

**VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES
2023-11-28**

ATTENDANCE

Johnnie Warren, President	Gary V Gottschalk, Mayor*
Elaine Gaither, At- Large	Dave Tapp, Fire Department
Chris Callender, Ward 1	Brian L. Thompson, Finance Director*
Eloise Hardin, Ward 2	Tom Haba, Service Director
Paggie Matlock, Ward 3	James Climer, Law Director
Candace Williams, Ward 5*	

ABSENT

Ed Hren, Village Engineer	Carlean Perez – Recreation Director
Ross Cirincione, Prosecutor	Mark Garratt, Police Department
Mary Davis, Ward 4	Daniel Marinucci, Chief Bldg. Official

** Arrived after roll call*

Meeting opened at 6:58pm by Warren
Pledge of Allegiance
Roll Call taken

Warren: Any Correspondences? **Joseph:** I sent out an email, but at your seats there's a flyer for the upcoming Rain Garden Planting event on December 2nd, 2023, from 12:00p.m., to 1:00p.m. We are going to be planting about twenty new plants. So, if anyone would like to come out and help it would be greatly appreciated. There is also a waiver attached to allow them to take photos and to use it. I just wanted to make sure everyone had a copy. **Warren:** May I have a motion to approve the minutes of November 14th, 2023, finance budget meeting.

Motion to approve finance minutes of November 14th, 2023, made by Hardin seconded by Gaither
YES VOTE: Warren, Gaither, Hardin, Matlock ABSTAIN: Callender
MOTION PASSED

Warren: May I have a motion to approve the minutes of November 14th, 2023, regular Council budget meeting.

Motion to approve Council meeting minutes of November 14th, 2023, made by Hardin seconded by Matlock
YES VOTE: Warren, Gaither, Hardin, Matlock ABSTAIN: Callender
MOTION PASSED

Departmental Reports

Finance-Thompson: Thompson: Thank you, Mr. Chairman. We did have our finance and budget meeting scheduled but due to inclement weather and request of the Police Department, we moved it to Thursday. We are diligently working; we will have Police on Thursday and three more after this depending on time. **Warren:** Anybody have questions? **Hardin:** Brian, do you have the information that I asked for? **Thompson:** Gave some documents to Ms. Hardin and expressed that someone else had the information and summary of dollars.

Hardin: I want it in hand tonight. **Thompson:** Ok, no problem. **Hardin:** Thank you. **Warren:** Any other questions? May we hear from the Fire Department.

Fire-Tapp: Tapp: Thank you, Council President nothing new to report since last meeting. We just got fire truck back today from a major repair. Hoping that's the last repair we have on it. All vehicles are up and running now, here for questions. **Warren:** May we hear from our Service director

Service-Haba: Haba: Thank you Mr. President, just want to thank the Police and Fire Department for plowing the parking lot. It helps a lot, doesn't seem like a lot but it is, I appreciate that. Ms. Matlock I got a hold of the previous owner, they put the stuff out there. I got a number for the new owner and called him. He said he would take care of it. I gave him a couple avenues to take and told him to get back to me. We would try to give him a hand because he didn't do it. But he is going to clean it up soon. **Matlock:** Ok, because I did see it out there again today. **Haba:** I figure by the end of the week he would have it out. **Matlock:** Ok, thank you. **Haba:** The leaves, residents keep calling about the leaves. We will for sure pick them up again. It is supposed to be 40 degrees tomorrow and 50 degrees on Thursday. So, as long as the weather is good, we'll pick up leaves. Other than that, I'll take any questions. **Warren:** Maybe hear from our Law Director.

Law- Climer: Climer: Thank you, Mr. President, you'll notice on agenda a number of items relating to economic development. Which I am sure will be discussed in detail during Council tonight. With that said I am happy to answer questions. **Warren:**

Mayor-Gottschalk: Gottschalk: Thank you, Mr. President. We will go over what's on the agenda tonight. There are four companies, the first is Penske. It is just a TIF which is a tax increment financing agreement for 30 years. The schools are not affected. Whatever the County appraises what they did in terms of reconstructing the outside of the building, that's what it will be. You see a picture of that in the legislation. It's interesting that most communities don't do this because the County doesn't promote it. The money that would be going to the County in taxes on that improvement, now comes back to Oakwood. It is used for various infrastructure improvements. **Williams:** Bedford has to approve this before we approve the legislation? **Gottschalk:** There's a 14 day notice the schools have to be given, even though they aren't affected. So, we can have readings but can't make any final decisions. **Williams:** Until the 14 days expires? **Gottschalk:** Until the 14 days are up, which should be before the end of the year. **Hardin:** Is there a dollar amount associated with the legislation? **Gottschalk:** We won't know until the County does the actual appraisal of what they did. **Hardin:** What they did as in improvements that their making? **Gottschalk:** Yes, and that's been done. It's the only one out of the four that you have right now. The others are going to be starting next spring. **Hardin:** When you say that's been done, what do you mean? **Gottschalk:** You can now go over to First Place and see that this is now how the building looks. Compared to what it looked like six months ago. **Hardin:** So, what you are saying is, at this point you don't know the dollar amount in the abatement. Is that what you're saying? **Gottschalk:** This isn't an abatement. **Hardin:** In the deal. **Gottschalk:** We won't know, but I might as well go over exactly what happens with the TIF and money that comes back from the County. **Williams:** Is there no projection to base these numbers off of? **Gottschalk:** It might be \$300,000.00. **Warren:** Increased in value. **Gottschalk:** The County makes the appraisal we aren't. It doesn't matter what they spent either. It's when the County comes and takes a look from the outside. They make an estimate for what they feel the real improvement of that property is. **Williams:** When you have these discussions, do they give you an estimate or projection that you are basing these things off of? **Gottschalk:** They were supposed to get back to me on it, but again, not really relevant. What is relevant is how is this money going to be spent when it comes back. **Williams:** But the money is based

off the projection. **Gottschalk:** Yes, exactly, and the types of public improvements that come from TIF. Money can be used for improvement of streets and intersection leading to the site, not anywhere in Oakwood. It has to be at the site or leading to the site. **Hardin:** When you say not anywhere in Oakwood, I want to follow you. **Gottschalk:** Well, you can't just use the money anywhere. Law makes it very clear you have to use the money at the site or leading to the site. **Hardin:** Makes sense now that's clear. **Gottschalk:** Next is sanitary connections/utility connections including sewer, water, and drainage. Next is installing street lighting and traffic control devices, and artistic lightning fixtures can be included. Next is landscaping, you can't put in petunias. We're talking either perennials, scrubs, or trees, things with durability. You can also use this money for multi-purpose trails and off-street parking. Again, we are one of the few communities to do this. You can see the difference in some of the areas like Broadway where TIF money has been used. We went over what's going to happen over at Waste Management with their improvements. We're looking at about \$40,000.00 coming in over thirty years but that's because there's no CRA. When you have a community reinvestment agreement where the schools are affected. Let's say in this case when we get to Federal Metal, it's 90%. That means only 10% of the money that's left goes to the County. The TIF will only be 38% of that 10%. So, you're looking at \$1000.00, maybe a year for the first fifteen years. That's with a million dollars of improvement. That's what the money can be used for. You've seen Glenwillow uses it very effectively as well, and a few of our communities are using it. That was Penske, next company is Cardinal Realty which is Starbucks. They will be beginning in the early part of Spring. A CRA Community Reinvestment Agreement of 49%. **Hardin:** What number? **Warren:** That's legislation 2023-45. **Gottschalk:** With Cardinal there's a 49% CRA and there's a TIF. It's the same thing we did for Dunkin Donuts, the exact same agreement. **Gottschalk:** Next is Federal Metals, they are expanding their current operations. That includes production, receiving, shipping, and warehousing. They are on Division Street, building three new steel frame buildings. These are very small, they're only about 35,000 to 50,000 square feet total. They estimated it would be appraised at \$4.5 million dollars. **Hardin:** Since you've been doing this for so long as you stated. If they give you a \$4.5 million dollar evaluation for appraisal. What would you ballpark the TIF at? **Gottschalk:** Because of 90% CRA, we are not getting that. We will only get about \$3,000.00 for the first fifteen years. From the 16th to the 30th year we will be getting about \$40,000.00 a year. **Hardin:** Is this in writing? **Warren:** We want you to identify the project, identify the TIF or CRA, identify the receivables projected to be a results of each and every one of these TIF or CRA requests. We want it in writing even if it is a projection. We want something to fall back on to see what went wrong or whatever the case may be. We need it all laid out. Although the problem I don't personally have, is that it's still business retention. So, you're still keeping those companies in our community anyway. So, allowing the TIF's and all of that stuff is incidental to just making sure that these businesses stay in Oakwood Village. That we allow them to put the investment in Oakwood Village for the expansions and everything else. We know that we have a reasonable commitment similar to Sam's Club back in 1998. We got them to make that commitment for the gas station. That locked them in because they were considering moving to Streetsboro. We got them to stay by investing in the gas station, so we understand that part. But we still would like to see the money projected for the TIF's. **Gottschalk:** Federal Metal began in 1913 in Cleveland. They came to Oakwood in 1959. They now have worldwide operations. They expanded to a facility in Pennsylvania and in Arkansas. This stabilizes them being here. They are very pleased with what we are doing here. Additional there is a Job Creation Tax Credit. We are currently getting a payroll of \$8 million. So, what I proposed was for the next ten years. Anything above \$8 million, which is the money we receive from that payroll. Will be given back to them. **Warren:** Why? **Hardin:** Is that in writing somewhere? **Gottschalk:** It's in the legislation. Now understand that amount increases every year by 2% with the cost of living. In addition, this is encouraging them. This project is adjacent to Northfield Rd. They own property on the other side of the division. Which are the back yards of Wright Ave., but they aren't affected. This is not happening on that property. This is happening on their headquarters property adjacent

