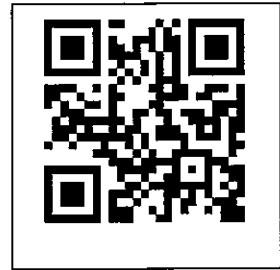


VILLAGE OF OAKWOOD
COUNCIL MEETING
January 23rd, 2024
7:00 p.m.
AGENDA



- 1. Call Meeting to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**

Council President	Erica L. Nikolic	Mayor	Gary Gottschalk
Council-At-Large	Johnnie A. Warren	Law	James Climer
Ward 1 Councilperson	Taunya Scruggs	Finance	Brian L. Thompson
Ward 2 Councilperson	Eloise Hardin	Service	Tom Haba
Ward 3 Councilperson	Paggie Matlock	Fire	Dave Tapp
Ward 4 Councilperson	Mary Davis	Police	Mark Garratt
Ward 5 Councilperson	Candace S. Williams	Building	Daniel Marinucci
		Engineer	Ed Hren
		Recreation	Carlean Perez

- 4. MINUTES-** January 9th, 2024, Finance Meeting Minutes
January 9th, 2024, Council/ Work Session Meeting Minutes

- 5. Clerk Correspondence**
- 6. Departmental Reports**

MAYOR-GARY GOTTSCHALK	FIRE-DAVE TAPP
LAW-JAMES CLIMER	BUILDING-DANIEL MARINUCCI
FINANCE-BRIAN THOMPSON	0 HOUSING INSPECTOR N/A
SERVICE-TOM HABA	POLICE-MARK GARRATT
ENGINEER-ED HREN	RECREATION-CARLEAN PEREZ

- 7. Floor open for comments from Village Residents** on meeting agenda and comments in general *Village residents, please state your name, address, and the subject you wish to discuss for the record. Please limit your comments to five (5) minutes. Thank you! Please sign-in to speak.*
- 8. Legislation**

2023-55	AN EMERGENCY ORDINANCE AUTHORIZING THE RE-APPOINTMENT OF
Introduced 12-22-23	ROSS CIRINCIONE AND JOHN MONTELLO TO THE POSITION OF ASSISTANT LAW
By Mayor and	DIRECTOR/PROSECUTOR WITH THE VILLAGE OF OAKWOOD
Council as a whole	
1 st read 12-22-23	
2 nd read 1-9-24	
3 rd read 1-23-24	

2024-02	A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION
Introduced 1-23-24	OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE FORBES
By Mayor and	ROAD FORCE MAIN REPAIR PROJECT IN THE VILLAGE OF OAKWOOD AND
Council as a whole	DECLARING AN EMERGENCY
1 st read 1-23-24	

- 9. Adjournment**

VILLAGE OF OAKWOOD
WORK SESSION
January 23rd, 2024
7:00 p.m.
AGENDA

1. Call Meeting to order
2. Discussion by Mayor and Department Heads of matters to be brought to the attention of Council if present.
3. Questions of Mayor and Department Heads concerning Legislation or potential Legislation to be considered a future Council meetings.
4. Discussion of items of draft Legislation or potential Legislation to be considered at future Council meetings.

Legislation: Fiscal Officers Certificate Present

2024-WS-01 Introduced 1-23-24 By Mayor and Council as a whole 1 st read 1-23-24	AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CHAGRIN VALLEY ENGINEERING LTD. AND SETTING FOR THE COMPENSATION AND FUNCTIONS OF THE VILLAGE ENGINEER AND HIS FIRM
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Municipal Complex	Hardin
Disaster Recovery Plan	Hardin
Human Resources	Hardin
Five Year Plan	Hardin

5. Matters Deemed Appropriate
6. Adjournment

12.22.23 1st Reading
1.9.24 2nd Reading
1.23.24 3rd Reading
____ Under Suspension
____ Adopted

AMENDED ORDINANCE NO. 2023-55

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN EMERGENCY ORDINANCE AUTHORIZING THE RE-APPOINTMENT OF ROSS CIRINCIONE AND JOHN MONTELLO TO THE POSITION OF ASSISTANT LAW DIRECTOR/PROSECUTOR WITH THE VILLAGE OF OAKWOOD

