **Warren:** She is giving us a opportunity to train the new Clerk in May. **Williams:** We may need to raise the compensation if there are additional roles. This is very inappropriate. **Warren:** She was aware of the position, and she was setting up the office. Last week she and I talked, **Hammett:** I knew I would fill in for this meeting. **Hardin:** We need someone to sign off on legislation. Is this overtime? **Hammett:** It is \$100 a meeting. **Davis:** Will you be transcribing? **Hammett:** Debbie is still doing the typing. I am here to do this. **Warren:** Debbie said she would be doing things remotely and communicating with you. **Hardin:** I suggest, if she was told \$100 a meeting, who said that? **Hammett:** The Mayor. **Hardin:** Can we put a time frame on this and by the next meeting the proper dialogue should have been done. **Warren:** We will have to have a special meeting. We have to hold interviews and make a selection. **Hardin:** Are you ok with \$100 a meeting and make it two meetings? **Warren:** We can pass the legislation and amend it. **Williams:** We don't want to pass something she hasn't agreed to. **Warren:** That is part of the amendment. She can't do it unless we make it official. We can pass it then have a special meeting to include the compensation and duties. **Williams:** You didn't talk to my concerns. She hasn't had time to ask questions. If it isn't written it doesn't exist. There is no amount here. **Warren:** As the legislation is passed. **Hardin:** She agreed to \$100 tonight per meeting. That would be this evening. The only fair thing is to pass the legislation for tonight then schedule a special meeting. **Williams** asked the law director about his position on the topic. He was not fully informed of what is expected of her. **Climer:** My suggestion is at some point we appoint someone in the Village so we can perform business when the Clerk is not available; the interim Clerk can step into that position. What those terms are and the pay is not for me to decide. I would suggest go a week or so then things can be worked out with Dee. We could have Debbie sign it remotely and get it posted. Then we back up on the conversation with Dee if she is willing to fill in when the regular Clerk is not available. **Hammett:** I thought it was going to be down the line and not today. **Hardin** asked it not be passed. **Williams:** What is the guideline for the minutes, are they verbatim, are they summarized?

Warren: Debbie is going to do them until May 30th and not verbatim but summarized. We never agreed upon it. **Mayor:** Debbie is already gone. She isn't available for at least the rest of the month. **Warren:** She has talked to us and she will continue to communicate with me. Dee didn't have a full understanding of her position. We are not passing the legislation but will hold a special meeting to make an offer and detail the responsibilities. **Williams:** Do we want to have the new person go back to verbatim minutes? **Warren:** We will talk about that at our special meeting. **Haba:** I need the salt contract signed off and it has to be in, so we don't pay too much for salt. **Warren** asked when it is due. **Haba:** May first. **Warren:** We will have it signed.

Motion to adjourn made by Hardin seconded by Gaither
YES: Warren, Gaither, Callender, Hardin, Davis, Williams

Adjourned at 8:47p

Approved June 27, 2023

Debra L Hladky, Interim Clerk of Council


Johnnie Warren, Council President