to Northfield. As a carrot to insure they will be here, we are locking in at \$8 million. Anything above has to be non-discretionary hire. If an opportunity exists where the skill of that person lives in Oakwood, they have to hire. **Hardin:** This is all on the legislation? **Gottschalk:** Yes, and we have done this for others, this isn't new. **Warren:** Maybe those things you are talking about should be highlighted to make it easier. **Hardin:** Turn to page four, what's happening in 2025? **Climer:** 2025 is the initial grant payment and they are eligible for ten years. Each year there is a cost-of-living adjustment upward on that \$8 million figure before they get anything. The payroll has to increase I believe by 2% per year. **Hardin:** Minimum cost of living. **Climer:** Correct, before they get any. **Gottschalk:** It has to be in addition to the \$8 million. **Climer:** \$8,160,000.00 a second year. **Hardin:** You have to really dig into this, and I guess that's our job. But I think the president expressed my concerns. It took a lot of work and a lot of time to do it. I guess the least we can do is dig, but I disagree. It would be easy if you highlight where these dollars are involved. **Gottschalk:** So, that was Federal Metal, DCOMM is next. They are right over here; they do installation for Spectrum. The problem is the backyard is not zoned for parking, it's residential. They are going to put 11,000 square feet concrete on the side of their building to park vehicles, with a mound in front. That cost will be \$150,000.00. The Job Creation Tax Credit will be for 3 years. Or from the three million, we get the withholding of \$150,000.00. A TIF on that, surprisingly no CRA here. So, you're looking at probably not getting more than \$1,000.00 a year from this. **Hardin:** I understand the incentive to want to keep them here. But what do they currently bring in now, to make us want to do this? **Gottschalk:** On those that have community reinvestment agreements, there's only two that do. The others, Starbucks doesn't, and neither does Penske. **Hardin:** Is this the company you wanted to do some zoning for? **Gottschalk:** Yes, this would be on the next ballot for next fall. We are going to rezone it to general business. So, they wouldn't need the parking on the side anymore. It would be at the back of the building. **Hardin:** Would you consider that spot zoning? **Climer:** It is not. **Hardin:** What about the people in the back, how does that count? **Climer:** It joins the back of their properties. It does not extend up into the residential zone that's being used residential. **Williams:** Do they have any drawings for this? We'll put it on the ballot, it has to be approved. It is not just a given right? **Gottschalk:** It's 60 vehicles and 11,000sq ft. **Williams:** Is that enough? **Gottschalk:** There's no drawing of the parking lot. **Warren:** There will be drawings submitted to the Planning Commission. **Gottschalk:** What they're going to show is the landscaping to screen anything that would be of obtrusive view. That's what they would be showing. **Williams:** Well, you have to put it on the ballot. So, I guess what I'm asking is, what are the people going to see? Because there has to be some drawing for people to see what's happening, right? **Climer:** Yes we can get you a drawing, you can see it on the County map where it's located. We can also show you on the zoning map where it's located. **Gottschalk:** I got a letter from Donald King, President and CEO of King Group, company out of Paris, France. It says, "Dear Mayor, we're happy to announced we have executed a long-term agreement for the company headquartered in France". They are the parent of a company and again I cannot name the company. The tenant is a global leader in calibration services. They have offices and laboratories worldwide. They are now consolidating several offices and relocating to our property in access point in Oakwood Village. "In order to finalize the deal. We have agreed to provide numerous improvements in a major build out at our cost in the existing access point site. We appreciate your help and what you were able to offer us and encourage us to execute and finalize this deal. We're still working on the construction aspect and don't necessarily want to announce anything publicly. We'll continue to update you on this progress. We hope to have it there in the Spring." Of course, before that, this will be before you in terms of the agreement. This is another Job Creation Tax Credit; in this case it is 75% and it is for seven years. **Warren:** What kind of payroll? **Gottschalk:** Probably thirty-five to forty people. So, you are looking at maybe \$60,000.00 per person. Additionally, I have a letter from Kevin Callahan. This is from Premier Development. And in it he has, "Dear Mayor, this letter will convey Premier's interest in purchasing the 32 plus acres of land on Alexander Rd., in Oakwood, OH. Should Kroger not decide not to move forward with their proposed

development of the site. There are several strong prospects for the site. And would be delighted to arrange a conference call to move on our next step". Again, I've had calls in the last week and a half despite Thanksgiving from Amsterdam, Netherlands, from Paris, France, from Houston, TX, nothing from Kroger. My patience is at its limit. And I'm hoping, as I say, they have the liaison officer for the Governor here on this meeting. At which time I will make a decision and probably terminate it. Unless they're going to put in writing that they owe us the money that they owe us for our youth. There's already \$95,000 through 2023. At least that, and also their plan and date at which they're going to move forward. Without that, I'm done, I'm prepared to go public on this. It's not going to be good for Kroger and that concludes my report. **Hardin:** We can maybe put some of this on second reading. With that being said, will you have those numbers? **Gottschalk:** Yes. **Warren:** We would like to get those, as you already know them and already have them available. So, we have them before the end of the week. **Gottschalk:** You'll have it Monday of next week, worse case. **Warren:** Ok. **Williams:** So, you're entertaining Premiere for that property again. Whatever happened with the Premier deal? Didn't they owe us money that they did not want to pay for the trees and replanting? **Gottschalk:** No, they took care of their obligations. It was Kroger who hasn't paid anything. This is what would have happened. The only reason Kroger's even involved was because Premier came to us. If Kroger had come to me frankly at the beginning and wanted to buy the land. We would have never had an arrangement to begin with. Because I don't believe in committee forms of decision making. I believe in dealing with people that can directly give you an answer. This is now the third person involved in leading their committee. The last one was only there for three months. She just quit and the new ones in there right now. Again, the only reason I've held off for these last few weeks. Was because of Jobs Ohio and Team Neo asked me to at least have the benefit of a meeting. They support what I'm going to do, whatever I do. But they would at least have a meeting. We can't keep waiting for this lady to return the call. I'm going to go right to the CEO with an e-mail and say we were flattered that you were interested but this is over with. **Hardin:** The first part you can cut because we are not flattered. **Gottschalk:** Well, we're flattered on the initial interest that they were coming to Oakwood. But the point is we can't keep waiting. We're losing potential businesses that would probably be there by them continuing to wait. I'm looking at about \$650,000.00 a year coming into that site when it's developed. We're getting nothing right now. **Williams:** Prior to Kroger we had some issue with something not being paid for landscaping. I remembered because residents were asking about trees. **Gottschalk:** You can ask Brian; Primer has been satisfying whatever it agreed to. It was Kroger, in fact, I told you I used some of my own 501C3 money this week. Just to put up nylon netting around the Arbor Vita, so the deer won't get to it this winter. **Warren:** I think that what we were talking about and what you're probably alluding to. Is the fact that there was supposed to be a benefit for the ward four. For residents for a match of up to \$3,000.00 or \$4000.00. **Williams:** That was the program we created. **Warren:** That was, but that was the initial one that started with Kroger. It was only in ward four, and we added the other four wards to it. But that one was a standing on piece of legislation originally. **Williams:** What was that program called? That wasn't the same thing. **Warren:** Home maintenance. **Williams:** Yeah, that was started with Premier and then we stopped. The trees were before, I'll take a look back. **Gottschalk:** That money would have been coming from the revenue that we would have collected from the payroll. From the companies that were there to satisfy Ward 4 initially. Because they were the most initially affected. **Williams:** We moved from Premier to Kroger because something fell through with Premier, correct? **Gottschalk:** No, Premier sold it to Kroger. **Warren:** What happened is that Premier was initially planning on putting office warehouses there. After the pandemic went by, people weren't using offices. People were working from home. So, Premier decided building offices is not a good marketable tool because people aren't moving their offices. People working from home and everything else. That's why it benefited for Kroger's. Because the home delivery service for food, which is another indirect result of the pandemic. People were not going out and getting the groceries delivered. That's why they expanded it and that's why Kroger's was coming. Because they were going to have a