WHEREAS, John Montello has served capably for a number of years as the Magistrate of the Oakwood Mayor's Court which will no longer hear cases as of January 15th, 2024; and,

WHEREAS, John Montello has considerable experience as a municipal attorney including serving as Law Director of Walton Hills, Law Director/Prosecutor for Bedford and prior legal positions with Maple Heights and Streetsboro; and,

WHEREAS, John Montello and the present Assistant Law Director/Prosecutor, Ross Cirincione, have indicated a desire to share the position of Assistant Law Director and Prosecutor which will bring additional valuable skill and experience to those positions; and,

WHEREAS, the said employees will perform the duties of said positions for the same salary and benefits presently paid to Ross Cirincione;

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

SECTION 1. Ross Cirincione and John Montello are hereby appointed to the position of Assistant Law Director and Prosecutor effective January 15, 2024.

SECTION 2. The said employees shall be paid as follows:

Salary: Twenty-six thousand seven hundred seventy-five and 00/100 Dollars (\$26,775.00) each per annum for meeting attendance, duties assigned by the Law Director and all other duties except as stated below;

Hourly compensation: Up to five thousand one hundred and 00/100 Dollars total billed at \$112.50 per hour for criminal jury trials, motion to suppress hearings and appeals (no PERS or employer contributions).

SECTION 3. All provisions of all other Ordinances and Resolutions which are inconsistent with the provisions contained herein shall be modified accordingly.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department and the ability to provide uninterrupted services to the citizens of the

Village, therefore, provided it receives the two-thirds vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____

Erica L. Nikolic, President of Council

Tanya Joseph, Clerk of Council

Presented to the

Mayor _____

Approved: _____

Mayor, Gary V. Gottschalk

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Amended Ordinance No. 2023-55 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2024.

Tanya Joseph, Clerk of Council

POSTING CERTIFICATE

I, Tanya Joseph Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Amended Ordinance No. 2023-55 was duly posted on the ____ day of _____, 2024, and will remain posted for a period of fifteen (15) days thereafter as provided in the Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

1-23-24

1st Reading
2nd Reading
3rd Reading
Under Suspension
Adopted

ORDINANCE NO. 2024 -02

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE FORBES ROAD FORCE MAIN REPAIR PROJECT IN THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY

WHEREAS, the entire territory within the limits of the Village of Oakwood is designated within County Sewer District No. 18; and

WHEREAS, the Village of Oakwood owns all of the storm and sanitary sewers and sanitary sewerage systems within the Village located in the public right-of-way and easements (the "Village Sewers"), excluding any sanitary sewers owned and maintained by the Northeast Ohio Regional Sewer District, ("NEORS"); and

WHEREAS, the Village of Oakwood, per Resolution 2014-35, entered into a contract with the Cuyahoga County Council in order for the County to collect funds for, and to make improvements and maintenance, to the sewer systems within the County Sewer District No.18; and

WHEREAS, the Village Engineer and Service Director have notified the Cuyahoga County Department of Public Works that the condition of the Forbes Road force main, between Somerville Drive and Tupelo Drive continues to experience sanitary sewer leaks; and

WHEREAS, Council had, by Resolution 2020-86, authorized the Mayor enter into an agreement with Cuyahoga County to Resurface Forbes Road between Richmond Road and I-271; and,

WHEREAS, the Cuyahoga County Department of Public Works has advised the Mayor and the Village Engineer that it will commence with the reconstruction and resurfacing of Forbes Road between Richmond Road and I-271 in Spring 2024; and

WHEREAS, the Village Engineer and Service Director have advised the Mayor that the repairs to the Forbes Road sanitary sewer force main should be completed prior to the resurfacing of Forbes Road by the Cuyahoga County Department of Public Works to prevent additional costs and repairs to the roadway after the completion of the resurfacing; and

WHEREAS, the Cuyahoga County Department of Public Works has advised the Village Engineer and the Service Director that it can utilize funds collected to make improvements to the sewer systems within the County Sewer District No.18 to reimburse the Village of Oakwood for engineering and construction costs for the Forbes Road Force Main Repair Project; and,

WHEREAS, the Village Engineer and Service Director have recommended to the Mayor and Council that the Village Engineer be authorized to begin the preparation of plans and specifications and to advertise for bids for the Forbes Road Force Main Repair Project in order to eliminate the potential for the releases of raw sewage into the environment.