distribution center to deliver groceries to people's homes. So, that's why the office warehouse went to the Kroger's. That's why Premier was eager to sell the land. Because the office warehouse wouldn't have benefited them. They would not have been able to develop it and make money. **Gottschalk:** Originally it was going to have a payroll \$13 million, but that wasn't satisfactory to me. So, I said you have to guarantee me \$18,000,000.00 and if in fact, it is only ten, eleven, or twelve million, you have to make up the difference. They agreed and this would have been small vans. Refrigerated, delivering West of Pittsburgh, North of Columbus, Eastern Sandusky, and Oakwood would be the hub. The only reason I'm holding off this one is because this would be a great benefit. For not just Oakwood, but for Northeast Ohio, Cuyahoga County. So, I'm willing to give a few more weeks with Jobs Ohio and Team Neo involved. They understand my position and they also agreed this thing has dragged on way too long and it's time to either fish or cut bait. **Williams:** Well, here's my concern, that I just want to raise. We have had several large deals. Kroger, before that Premiere, we had Decar, all things that didn't come to fruition. Like very big deals that the community got tied into, voted for, and just didn't happen. So, I would just express some caution with rushing into the next deal, that may not happen again. As opposed to taking some time and thinking this through and maybe working as a team. So that we can find the right deal that can actually happen. **Gottschalk:** Well, we've waited 2 1/2 years. When Premier sold it to Kroger, Kroger insisted that this would be on a fast track. Obviously hasn't been, and they've reneged on what they've agreed to pay us. **Warren:** Partially because of the fact that they merged with another large company. There supposed to be the 4th largest in the United States. So that merging deal now has other players that's making decisions for the total entity of Kroger. Plus, the other organization that they're buying out and merging with. **Hardin:** Who owns it now? **Gottschalk:** Kroger. **Hardin:** So, if they choose to just sit on it, what would you do? **Gottschalk:** I have media already ready for this. **Warren:** There's nothing we can do. All we can do is just say that we will withdraw our incentives. And you can go on your own to build the distribution center without our incentives and see how far you go. **Gottschalk:** They've already reneged on a settlement agreement with Hawaii. They were distributing their coffee beans; they were saying they're from Kona. Which is the land between 2 volcanoes in Hawaii. The farmers there were promoting their coffee beans being Kona beans. They made a settlement, they reneged on that settlement, and then reneged on a further settlement. That same media would love to have this story again, where they're reneging. It's not going to look good for Kroger. I would see this thing get done pretty quickly. But the point is Premier, has companies ready to go in there. I want to get one other thing, and that was the Decar. We rezoned that obtrusive landfill to where it can only be a scenic park with trails going through it. On the West side of it, you could have had a media operation. But that didn't have to happen, the key was to get it zoned only for that. So, it couldn't be redeveloped into light industrial or something down the road. So that was the importance of the Decar property. **Hardin:** Somewhere in this conversation, we have to memorialize the fact that ward four was the recipient of a maintenance program. That has not been further throughout the Village as you recall. As we go forward, we can't lose sight of that. When do we plan on funding that program again? **Gottschalk:** If Kroger signs and says they're going to start the program within six months, or if it's sold back to Premier. As soon as the buildings are up and the payroll starts coming in, it will be implemented. That's not going away, it wasn't just promised to them, it's going to happen. But you have to have revenue coming in from the site, you just can't... **Hardin:** Well, we did it once before, so we can't say what we can't do. Moving right along here, I'm not willing to wait until we get the first front door of whatever comes in there as soon as we sell. Right now, it belongs to Kroger, right? Is there some way we could set aside funds to make sure that is the first thing that occurs with the sale of it? **Warren:** We don't own the land. **Hardin:** I know, what I'm saying is, with the first deal that involves us. At any point that we are involved with any transaction of that land. My point is, Mayor, whether you're sitting here or anybody else up here. That cannot be lost in the process, that is a program that we started with the promise to the people. Some way, somehow it has to be. **Gottschalk:** Yeah, but you have to have revenue to justify it. You can't just take it out of

the general fund. **Warren:** First of all, the ordinance in the legislation clearly identifies. That whatever is developed on that Kroger site, the beneficiary goes to Ward 4. Our anticipation was that once the revenue started rolling in from the Kroger site. Then those two new buildings, the one that's built on the other side. The last two, the expansion of Waste Management and plus the new building or the new company that moved from Cleveland to Oakwood. That with those revenues starting to generate, then we could look at funding the same program for the other four wards. That's why it was two separate pieces of the legislation. One for the balance of the Village. But we made a commitment to the ward four residents. That the home repair program was going to be generated from the revenues from the Macedonian site that Kroger's is supposed to build on. That's why they agreed, just to let everybody know. When we have a zoning change, and that land was zoned family. We had to get the zoning change. Not only does the zoning have to be approved by a majority of the residents in that immediate ward, but in the Village. If the immediate ward doesn't approve it and the village does, it doesn't move anywhere. Because it has to be approved by the majority of the vote in that immediate ward. So, that's why they went along and said, OK, we don't mind having these buildings in front of us. That was the incentive to build a mounding to hide the buildings. And for you not to resist or fight against this project. So, they went along with changing the zoning. We're just looking for revenue because now the property is zoned for business, it is not zoned residentially. That was the biggest obstacle that we had at the time. **Gottschalk:** This is part of the legislation and so with this happening they will be getting the benefit. There's no way to hide it, they will be getting it. **Hardin:** I just wanted to make a point that, at some point in time. We return to the maintenance program. **Warren:** Any other questions? **Williams:** You didn't go into why it was capped at \$8,000,000.00 for Federal Metal. **Gottschalk:** That was their maximum payroll, so that's the reason we're using that as a base. They have to be above that. Only the additional payroll, above eight million. Every year for the 10 years that goes up by 2%. That's what they receive, not any part of that eight million. **Climer:** The eight million is a base they have to meet in order to get the incentive. **Williams:** Got it, ok. **Climer:** So, if they do the \$7.5 million they get zero incentive. **Hardin:** Is the Mayor going to just discuss the cost of the Police request. Or are we going to wait for the Chief again? **Gottschalk:** I'll have that next Monday. **Hardin:** You're going to have the price dealing with the Police? They're asking for vehicles, it's on our legislation tonight. **Gottschalk:** There shouldn't be any problem with this, first of all, we're late to begin with. The Police Departments are in disarray in every city. Let's not fool around with the Police here and make this a serious matter; let's get it passed. **Hardin:** Let's not go there with that Mayor. **Warren:** Mayor, the thing is that this issue was brought up originally some council meetings ago. The Police Chief was here, and we talked about the cost. At that time, the Finance Director assured us that the money was there and available for the purchase of those cars. That's where we were a couple meetings ago. The police chief already explained to us the age of the cars and everything else. The Finance Director assured us that the money was available based on the projections that we have. Like any other Finance Director or any other community based on projections, and I don't have a problem with it. **Hardin:** No one does. **Williams:** I'm sorry, I don't have a problem, but I do have questions that I'm going to have. **Warren:** You're entitled to do that, that's true, nobody said that. That is why I supported Councilwoman Hardin in making sure that was clarified further. Now we know where we're at now. **Williams:** So, were we going over that piece of legislation now? **Hardin:** I just wondered if the Mayor was going to address the questions that come up. That was my question to the Mayor. **Gottschalk:** On that point, I Don't have anything to say. **Warren:** Any other questions for the Mayor? If not, I will open up the file for public comment. This is the time for the residents to come up, give their name and address to the Council Clerk. And ask whatever questions you may have.