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

SECTION 1. The Village Engineer be and is hereby authorized and directed to prepare plans and specifications for the Forbes Road Force Main Repair Project.

SECTION 2. The Village Engineer be and is hereby authorized and directed to advertise for bids according to law for the repairs and other work as specified in Section 1 hereof.

SECTION 3. Upon receipt of the bids, the Mayor shall provide all members of Council with a bid tabulation summary for each bidder prior to the Board of Control awarding any contract for the matters described in Section 1 hereof.

SECTION 4. The Village Engineer shall coordinate with the Cuyahoga County Department of Public Works and other agencies, such as the Northeast Ohio Regional Sewer District and the Ohio EPA to secure funds as required to make the improvements to the Forbes Road force main. The Director of Finance be and is hereby authorized and directed to issue vouchers for the purposes as expressed in Section 1 hereof upon the award of contracts pursuant to Board of Control approval, said amounts to be charged to the Sanitary Sewer Fund with documentation including invoices and cancelled checks to be submitted promptly to the Cuyahoga County Department of Public Works, and other funding sources, as required for full reimbursement.

SECTION 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the Forbes Road force main is in need of immediate repair, therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____

Erica Nikolic, President of Council

Tanya Joseph, Clerk of Council

Presented to the
Mayor _____

Approved: _____

Mayor, Gary V. Gottschalk

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Ordinance No. 2024 -02 was duly and regularly passed by this Council at the meeting held on the ____ day of _____, 2024.

Tanya Joseph, Clerk of Council

POSTING CERTIFICATE

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Ordinance No. 2024-02 was duly posted on the ____ day of _____, 2024, and will remain posted for a period of fifteen (15) days thereafter as provided in the Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

ORDINANCE NO. 2024-WS-01

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CHAGRIN VALLEY ENGINEERING LTD. AND SETTING FOR THE COMPENSATION AND FUNCTIONS OF THE VILLAGE ENGINEER AND HIS FIRM

WHEREAS, the Oakwood Village Council passed Ordinance No. 2022-15, concerning the compensation of the Village Engineer on or about March 22nd, 2022; and

WHEREAS, the compensation of the Engineer provided for him and his firm and for the performance of the duties and functions of his office have been updated and are set forth in Exhibit A; and

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

SECTION 1. The Municipal Engineer, currently Edward Hren, shall be replaced by Matthew Jones as appointed by the Mayor and shall receive as compensation the sum of Thirty-eight thousand and 00/100 Dollars (\$38,000.00) per year payable in bi-weekly installments and subject to payroll and Public Employment Retirement System deductions. Matthew Jones and the firm of Chagrin Valley Engineering Ltd. shall receive further compensation for the services specified in Exhibit A attached hereto and incorporated herein at the rates set forth in said Exhibit.

SECTION 2. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department and the ability of the village to provide continuous and uninterrupted engineering services, therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____

Tanya Joseph, Clerk of Council

Erica L. Nikolic, President of Council

Presented to the

Mayor _____

Approved: _____

Mayor, Gary V. Gottschalk

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Ordinance No. 2024-____ was duly and regularly passed by this Council at the meeting held on the ____ day of _____ 2024.

Tanya Joseph, Clerk of Council

POSTING CERTIFICATE

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Ordinance No. 2024-____ was duly posted on the ____ day of _____, 2024, and will remain posted for a period of fifteen (15) days thereafter as provided in the Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

Exhibit A

CONTRACT FOR THE PROVISION OF MUNICIPAL ENGINEERING CONSULTING SERVICES TO THE VILLAGE OF OAKWOOD, OHIO

This agreement is set between the Village of Oakwood and Chagrin Valley Engineering, Ltd., for the provision of Municipal Engineering Consulting Services.