Open Floor Comments:

Erica Nikolic, 7230 Wright Ave, Nikolic: I just wanted to bring your attention to Federal Metal. I am one of the residents that lives on Wright Avenue, right behind them. When I was a little girl, my grandmother's garden was lush. We had fruit trees, we had everything there. It was a gorgeous greenery. Now it's a wasteland, trees are dying in the ground. You don't know if you can plant anything or eat anything from the soil. Just about everyone on Wright Ave, from each house has cancer. My sister, the only one in my family who stayed in that house. With Federal Metal in the backyard, cancer. The guy across the street, cancer. The whole family down the street, cancer. So, while I'm not opposed to job creation, job creation is good. I would like to figure out, to what extent the industry surrounding my home. Is responsible to this problem. What I don't know is what goes into the production of recycle material to metals. What are they using to create this? What are they doing in those buildings? How is it being produced? What exactly are they doing with what they are not using? Has the soil been tested to see why now nothing grows? All trees I planted are dead. They are burning stuff; I don't know what they are burning. You go down the street, there's garbage blowing off from these industries. So, maybe propose a wall, let's start with a wall. If they are expanding, what exactly are they expanding? What exactly are we going to get more of? I don't know what is in the soil causing trees to die. Before we approve an expansion. We should bring it to the County, to make sure we're not expanding a health crisis. Which clearly already exists on that street. Is there any knowledge if there is something coming from that company causing problems in the community? **Gottschalk:** Let me say this, they've been there since 1959. There was never a problem. The buildings that they have on the side adjoining Wright Ave., were only purchased within the last five years. None of them are doing any production, in any of those buildings anyway. Whoever was going to own those buildings and there were some operations before. That we terminated their operations as they were using Wright Ave., as a way to get out of their properties adjoining Wright Ave. Federal Metal only purchased these buildings in the last few years. In fact, one of them just purchased the last half year. Because GM Industrial wanted to buy the building and Federal Metal building. So, these are only just warehouse and receiving buildings. There are no operations of any kind. **Nikolic:** It's their production. **Gottschalk:** Again, they've been there since 1959 and there's never been a problem with health. There isn't a family that doesn't have cancer, and that's one of the reasons that you should be promoting to your residents. Right now, although it's early, we have about 35 to 40 people on the vitamin D program. Get them signed up. **Matlock:** Ask them to do a walk through you, even if it's you. You can probably go to management and ask them to give you a walk through that building. So, you could decide or see exactly what they're doing. If they're producing anything in there, you can also ask some questions. What chemicals are they using if they are producing something in there. Not only you, but residents in your area can go through that building and ask for a walk through of that building. Tell them to give you something like that. You can go with them, and they can tell you how they operate, then you can ask all those questions. **Williams:** It would probably be most appropriate if you could invite them here to do a presentation. **Matlock:** A presentation that is fine, but me myself. I would want to go out and do a walk through their building. Go and see how the production actually functions through that building. **Nikolic:** Whereas you all will be held to approve the legislation, I would implore that you all do this as well. **Matlock:** Well, you're going to be on this board in a matter of four weeks. You don't need approval of legislation to go through a building to actually ask for a walk through of that building. **Warren:** Her concern is that we increase the exposure, if there is one, by allowing them to expand. The one thing that I would suggest. We have to check with the Law Director or the Mayor since he has a relationship with them. Is to ask them to give us soil testing. Soil testing would be perfect like alongside the fence area we can do soil testing. **Williams:** When you say there's never been a problem, what are we using to measure that? Like what tests or what results have we been taking? **Gottschalk:** If there has ever been a problem. That's usually with Agmet on the other side of Alexander, where there's been a terrible smell. This is we're they are taking only copper alloys. We're not

talking all kinds of other alloys which can have more side effects. **Warren:** Mayor things could be accumulative. **Williams:** We can't say there's never been a problem, when you don't have evidence showing us that there's not? That's what I'm saying. When you say there's never been a problem, is there testing that has been done? Or something that we know that there's never been a problem? **Warren:** There has never been a known problem is what he should be saying. **Gottschalk:** The problem is clearly the junkyard that's been there 80 years with all kinds of crap. **Warren:** Mayor, we're just specifically talking about this building. You keep diverting off to some other issue, and we're specifically talking about Federal Metal. We're not talking about all of the buildings around there, we're not talking about anything, but that. **Gottschalk:** I was just wondering would she feel if there's some trees dying, then it's probably Federal Metal? And all I'm saying, all I'm pointing out is any operations occurring are on the Northfield Rd., side. They've only just purchased these properties on the on the side and joining Wright Ave. At the same time, I'm sure that we could set up an arrangement. Where you can go down there and visit them, rather than having them come here. I don't see any point in having them come here. **Williams:** You can do both. **Gottschalk:** They're not coming to a meeting here. **Warren:** Well Mayor, you can say what we not doing. But then you don't get your legislation passed. **Gottschalk:** I'll make it clear you're blowing eight million dollars. What is the point on having them come here? **Warren:** What is eight million dollars, how are we blowing it? You just said that, so as a matter of record, where's the eight million dollars that we currently collect? **Gottschalk:** Payroll we are currently collecting right now...(inaudible) **Warren:** One of the things that's more important to me. In what she's saying, and this directly related to that. That could make our residents and our colleagues feel comfortable, is soil testing. If trees are dying and stuff like that, it has to be some kind of direct relation to the soil. **Matlock:** It's something we need to know. **Warren:** If there is some testing, just going along the line where those residents. In spots like they do with soil testing, it's fine. I'm sure that they wouldn't have a problem with that. especially with the. **Williams:** What I'm asking you to do is to reach out to them. Or I can do it and get a representative here to explain what their production and business is. If we're going to approve a tax anything they can come and present. **Warren:** We got somebody from Waste Management right here. Initiate it on your own to come and talk to us. **Matlock:** I would think a company of that size with \$8 million. I don't think they would have any problems coming to explain. **Warren:** Table legislation until you want to talk to us. The legislation, I guarantee you I'll get the votes to table this legislation. **Nikolic:** In conclusion, I just want to say as a means of process of elimination. Testing the soil, having them gives us a clearer idea of what it is they're doing. It will reassure us that the deaths aren't related to their business if we're expanding. Eight million dollars would not replace my sister.

Karen Howse, (unknown address), Howse: Hope everyone had a good Thanksgiving. I just have a couple questions in regard to the Police cars. Of course, we need those cars running all the time. One thing is, when you look at the ordinance generated. Ordinance 2023-42 attached he has I guess a state bid documentation. It references Montrose Ford, but the ordinance references everything but Montrose Ford in Section 2. **Warren:** As long as they don't spend more than what it is, i don't care where they get it from. **Howse:** I understand that but it's saying the state bid is assigned to Montrose. However, it's referencing authorizing the city to purchase from Key Chrysler and Jeep Dodge. The bid says \$46,000.00, and if you divide \$145,000.00 by three, it's like \$48,000.00. So, I'm just asking if we'll be buying the cars from Montrose or the various options, is what i am asking. **Matlock:** I know he made a comment at the last meeting regarding why he was purchasing for Montrose. **Williams:** That's not what she's saying, that wasn't the question. **Howse:** They have been awarded the state debt, but the legislation reads differently in Section 1. **Williams:** It's not in the legislation. **Haba:** Whoever you would buy it from, it would be the exact same price. The only difference comes in if you wanted some options, that might change things. **Howse:** But this is what it said. It says enter into a contract on behalf of the Village with the state of Ohio Department Administrative Services. So, that's the state purchasing through its

designated vendors. The person who was awarded the Police contract was Montrose. But you listed here Key Chrysler and Jeep Dodge for the purchase or lease of the following cars for the use of the Police Department.