Section 1. Matthew M. Jones, P.E. (hereinafter referred to as "Engineer"), duly licensed as a Professional Engineer, in conjunction with Chagrin Valley Engineering, Ltd., (hereafter referred to as "CVE") is hereby designated as the Consulting Municipal Engineer for the Village of Oakwood, Ohio for a term beginning upon execution of this agreement and thereafter at the pleasure of the Mayor, upon the terms, provisions and conditions thereafter set forth herein and ratified by the Village Council. The Engineer(s) in conjunction with CVE staff shall perform such services and be compensated for services rendered to the Village as follows:

- a) Preparation of necessary plans, profiles, specifications and estimates of cost for such public improvements as may be authorized by the Mayor and/or Council to prepare;
- b) Supervise and serve as representative of the Village of Oakwood in the execution of those public works projects for which the Engineer is authorized by Mayor and/or Village Council to so act;
- c) As authorized by the Mayor and/or Village Council, supervise and direct construction inspectors and such inspectors shall report to and receive their instructions from the Engineer, relative to the improvements covered in paragraphs (a) and (b) hereof;
- d) Upon appropriate authorization, furnish to the Mayor and/or Council plans, specifications and estimates of cost for such improvements for the guidance of this Mayor and/or Council and for the information and guidance of contractors dealing with the Village of Oakwood;
- e) Prepare applications for grant programs which are available for public improvement projects;
- f) Review plans of private, commercial and residential developments and advise the Mayor and Council on the plans;
- g) Review lot plans for new residential homes and check final lot grades when requested by the Oakwood Building Department to verify consistency with the approved lot plan;
- h) Act in conjunction with the Oakwood Mayor and Service Director on matters related to the Village of Oakwood's interests relative to the Cuyahoga County Department of Public Works Sewer Service Agreement, and the NEORSO Southerly Wastewater Treatment Plant, Bedford Heights Wastewater Treatment Plant, and the Cleveland Water Department on matters concerning sanitary sewage treatment and provision of a potable water supply;
- i) Act in conjunction with the Oakwood Mayor and Service Director on matters related to the Village of Oakwood's Ohio EPA National Pollutant Discharge Elimination System (Phase II) requirements;

j) Make and deliver to the Mayor and/or this Council regular reports of the progress of improvements under the Engineer's charge, stating conditions of same, including any changes in construction costs and/or engineering costs, together with any other matters of interest desired by the Mayor and/or this Council. All plans and specifications shall be the property of the Village of Oakwood;

k) Be in charge of engineering and other work to be furnished hereunder as the same may be authorized by Council, with the right and obligation of calling upon any of the personnel and facilities of its firm as needed from time to time in the performances of said work; and

Section 2. The Engineer, in conjunction with CVE, shall furnish services to this Village, as required by the Village, through the Village Council or its designee, including the following services covered by the compensation as described below in this section. Services involving the use of additional CVE staff members shall be compensated as described with Section 3 of this agreement:

a) Act as a technical consultant and advisor on engineering matters referred to them by the Mayor or by the City Council, and Administrative Departments upon direction of the Mayor.

b) Act as a technical consultant and advisor on engineering matters referred to them by the Mayor or by the Village Council related to the Village of Oakwood's interests associated with the NEORSO Southerly Wastewater Treatment Plant, the Bedford Heights Wastewater Treatment Plant, and the Cleveland Water Department, and attend meetings related thereto as requested.

c) Advise the Mayor in matters relating to resident's problems pertaining to engineering as they may relate to public sewers, public water supplies, drainage patterns and building grades.

d) Assist the Mayor, the Planning Commission, the Chief Building Official, the Service Department and other municipal departments, boards or commissions, as directed, on municipal engineering and National Flood Insurance Program matters.

e) Attend Council meetings and other meetings as requested by the Mayor and/or Village Council. The monthly retainer amounts presented below in this section is based upon the attendance of the Engineer at Planning Commission meetings and Council Work Session meetings only when requested.

f) Preparation of preliminary sketches and estimates, concerning the advisability of proceeding with public improvements such as pavement improvements, sanitary sewer systems, storm water collection, water distribution, or other infrastructure improvements contemplated by the Mayor and Council.

g) Prepare applications for grants pertaining to public improvements requiring the services of the Village Engineer, Ohio Public Works Commission funding requests, inventory updating and disbursement requests concerning Federal or State funded projects.

h) Perform such other duties as are normally required of Consulting Municipal Engineers not requiring the use of additional staff members such as field crews, etc.

Chagrin Valley Engineering, Ltd., shall receive as compensation for the services described in Section 2 hereof, an annual retainer in the sum of Thirty-Eight Thousand Dollars (\$38,000.00), prorated and commencing with the first pay period after execution of this agreement, payable in bi-weekly installments to Matthew M. Jones, P.E. and subject to payroll and Public Employee Retirement System withholding taxes.

Section 3. For services in connection with the construction of public improvements as described above, Chagrin Valley Engineering, Ltd., shall receive compensation as a percentage of the actual cost of construction of all improvements authorized by Council and under its control. The percentage paid shall be as follows:

Projects – Schedule 1

Sanitary sewer projects including new installations, repairs, rehabilitation, and other sanitary sewer related projects. Street projects including complete pavement replacement and/or widening. Projects which are financed in whole, or in part, by either the Ohio Public Works Commission, the Ohio Department of Transportation, or Cuyahoga County shall be paid per the Hourly Rates regardless of the Cost of Construction.

Fees – Schedule 1

<u>COST OF CONSTRUCTION</u>			<u>FEE</u>
\$ 0	-	\$250,000	Hourly
\$ 250,001	-	\$500,000	10% of \$250,000.00 plus 7.6% of the amount over \$250,000
\$ 500,001	-	\$1,000,000	8.7% of \$500,000.00 plus 6.3% of the amount over \$500,000
\$1,000,001	-	\$5,000,000	7.5% of \$1,000,000.00 plus 6.1% of the amount over \$1,000,000

Projects – Schedule 2

All public improvement projects other than sanitary sewer and street projects as described in Schedule 1 Projects.

Fees – Schedule 2

<u>COST OF CONSTRUCTION</u>			<u>FEE</u>
\$ 0	-	\$250,000	Hourly
\$ 250,001	-	\$500,000	9% of \$250,000.00 plus 5.4% of the amount over \$250,000
\$ 500,001	-	\$1,000,000	7.2% of \$500,000.00 plus 5.2% of the amount over \$500,000
\$1,000,001	-	\$5,000,000	6.2% of \$1,000,000.00 plus 5.1% of the amount over \$1,000,000

The fees provided in this subsection shall cover engineering services including complete detailed plans and specifications, preparation of monthly and final estimates for contractor's payments and providing an Engineer for construction management to administer the construction contract. The above schedule of fees

does not cover various supplementary services. Supplemental services not included within the presented fee schedule are, but not limited to: wetland delineations, stream quality assessments, preparation and acquisition of U.S. Army Corps of Engineers / Ohio Environmental Protection Agency wetland or stream fill permits, property, boundary, or right-of-way surveys, topographic surveys, profile surveys, grade stakes for construction, inspection of construction, shop, mill, field, or laboratory inspection of materials, cost of test borings, or other subsurface exploration, traffic studies, or calculations of special assessments. These supplementary services may be provided by Chagrin Valley Engineering, Ltd. on an hourly basis in accordance with the schedule of rates hereinafter set forth below or upon invoice submitted by the entity providing such supplemental services.