Warren: Law Director can you just changed that to identify the specific dealer that we're getting them from. After you confirm with the Police Chief that that's where we getting them from. **Howse:** Yeah, if it's not Montrose, as long as they're under the state bid. That's what I'm asking, where we purchasing it? Then it says to purchase or lease. So, are we purchasing it outright or leasing? **Climer:** It is a lease purchase. **Howse:** Ok, so I noticed there are two funds 401 and 101 which is general fund. What is 401, what fund is 401? **Thompson:** Capital. **Howse:** Capital and it's subsidized by the general fund? **Thompson:** Yes. **Howse:** So, that will be changed. Are you going to pass it based on the contingency to change? **Warren:** We're only on first reading. **Howse:** Ok, the next question is, there's a Senate Bill 33 that has was passed January 2023. That changes how the CRA agreement is. Question for you, I know CRA's are great, TIF's are great. I have told you that, I'm not saying that. I just want to make sure that the Village is in compliance with what the new ruling has been for the CRA agreements. I noticed one of the things that makes it easier to establish a CRA. Without necessarily going to school anymore. I noticed that the percentage is like 49%. Which 49% avoids you having to go to the school. Because it's 50% where you would have to go to the school. So, you guys have your 49%, but now you can go up to 75% without having to go to the school. What I want to know is have any changes been applied? Any ordinances to be compliant with the new Senate bill. That says now you don't have to collect fees or anything of that nature. You don't collect fees anymore for the CRA's. So, we're not collecting fees, right? **Climer:** Correct. **Howse:** Ok, with the application, when you're applying for a CRA, before it even gets to legislation. Where's the application for this year? So that the Council can see what company, the number of employees that's relevant. **Gottschalk:** They have it, at the same time, the schools we give a notification on a CRA of less than 50%, it's only 14 days. On 90% in the case of Federal Metal, it will be 45 days. **Howse:** What I'm saying the Senate bill does not require you to go if it's 75% or more. **Gottschalk:** Were still using 49% rather than that. This is a much more liberal bill now, and in fact it actually hurts the schools. But in our case, with Cardinal Realty we're using 49% like we have before. **Hardin:** I think you're both saying the same thing, but the last question. **Howse:** If I can finish, it also states you mentioned that you were going to be doing some income tax sharing with the schools. **Gottschalk:** There's no income tax sharing with anything less than, it will only be with federal medal, not with on a 49%. There's no income tax sharing and now actually there's no income tax sharing even with 75%. But we aren't using 75%. **Howse:** It increased from \$1,000,000.00 to \$2,000,000.00 million so you're not required to share unless it's at 2 million and above. **Gottschalk:** The point, however, is with the huge increase in the levy. I've stripped the donation to the schools because it has such an effect. On a \$100,000.00 house you're looking at around \$345.00, a year just on \$100,000.00. So, imagine four million, what it's going to cost the company. There's no need to be donating any more money to the schools.... **Howse:** That's not what I'm asking. I'm just talking about Senate Bill 33. I'm not talking anything related to the school. I'm glad that was passed in fact. I just want to know, have we put in the ordinance, the changes. Or are you saying it's not necessary to say "upon application, we're not collecting a \$750 application fee for the CRA's. **Climer:** I don't think we need to provide that because we're not collecting it and we never really have. **Howse:** So, do we have the applications? **Climer:** Yes, I believe it's attached as an exhibit. **Howse:** Because I don't see the applications at all. That's why the Council was asking. Where's the application that has been filled out. Because you're required to fill out the applications. **Gottschalk:** There is an application that's been filled out, it's exhibit A. **Williams:** But you said we have it. **Howse:** You said you have it well, where is it? **Climer:** I believe it's exhibit A to the ordinance. **Gottschalk:** It is exhibit A in the Federal Metal legislation. **Howse:** Show me where the application that is actually filled out, because I don't see it. **Climer:** It was getting attached by the mayor's office. **Howse:** If you have it though, I just think you should see it. Because it will tell you what the company is asking for, how many employees, what they're bringing in just to get to know before you pass it. So,

my concern is, I am definitely pro CRA and TIF's I think they're great, I think it's important. But I also think in the same breath that when you're approving it, you need to know what you're approving. I mean, that's just the process before you can get to this part. When you have the applications presented to council to look it over before the legislation. **Climer**: We have the application, and it was getting attached before it went on to the agenda and it must have been some mix up with that. **Howse**: Ok. **Williams**: So, let me understand this process correctly. Can you walk me through because he talked about these CRA's several weeks ago. So, at the point in which he makes a deal with a company, they complete this application immediately? **Climer**: The company applies to the CRA. It's attached to the proposed agreement for Council to pass. If Council agrees, it passes the ordinance authorizing the Mayor to sign the CRA agreement. The company then signs the agreement, and that's in effect. **Williams**: So, that application would be ready before the legislation will be ready? **Climer**: Correct, there is an application, but through some oversight it did not get attached. **Williams**: That will give us some background, even before we had legislation to know what would be coming. **Climer**: Correct and that is why it's attached to the legislation. **Williams**: I've never seen one in my 7 years. **Climer**: I can assure you it has been attached in the past. **Williams**: But we can get those prior to receiving legislation, so we have the information that we're asking for beforehand. **Climer**: I mean theoretically, or you can get it as an attachment to the legislation to consider along with the legislation. **Williams**: That's helpful, thank you. **Howse**: Usually it gives you an opportunity to look at what's being presented before legislation. But ok, I mean obviously you're taking time to go over legislation that you don't know. You're asking legitimate questions, but you just don't have the documentation. The next question is Public Records request. I know that the tradition is you wait till you complete close of a month before you present Council with financial reports. **Climer**: Do you want this to be on the record. **Howse**: Yeah, I do. **Climer**: Well, we may want to wait for Tanya to come back. **Howse**: The last thing, I was just reading through the minutes or whatever. About promising of an updated financial statement. What was the last financial statements you guys received? What month? **Williams**: I believe through August. **Howse**: Through August, I could just ask you, Brian, what was the general fund ending balance for August? **Thomson**: Before or after encumbrances? **Howse**: Unencumbered. **Thompson**: \$506,000.00, all funds were \$1.3 million. **Howse**: What is the 401 fund right now? **Thompson**: The actual balance? **Howse**: Yes. **Thompson**: Through that period, it is \$38,400.00. **Howse**: I'm requesting as of today. What is the November like? I'm asking for the summary cash statement for November through today the 28th. And I understand all revenues aren't posted, all expenditures and all bank fees, I get that. But I'd just like to see November's currently with the financial, with the summary as cash is. **Thompson**: Ok. **Howse**: Can you tell me about when I should expect them? Because you can send them PDF to me. **Thompson**: We're moving forward, my whole staff got COVID. So, we were closing in on closing. **Howse**: I'm just saying just click first, click on it and just one page. **Williams**: Alright, I'm sorry I couldn't hear anything. **Thomson**: She wants to get the same cash summary report as of today. We could put a note in there saying summary to change. **Williams**: How long does it take? **Thompson**: If she wanted to close, that's what I was referring to. It wouldn't take that much time. She can get it in the next couple of days. So, I'll send it to you if it's the same one. **Howse**: My last statement is kudos to the Service Department because this morning the roads were fantastic. When I pulled out, I thought that the roads were clear versus going into other communities. I always brag about things like, oh, well, we didn't have that problem, sorry. But thank you so much for the Service Department for having those roles cleaning. It's so appreciate it. **Warren**: I just want to tell you something. 5:30a.m this morning I saw the grass and I saw the driveways and I'm like what are they talking about. Then around 6:00a.m., it started snowing a little bit, and by the time I left, I left at 7:45. I was on I271, it took me 45 minutes to get up to the I480 split. But that's how long it took me, 45 minutes to get from Forbes to the beginning of the that exit to Rockside. **Howse**: And it's just so appreciated. It makes the public safe, our Police and Fire makes it easy for them to get through when they're needed. It's a hard job to predict but you guys are always on it. So, I just wanted to say that. I

appreciate your willingness to provide that information for me. Then also I just ask you guys, just read the material. Like I said, CRA's and TIF's are a good thing. Thank you all, just read the material before you approve it.

Vince Crawford, Waste Management, Good evening everybody, hope you all had a good Thanksgiving. I'm Vince Crawford with Waste Management. I'm stopping on tonight just to give you a little bit of update of where we're at with the new recycling facility. I brought a little gift here. We've had this plaque made for Oakwood Village. We appreciate the partnership that we have with you guys. It says in recognition of the opening of the Cleveland recycling facility September 15, 2023. We're about 8 months behind schedule due to all the wonderful things of supply chain and people, issues, and whatnot. But you know, the plan is working along, it's running better each and every day. We just want to present this to the Council President. Again, to say thank you to everybody here in the community for being a good partner. As we grow our recycling, we've seen the benefit of everything that we've put inside the building. Hopefully you guys have seen the benefit of what we did outside of the building. We put a lot of money into that structure, fixing all those doors, putting new paint on, new siding, new concrete, and we've obviously been able to add some jobs into our facility, which has been good. The machinery that we have in there and inside that plant, someday we're going to be able to have you come take a look at it. I've told Council President and Councilwoman Hardin, but that elevator is still not working. We put an elevator in because you have to go to the top floor. It is two flights high and they're pretty steep stairs to get up and see the whole facility and see how it really operates. But we invested in this elevator. And we're still waiting for one more part. Then once the part comes in, we still have to get it passed and have the inspection. At that point, we'll be able to have you guys come out and do a tour of the whole facility and to see our education room. I think you'd be pretty impressed with it. But it's been good for Waste Management and hopefully you've seen some of the benefits as well. In some of the receivables that the Village has been getting. The plant itself, what it has been able to do is operate more efficiently. We are doing a better job of pulling more materials out of that recycling stream. So, actually extracting more recyclables out of the same material that we've been getting. We've also added for customers. I mean that's the goal of any business; it is to grow. We've been able to add five new customers since we've opened up that plant. One of them starts January 2nd, that's one of the other big pieces I'm here to talk about tonight too. As that growth happens, the change happens in our business. We will need to move our trucks that service the Village on Monday to service in the Village on Tuesday. I put together some examples of what we would give all of the residents. We send it out in the mail and then work with the Service Department on getting out some of the brochures. We know that nobody likes change. The residents of Oakwood have already gone through some change. You know, if you think about it, we started with trash carts first. They never had those. Then we added the recycling carts and change the recycling to every other week. Again, once people get use to that change in new service day, it really is no big deal. If you really think about it, 80% of the world get their trash picked up on a different day, than Monday, right? Because we pick up trash and recycling Monday through Friday in all different communities. But you know there's actually some benefits that we know that will help with that transition. This is a sample postcard of what will be sent. Notifying the people that this is the day that your trash collection will now be done on Tuesday. Then the second page gives the calendar of that every other week. Recycling with the streets and that also provides basically some of the do's and don'ts of putting out your materials. How to set it out, time frames and whatnot. There are two different mailings. You're going to get two notifications of when this date change will be happening. Which would be January 2nd, 2023. Unfortunately, true reality for our business is we have days where not everybody comes to work. So, we're short staffed. Generally, Monday is our day that we have the most absenteeism. So unfortunately, Service Director Haba knows that there's been sometimes we had to call and say, hey, we're not going to finish that route here today. We'll be back tomorrow to finish off whatever