Chagrin Valley Engineering Ltd. shall be entitled to progress payments in proportion to services performed on monthly basis. Upon authorization by Village Council and until bids are taken and contracts awarded, compensation shall be determined by the following percentages and the Engineer's estimated construction cost. As the work is constructed, Chagrin Valley Engineering, Ltd. shall receive additional compensation equal to the balance of the fee based upon a percentage of the certificates of payment to the contractor, provided said payment is authorized by Village Council. As soon as the final certificate of payment to the contractor is issued, any adjustment shall be made so the total fee shall be a sum equal to the schedule percentage. The compensation for basic services shall be based upon the following percentages of the total fee attributable to various phases of the work:

1. Preliminary Report Phase	15%
2. Preliminary Design Phase	20%
3. Final Design Phase	35%
4. Bidding or Negotiating Phase	10%
5. Construction Phase	20%

In the event proceedings for work are abandoned or postponed and then revived and actively pressed either by this or by a succeeding Council within five (5) years of the date of said abandonment or postponement, Chagrin Valley Engineering, Ltd. shall credit against the total compensation the payment previously made hereunder, providing that Chagrin Valley Engineering, Ltd. is at that time employed by this or by a succeeding Council to provide Municipal Engineering Consulting Services. In the event of the revival of a project within the time frame specified above, Chagrin Valley Engineering, Ltd. could, at its discretion, elect to negotiate additional fees with the Village of Oakwood. Additional fees would address conditions that have incurred solely because of changes in existing conditions since the abandonment or postponement of the project, or design parameters that have been established by governmental review and approval after such delay.

Engineering charges for federally funded work must be in accordance with Federal Regulations and are set and approved as part of the funding procedure, and therefore are not part of this document.

HOURLY RATE SCHEDULE: For additional services for which the Engineer or Assistant Engineer shall have been authorized to prepare material or work not let by Contract or for the performance of any of the following tasks:

- Special Surveys
- Preparation of Reports
- Preparation of Special Assessments
- Field Elevation Checks of Walks, Basements, Sewers, etc.
- Storm Water Management Inventory Assistance
- Storm Water Drainage: Plan / Calculation Review
- Erosion and Sediment Control: Plan Review / Site Inspections
- Sanitary "Tap-In" Reviews and Fee Determinations
- Residential / Commercial / Industrial Site Plan and or Subdivision Review
- Survey Plat Review

- Development / Implementation of Ohio EPA National Pollutant Discharge Elimination System (Phase II) Storm Water Management Program
- Preparation / Maintenance of Geographical Information Systems

Compensation shall be made based on time spent by the Engineer or his employees and associates at the rates set forth in the following schedule of hourly rates, plus reimbursable expenses.

Compensation shall be made based on time spent by the Engineer or his employees and associates at the rates set forth in the following schedule of hourly rates, plus reimbursable expenses.

Engineer - Partner	\$108.00 per hour
Engineer	\$98.00 per hour
Traffic Engineer- P.E., PTOE	\$149.00 per hour
Contract Administrator	\$82.00 per hour
Stormwater Coordinator	\$86.00 per hour
Stormwater Technician	\$78.00 per hour
Water Quality Scientist	\$88.00 per hour
Professional Surveyor	\$98.00 per hour
CAD Designer	\$92.00 per hour
Geo. Info. Sys. (GIS) Tech.	\$91.00 per hour
Clerical	\$40.00 per hour
1 Man Survey Field Crew w/GPS	\$128.00 per hour
2 Man Survey Field Crew	\$141.00 per hour
3 Man Survey Field Crew	\$156.00 per hour
Environmental Scientist	\$93.00 per hour
Wetland Technician	\$80.00 per hour
Construction Observer*	\$60.00 per hour

*Construction Observation shall be subject to two hours minimum per day and a 1.5 times overtime rate beyond 8 hours per day unless a shortened work week (four 10-hour days for example) is approved by the Consulting Municipal Engineer in advance.

Prints, Materials, Supplies and Services provided or performed by others at Cost.

Section 4. The Consulting Municipal Engineer as provided for in Section 1 agrees that for the duration of their employment by this Municipality neither they nor any member of CVE or employee thereof, will accept any private engineering or surveying work that requires their review and/or approval unless such work is approved by the Mayor and Council; however, work for Federal, State, County or Regional Governments is not prohibited.