section of the Village that might be. Also Monday holidays, this is not just Oakwood Village, this is the industry thing. Not sure what's going on, but you know people are holiday mode. Having a holiday on Monday, it's not my normal day. I'm not in my normal routine, I don't set my trash out on Monday night. Because trash truck is coming Tuesday now. Then we get calls from the Service Department. Hey, can you go back and check this street? These residents didn't have their trash out after that Monday holiday. Now we have to go back and do double work because of those Monday days of holidays. The other part is on Mondays we have a couple of trucks here in Oakwood doing service. The rest of them are Richmond Heights or somewhere else. We have no trucks close by. If we need assistance provided, we're not close by. It would be 45 minutes to get back here to try and help jump on our route and help take care of whatever needed. On Tuesday, we don't have the attendance problem. But our entire fleet is in Twinsburg, right next door. All of our trucks would be in Twinsburg or in Oakwood Village providing that service. If we are short person, that next driver is 5 minutes away down the road. They can come over here and help provide assistance. Most importantly, it is really not that big of a deal. It's not that difficult to move the next day. Now I would say if Oakwood's day was on Tuesday and we're going to change it to Monday. That's a little bit more difficult because now you're waiting a full week. Typical scenario is, we send out this information. 90% of the people read it, 10% of them it goes in the trash. They've never even looked at it. They have no idea that their trash day is changing. They put their trash out on Monday. We don't show up, they're going to leave it there because where is Waste Management, they didn't come. Tuesday morning our truck comes by it picks up their trash. Then they see everybody else is trashed on Tuesday. Couple weeks in a row that that happens. All those people that didn't get the message. They see all the neighbors putting their stuff out on Tuesday. I put my stuff out on Monday, 2 days in a row, it didn't get picked up until Tuesday. What's going on? Well, the day has changed. We want to do as much as we can to notify and let the residents know what this change is going to be. If we need to get some of the yard signs that put up in some of the corners of the different intersections of the city just so it's out there additionally. We're willing to do that, that's not a problem at all. At the end of the day, we want to provide good service, but also we want to see our business grow. By adding this new recycling on Mondays with the city of Richmond Heights, we just have to move. We need those trucks to be in Richmond Heights on Monday because there's going to be that additional recycling. We have this availability on Tuesday to just move the service day here. Again, I think with the way it lines up operationally. Dan, right next door, we run 18 trucks in Twinsburg on Tuesday. That's a lot of horsepower. If we ever have an issue here with the main driver that services Oakwood Village, if he's unavailable. We're going to have back up right here and a lot of it to make sure that we always get the Village taken care of. We're not going to make it second fiddle. The same guys that have been servicing the community on Mondays, will be the same guys servicing the community on Tuesday. We're not changing those drivers. So, it'll be a very smooth, easy transition moving over Tuesdays. **Matlock:** Do you think one trash can is sufficient for a resident? Because I've just noticed, I'm looking at what's outlined. It says if you have any plastic bags that are not inside of the trash that you will not pick it up. **Crawford:** That's been that way probably the last four years, many residents have a second bin. If they would like, they can come get that from us. **Warren:** \$6 a month, right? **Crawford:** I think it's just four. **Williams:** I have a few questions. Actually, I did get to go and tour, and it was great, it was nice to see it inside. Can you definitely make sure that you all put out additional yard signs before this happens? Because we do get a lot of calls about trash. **Crawford:** Yes. **Williams:** I understand everything you said and hear what was going to be the benefit to you all and us getting better service. From us, the residents, they want to know what is the benefit to them? Are we going to be assured that we won't have half the city picked up and 12 streets left? Is that going to alleviate that problem for sure now, for most of the pickup days? **Crawford:** I would say we don't have that problem. That problem happens when/if we do have a call off or we're short staffed on Monday. That problem we believe by aligning on Tuesday will definitely be eliminated. **Williams:** When you all came and did the presentation for expansion. You talked about

having someone out in the area surrounding Waste Management that would pick up trash. I want to say two or three times a day or week. We have trash that is just littering. You can tell the difference from Bedford Heights to Oakwood to transitioning to Macedonia. It is because that's here and the residents talk about it a lot. So, I don't know if the three days just aren't happening or if three days just isn't enough. Can you speak to that, and can we do something? **Crawford:** I can't speak to that, unfortunately, there's a reality I can speak to. Because Tom called me on that, I think it was 2 weeks ago to say, hey, you guys need to jump on that. When I called over to the facility to talk to the manager of the facility, Dave Weaver. He's like I'm on the road right now picking up trash, that's what I'm doing. **Haba:** If I can say something Vince. I think sometime maybe Candace, it's on the freeway. You're saying travel from Bedford Heights through Oakwood to Macedonia. I think sometimes the freeway. So maybe, Dave can sometimes call the District 12 because we do that a couple times a year. They pick up but not that often. So sometimes we have to call the state even to clean up that area. **Williams:** Yeah, but it's coming, it's originating... **Gottschalk:** She might be referring more to Oak Leaf Road. **Crawford:** Yeah, I agree, so anyways, he had gone through so many different workers. McDonald's can't get people to work and we're trying to ask some guy to go out and pick up trash all day long. It's. Been a struggle. I think we had a good program going for probably a good solid year. I don't know if it's because of the weather change, but it's definitely been a struggle. We do know about it and when Tom raised it up to me. I talked to Dave and said we got to get back on this and make it a priority. And literally when I called him the manager of the facility was the one picking up the trash. **Williams:** So, all in love, but I think I'm going to... because that's what I'm hearing the most. It's like this trash is just blowing around and it looks like it's just in our Village. It doesn't look good, and I know Mr. Jackson is going to Jump. **Crawford:** I agree wholeheartedly, I don't like seeing that either. You know, in fact, today before I came here, I drove down that road. I'm like what does it look? We don't want to have that as our perception. We that's something we need to work on. **Williams:** So, it is three days a week, though? **Crawford:** It might be two days or three days; the ideal is 3 days. **Haba:** Yeah, I'm not just saying this but not 100% of that comes from Waste Management. A lot of it does, but not 100%. You go out to Fair Oaks, and right after they finished that road. Within two weeks, it was unbelievable how much trash was on that street. That wasn't coming from Waste Management, but it was a lot. **Hardin:** So, where did it come from? **Haba:** People coming from the casino, coming off(inaudible). **Warren:** Sometimes you have contractors who work in our communities, and they'll go and ride in the pickup truck. And they'll just be driving, and the stuff blows out in the back of the trucks. I've seen that happen myself. **Hardin:** Tom, do we have any signs posted regarding fines for littering in that area? **Haba:** I don't think we do anymore, I'm not sure. **Hardin:** We should, whether they adhere to it or not. It lets them know that we are looking. When those doors are up and I don't know if there's something you can put up, I'm not an engineer. Maybe something on the side to catch it. Because I kind of took some time to watch. It's like it comes around the building versus coming straight out of it. Does that make sense what I'm saying? **Crawford:** Yeah, I know you're saying, that's why we have the fencing and we put the extra. **Hardin:** Right, but that's what catches the fence. It's too late at that point, and for whatever reason. Like I said, it doesn't come straight out of there. It whips around and then it sends it across the freeway. I don't know if there's a like a netting something, I don't know. But we thought, maybe when you got the doors fixed, that would be a resolution to the problem. But just think on maybe some type of netting or something to catch it, that might help. **Crawford:** One of the things that they did add a street sweeping service. That comes into the whole parking lot area a couple times a week. We did not do that previously. So that is something that they've added to the service over there as well. **Warren:** You guys don't run trash all the way to the doors either. You probably have at least seven or eight feet between the end of the trash and the door. **Crawford:** You always want everything to be inside. **Warren:** Maybe you can consider this, you know those like plastic things, they look like Vertical Blinds. Maybe you can put those in front of the doors. Then it doesn't inhibit the trucks or anything. **Crawford:** They will get ripped off. I appreciate that, I mean, even like those