Section 5. CVE shall maintain Professional Liability Insurance in the Amount of \$2,000,000 and provide the Village with a Certificate naming the Village as an additional insured during the period this Ordinance is in effect.

Section 6. Documents and Files: All engineering documents and project files, both printed and digital, created for the purposes serving the Village of Oakwood shall be the property of the Village of Oakwood.

Section 7. The contract provided herein with CVE may be terminated by either party on thirty (30) days advance written notice to the other, provided that such determination shall not affect the duty of the Consulting Municipal Engineer or Chagrin Valley Engineering, Ltd., to render service, nor the obligation of the Village to pay for such service rendered, before the effective date of termination.

Matthew M. Jones, P.E., Partner, Date
Chagrin Valley Engineering Ltd.

Accepted this _____ day of _____, 2024 by the Village of Oakwood, Ohio, pursuant to Ordinance
of Council No. 2024-03 adopted on January _____, 2024.

BY: _____
Gary V. Gottschalk, Mayor
Village of Oakwood, Ohio

Attest:

Tanya Joseph, Clerk of Council

The legal form of the within instrument is hereby approved.

James A. Climer, Director of Law Date

Mayor Gary V. Gottschalk
Village of Oakwood
24800 Broadway Avenue
Oakwood Village, Ohio 44146

January 4, 2024

Re: Chagrin Valley Engineering Municipal Service Contract
Year 2024 Rate Increase Request

Dear Mayor Gottschalk,

As the end of 2023 approaches, Chagrin Valley Engineering, Ltd. (CVE) would like to respectfully request a modest increase to our Municipal Engineering Services contract hourly rate structure for 2024. 2022 and 2023 have been difficult years for businesses in general as we all struggled to contain costs during the ongoing inflationary spiral. It has been an especially difficult time for engineering consulting firms in the Great Lakes region as we continue to compete to retain, and acquire new, engineering talent that will allow us to maintain our service excellence. Chagrin Valley Engineering, like all employers, continues to experience relentless pressure from the increased cost of employee health care, wages, and other operating costs such as fuel, equipment, software, etc.. Although the annual inflation rate has decreased somewhat from the +7% range in 2021, the 2022 annual inflation rate remained at approximately 6.5% and the 2023 annual rate was just over 3.7% through end of November. We are proposing the following modifications to our hourly rates which typically fall in the vicinity of a 3%-4% average annual increase to the existing rates established in January 2022.

CHAGRIN VALLEY ENGINEERING PROPOSED 2024 HOURLY RATES

Employee Classification	Existing Rates	Proposed Rates	Avg. Annual
	2022-23	2024	Increase (%)
Engineer –Municipal/Partner	\$103.00	\$108.00	2.43%
Engineer – Associate	\$97.00	Discontinued	N/A
Engineer	\$92.00	\$98.00	3.26%
Traffic Engineer- P.E., PTOE	\$145.00	\$149.00	1.38%
Contract Administrator	\$76.00	\$82.00	3.95%
Stormwater Coordinator	\$80.00	\$86.00	3.75%
Stormwater Technician	\$73.00	\$78.00	3.42%
Water Quality Scientist	\$84.00	\$88.00	2.38%
Professional Surveyor	\$90.00	\$98.00	4.44%
CAD Designer	\$84.00	\$89.00	4.76%
Geo. Info. Sys. (GIS) Tech	\$86.00	\$91.00	2.91%
Clerical	\$36.00	\$40.00	5.56%
1 Man Survey Field Crew w/GPS	\$120.00	\$128.00	3.33%
2 Man Survey Field Crew	\$134.00	\$141.00	2.61%
3 Man Survey Field Crew	\$146.00	\$156.00	3.42%
Environmental Scientist	\$90.00	\$93.00	1.67%
Wetland Technician	\$75.00	\$80.00	3.33%
Construction Observer	\$55.00	\$60.00	4.55%



With respect to annual retainers, CVE is seeking to increase the annual retainer for the Municipal Engineer position to \$38,000.00 while eliminating the Assistant Municipal Engineer position for the 2024 contract renewal. CVE is also seeking to have the current Assistant Municipal Engineer Matthew Jones placed in the Municipal Engineer position. The schedule of percentages for major construction projects will remain unchanged.