doors. Again, that was something you guys held our feet to the fire on. We needed to do it and we did it. Those doors were \$40,000.00 apiece. I know that they went through and put them all in. In two weeks, two of them were already off track. So, you know, it's just so old design, it's an old building. We put a lot of into it, a lot of cosmetics to make it look better. **Warren:** A roll up door shouldn't have any effect on this structure of the building. It's just whoever put them in didn't put them in right or something. The building has nothing to do with it. Because those guys would cut to make it work. **Hardin:** One other thing, I want to make very certain that we don't just pounce on you and give any credence to companies coming in. We appreciate you coming that's number one. The fact that we are surrounded in a way by landfills, it's always been important that we keep an eye on what's going on over by the park. Years ago, when we had the closure for Solon. We also participated in the closure of the mound over by the park. The concern then and still is, I would imagine. The leakage from that mound, from the hill. and it goes. You have the creek; the creek is a part of the environmental area there. How often are you required to sample and verify that there's no leakage coming out of the mound? **Crawford:** Basically, the way that system works now, it has piping all through it. To capture that leak, it's called leachate. We pump that, and it goes to Solon's Wastewater Treatment Plant. So, it is getting treated. We do not want that to go into the water stream at all. In all landfills now that's how they're made basically. It's like a big bowl and rainwater is directed to the bottom. Then there's piping that goes through all landfills to capture that rainwater. We're lucky that it can just go right there. Most places must put a tank, then truck it to the treatment plant, but in Solon it goes right to their facility. **Hardin:** How often is it? Is it verified? **Crawford:** So, what I do know, only because I got to go over there and see kind of how it works. The city on their side, they have all the monitors there. There's a lot that goes into monitoring the water that comes into the wastewater treatment plant. So, if there's a high detection level of something they have you know some sort of machinery in there that detects. Like, hey, there's something wrong with your water. The other places where we truck it directly as it's coming out of the truck, they're pulling samples out of that. So essentially all the time, all the water is always. **Hardin:** Who's sampling at you or EPA, or both? **Crawford:** The city wastewater treatment plants, they're the ones that are qualified to do that and certified it. It wouldn't be right if we were doing it. **Hardin:** Those reports are public information too, I would imagine. Thank you so much.

Mr. Jackson, address unknown, Jackson: You guys have addressed almost everything that I have come here for today. I've been very concerned about Oak Leaf, it's terrible over there. The building is beautiful, but we want Oak Leaf to be as beautiful. I'm a beautified man, that's who I am. I like staying nice. **Gottschalk:** My first point was going to be with the TIF. We're going to get \$40,000.00 a year coming in because of the facility. We could easily spend \$5,000.00 for Mr. Jackson to do the cleaning himself. That would certainly ease the mess over there. There will never be another issue with all kinds of condiments at either Fair Oaks or Oak Leaf. So that could be a nice use. Anyway, those are the points, but I think we can handle this matter. **Crawford:** Thank you guys very much, I appreciate your time tonight.

Williams: Before you proceed to legislation do we have other applications? This shouldn't be the only one, or is this just the one you got for today? **Gottschalk:** That was the only one that was necessary. That was for the 90% CRA. **Williams:** I thought there was another one with a CRA. **Gottschalk:** Yea but that was for 49% you didn't need for that. **Williams:** I thought there was an application regardless. **Gottschalk:** There's only two CRA's. **Williams:** But they all complete applications correct? **Gottschalk:** Only those in the past above 49%, now 75%. **Warren:** I guess the question is how can you get a CRA, if you don't apply for one? **Williams:** All of these legislations should have applications correct? **Gottschalk:** No, we've never had an application for CRA under 49% or less. **Williams:** So, they don't complete them is what you're saying. **Matlock:** It's a certain percentage you have to have in order to get a CRA, is that what you're saying? **Williams:** That is not what I am

asking. To get a CRA or a TIF, you have to apply. So, everyone has to complete that correct? **Warren:** Mayor there is no way in the world you can get me to think. You can just call the government and say I want a TIF or CRA and they say how much do you want. You have got to apply for it, somebody does. **Howse:** All CRA's have to have an application. **Williams:** The Law Director said that there's an application for these, that's the process. So, what do you mean you don't have them follow the process. **Climer:** Certainly, it is required for the 90% CRA, I will review the 49%. We have not historically required an application for a TIF. That is something that is discussed between the administration and the applicant. There's nothing that would preclude us from requiring an application as part of the process. **Williams:** Ok, that's not what you said at first. So, the process does not include an application every time. It depends on the percentage is what you are saying now? **Climer:** That's what we've historically done. **Hardin:** Mayor, you just mentioned, Commissioner and something came to mind. Didn't we recently have a vacancy on one of the commissions that was recently filled? And if so, what ward was it? **Gottschalk:** Ward two. **Hardin:** When did that vacancy become open and was I notified? Because I think each Council person has the opportunity. **Gottschalk:** I can't keep track of everything. This is a responsible person, in fact, his brother lives on Hyannis. He's been there for 50 years. **Hardin:** I don't question the individual Mayor. I'm questioning the process. I think I have that opportunity without making it a circus. So again, I'm not going. I'm not scared. I'm going to ask you again. It was ward two and did you notify me? **Gottschalk:** I did not notify you, no. **Hardin:** You just found somebody. **Gottschalk:** I didn't just find somebody. It was given some thought. I talked with the church he goes to here in Oakwood. I talked to his brother and then the decision was made. **Hardin:** Ok, I want to go on record. I'd like to check the Charter. I'd like to see what the process is because I want to know why and how it was done without me knowing it. And that's because I am concerned. I would have appreciated even a courtesy that it was done. All right. Thank you very much. **Jackson:** Mayor what are we going to do about them big old...I'm so tired of looking at it. **Gottschalk:** We originally were going to put them on our entrance to our community park. The church was not happy about it, it didn't fit with their building. So now we're planning on putting it where the new site will be. Whether it's premier or Kroger on the entrance over there, so that's where they're going to go. It's going to be on the street. You're going to need a lane going from Alexander Road into the site, and that's going to be the entrance. **Howse:** I just wanted to clarify something. I was only talking about the CRA. CRA's you are required to fill out an application. I didn't say anything about TIF. **Williams:** Well, I'm just reading the top of this application. It says CRA and TIF application. **Howse:** But if you're applying for CRA, the portion of that must be an application for the CRA, not the TIF. **Williams:** So, I know our Charter, I'm just thinking about what I can remember that's in there. When a vacancy happens, then there's a certain time that the Council person has to operate within, and if they don't, then the appointment is made by the Mayor. But if you're never notified of that vacancy? **Gottschalk:** No, the Mayor makes that position, not Council. **Climer:** There are certain positions where Council does appoint and if it doesn't act, the Mayor can. Honestly, I need to read. **Williams:** Because my thing is if it does become vacant and you're supposed to fill it but you're never notified of the vacancy. You can't just go to appointing if you haven't followed the process. **Climer:** I think that protocol varies from position to position if I recall correctly. **Williams:** I would like to know the process. **Gottschalk:** Planning, ARB, and Zoning, it's the decision of the Mayor. There are other committees that the Council has a voice on, and one of them is the Charter Review Commission and things like that. **Hardin:** Speaking of that, but I want to go on record and ask the Law Director as we speak. We're going into a time frame where we will be dealing with the Charter Review Commission, is that correct? Will you send out the information and the process and have us get started timely, please. **Climer:** Yes. **Hardin:** Thank you. **Climer:** I will say two or three years ago, we went through that very thoroughly. **Williams:** No, we did not. **Climer:** With the Charter review, we went through the Charter clause by clause by clause. **Williams:** No, there were several people that were appointed that said they felt that it was very rushed. So, I just want to make sure we have adequate time for people not to get rushed this

time. **Climer:** Yeah, that's fine. **Warren:** Well, I was on it and I thought that it went according, nobody that I heard felt rushed. **Williams:** Did you ask? **Warren:** Who do I ask, everybody that was on it was a representative of each ward. The Mayor chose two and each representative of the ward conducted the meeting. **Williams:** I'm just saying you said you heard, so I'm asking you. **Warren:** No, I said I didn't have a problem with it. I didn't see that it was a problem, and I didn't see that it was rushed. But it's a different opinion. Some people catch on slower than other people and or things of that nature. **Climer:** Yeah, and that certainly wasn't the intent. **Hardin:** So, we're going to start very soon so that we have lots of time to go through it. **Warren:** Now we'll close the floor officially, and we'll begin with today's legislation.
Floor closed.

Climer: Proceeded to read...

Legislation:

2023-42	AN ORDINANCE AUTHORIZING THE ACQUISITION OF THREE POLICE
Introduced 11-28-23	CARS, AND ACCESSORY EQUIPMENT, FOR USE IN THE POLICE
By Mayor and	DEPARTMENT FROM THE STATE OF OHIO, DEPARTMENT OF
Council as a whole	ADMINISTRATIVE SERVICES, STATE PURCHASING AND DECLARING
1 st read	AN EMERGENCY.

Williams: So, we're going to make the change to make sure that Montrose Ford is listed? **Climer:** Right. **Williams:** I was confused also where if it says, "for the purchase or lease," are you saying it should say for the lease purchase? **Climer:** It is typically a lease purchase agreement that is finalized after the legislation is passed. **Williams:** So, where it says, "for the purchase or lease", that shouldn't be changed to lease purchase? **Climer:** It permits either, this is a lease purchase agreement. It is a lease that ultimately results in the purchase of the vehicle. **Williams:** Ok, cause above it says cause affective to purchase. So, I am wondering if the language should be consistent or not. **Climer:** If you want to amend that, we'll be happy to do it. **Williams:** Do you know the required amount you have to go out for bid? **Climer:** It's exempted when you go through the state purchasing. **Williams:** There is no required dollar amount? **Climer:** There is no required bid. **Williams:** What is the 101 fund again? **Thompson:** Vehicle lease purchasing budget. **Williams:** Between the two do we have \$145,000.00 to pay for this outright? **Thompson:** What will happen because of the structure of the purchase. we have escrow funds where the bank will pay the whole thing. We'll put the appropriations over to cover the lease every year. **Williams:** So, is it a finance agreement? **Thompson:** Yea, ultimately we'll have it after this piece coming from First National Bank. **Williams:** So, that will be an attachment to this legislation? **Thompson:** We have the line already. If you remember some time back when we did the million dollars. We still have approximately \$350,000 left in escrow. With that once we receive the equipment they will go ahead and send the vendor the \$145,000. Then we'll just service the lease payments and appropriations every year. **Williams:** This is from our original deal we had, now we are basically utilizing those funds. **Thompson:** Yes to balance it out. **Williams:** So that will be added to that? **Thompson:** Yea, I share the schedule for the lease payments. Some lease payments expire as well. Then we get new ones, but I will get that exhibit. **Williams:** Do you know if these three are replacing old vehicles? **Thompson:** He has a certain rotation. **Gaither:** That is what the Police Chief said. **Williams:** Do you know how long it's taking to fill orders for the vehicles right now. **Thompson:** At least two years, it's really out there now. **Williams:** So, if we place these orders they won't come until... **Thompson:** I think for the end of 2024, if I am not mistaken. **Williams:** This wouldn't impact his fleet if we didn't approve this right ow correct? **Thompson:** I would say it is because he wants to upgrade and had some

concerns about his Tahoe repair bill. **Williams:** Do we have three other vehicles he'll be using in place of these three? **Warren:** They are going to use the same vehicles in the fleet. He will retire the oldest, get rid of them, and put these in that place. **Williams:** I am asking because we haven't seen our finances since the end of August. So, to add more debt when we don't know where we stand financially. To me, it's a concern. **Thompson:** We do know where we stand. I do have to close out the current month. But we did have one of our best closes with approximately \$500,000 and \$1.3 million is all funds. **Williams:** In August? **Thompson:** Yes. **Williams:** That could have drastically changed, we're going into December. **Thompson:** It hasn't, we've been trending upwards. **Williams:** But you don't have that on paper. **Thomspon:** Not on paper but we moving to close it. **Hardin:** Can we have some of that Thursday. **Thomspon:** I will already be providing potential request for the document, so you can see it. **Williams:** Here's what my expectations are, and I can't speak for everybody. You are the Finance Director when you're short staff. To be at the beginning of December to have had so much in front of us financially. We don't have our financials up to date. What I need to see before approving three new cars is the closing out of the year. It doesn't sound like it's going to impact his fleet; he'll still have cars to use. I am thinking about all the things we just passed. The roads, all the things in the coming years. Not to know where we are about to end, not to have anything done up and through December. For me representing people as an elected official. I can't go to people and say I made a sound decision knowing where our finances were. **Thomspon:** A lot of the things you approved throughout the year. Has already been appropriated in our process from 2023 to 2024. We are moving diligently to close the books, I do have real time numbers, income taxes are trending... **Warren:** So, you're going to have the financial information? **Thompson:** Yes. **Warren:** Any more more questions Ms. Williams? **Williams:** You can move on. **Climer:** Next item on the agenda is ...

2023-43
Introduced 11-28-23
By Mayor and
Council as a whole
1st reading

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT THOSE PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENT THEREON TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING THE PENSKE TRUCK LEASING CO. LP, MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR DEPOSIT OF SUCH SERVICE PAYMENTS, AND DECLARING AN EMERGENCY

2023-44
Introduced 11-28-23
By Mayor and
Council as a whole
1st read

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DCOMM, INC FOR THE PROVISION OF A JOB CREATION TAX CREDIT AND DECLARING AN EMERGENCY

2023-45
Introduced 11-28-23
By Mayor and

AN EMERGENCY ORDINANCE DETERMINING THE PERIOD OF TAX EXEMPTION FOR AN IMPROVEMENT TO REAL PROPERTY OWNED BY CARDINAL REALTY, LLC., LOCATED IN OAKWOOD

Council as a whole
1st read

COMMUNITY REINVESTMENT AREA NO. 1

2023-46
Introduced 11-28-23
By Mayor and
Council as a whole
1st read

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT THOSE PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENT THEREON TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING CARDINAL REALTY LLC., MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR DEPOSIT OF SUCH SERVICE PAYMENTS, AND DECLARING AN EMERGENCY

2023-47
Introduced 11-28-23
By Mayor and
Council as a whole
1st read

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT THOSE PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENT THEREON TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING FEDERAL METAL MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR DEPOSIT OF SUCH SERVICE PAYMENTS, AND DECLARING AN EMERGENCY

Warren: May I have a motion to table legislation 2023-47?

Motion to table legislation 2023-47, made by Gaither seconded by Matlock
YES VOTE: Warren, Gaither, Callender, Matlock, Williams
LEGISLATION TABLED; MOTION PASSED

2023-48
Introduced 11-28-23
By Mayor and
Council as a whole
1st read

AN EMERGENCY ORDINANCE DETERMINING THE PERIOD OF TAX EXEMPTION FOR AN IMPROVEMENT TO REAL PROPERTY OWNED BY FEDERAL METAL CO., LOCATED IN OAKWOOD COMMUNITY REINVESTMENT AREA NO. 1

Climer: I would suggest a motion to add exhibit A that was omitted. Warren: Can I get a motion to add Exhibit A to legislation 2023-48.

Motion to add Exhibit A to legislation 2023-48, made by Callender seconded by Matlock
YES VOTE: Warren, Gaither, Callender, Matlock, Williams
MOTION PASSED

Warren: May I have a motion to table legislation 2023-48?

Motion to table legislation 2023-48, made by Matlock seconded by Callender
YES VOTE: Warren, Gaither, Callender, Matlock, Williams
LEGISLATION TABLED; MOTION PASSED

2023-49

Introduced 11-28-23

By Mayor and
Council as a whole

1st read

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN
AGREEMENT WITH FEDERAL METAL CO., FOR THE PROVISION OF A
JOB CREATION TAX CREDIT AND DECLARING AN EMERGENCY**

Warren: May I have a motion to table legislation 2023-49?

Motion to table legislation 2023-49, made by Gaither seconded by Matlock

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

LEGISLATION TABLED; MOTION PASSED

Warren: Can I get a motion to adjourn?

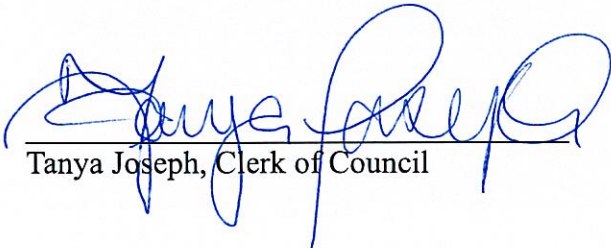
Motion to adjourn made by Gaither seconded by Matlock

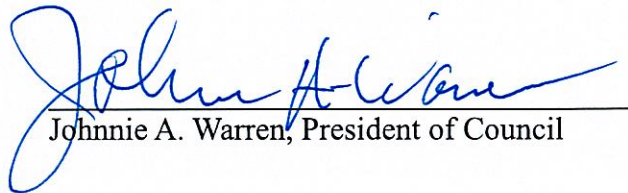
YES VOTE: Warren, Gaither, Callender, Matlock, Williams

MOTION PASSED

Adjourned at 9:14p.m.

Approved 12.12.2023


Tanya Joseph, Clerk of Council


Johnnie A. Warren, President of Council