We certainly hope that you have been satisfied with CVE's performance during our tenure. We would like to express our sincere gratitude in giving us the opportunity to continue to serve the Village of Oakwood. We feel that our twenty-five plus year long relationship has been mutually beneficial and we look forward to continuing to serve you and the community. If you have any questions about this proposal please feel free to contact me at your convenience.

Respectfully,

A handwritten signature in black ink, appearing to read 'Edward J. Hren', with a long horizontal flourish extending to the right.

Edward J. Hren, P.E.
Oakwood Village Engineer

Cc: Law Director Jim Climer

**VILLAGE OF OAKWOOD
FINANCE MEETING MINUTES
2024-1-9**

ATTENDANCE

Erica Nikolic, President
Johnnie Warren, At- Large*
Taunya Scruggs, Ward 1
Eloise Hardin, Ward 2
Paggie Matlock, Ward 3
Mary Davis, Ward 4
Candace Williams, Ward 5*

Brian L. Thompson, Finance Director

ABSENT

Ed Hren, Village Engineer
Ross Cirincione, Prosecutor
Mark Garratt, Police Department
Gary V Gottschalk, Mayor
James Climer, Law Director

Carlean Perez – Recreation Director
Tom Haba, Service Director
Daniel Marinucci, Chief Bldg. Official
Dave Tapp, Fire Department

** Arrived after roll call*

Meeting opened at 6:00pm by Nikolic
Pledge of Allegiance
Roll Call taken

Thompson: Can I have the representative go first discussing the health care? **Nikolic:** Please proceed. **Love:** I'm Jim love with Love Insurance Agency. **Greenfield:** Nick Greenfield from trust links here. **Love:** We've had a change this year. you've heard about it. I don't know much you've been filled in. Every year I've been in front of this Council to talk about your healthcare and costs that are associated with it. What can we do to try to advance the cost like other communities and try to get control of that cost. Mr. Thompson, I met with the representative Mutual Health Service Adam Suarez, I think was October 30th. We talked about the upcoming renewal for our January 1st, 2024. At that time, it looked like it was going to be pretty much a fairly decent renewal, not too much of an increase. We were projecting this year for last year. Coming up this year for 2023, your total cost is going to be around \$1.1 million. Now we still got some money that's going to run out. We got to pay claims on a runout, but that's going to be your cost about \$1.1 million. At that time, he told us that they got to wait to get the firm figures, which we got November 16th, 2023. That cost went from a \$1.1 million projection to \$1.6 million. It's really driven by high claimants in your plan. They did a total review of all the claimants and what's going on with your plan. The reinsurance carrier come back and say, this is what we need because of the cost we paid out. This year they are projecting to payout a significant amount of money. More than double the premium we gave them. So, at that time when I found out November 16th, I went to the marketplace. **Hardin:** Can you please stop for a second. Just for the fact of how this is supposed to work. What happened to the gap coverage? Why didn't it pick it up? **Love:** It did, we got some runout claims, but when he came back for the renewal it was for the year of 2024 plan. That gap coverage is what changed, what drove up the cost. **Hardin:** So, are you saying even with the gap, the \$1.6 million would not be covered? **Love:** No, that would,

it would be covered. We didn't renew it though; we got a different proposal. **Hardin:** You didn't renew it because of the cost? **Love:** The cost. **Hardin:** Ok, what was the cost, the \$1.6 million? **Love:** This year was about \$1.1 million, but we... **Hardin:** \$1.1 million was for 2023 and the \$1.6 million... **Love:** Is for 2024, it was estimated. **Hardin:** What would that be, just for the numbers? **Love:** Yeah, \$1,600,000. **Hardin:** And again, the gap would not cover that? **Love:** The gap would cover. **Hardin:** It would but it would increase our premium. **Love:** It would increase the premiums because they want an increase. What they did, they raised the gap weight, the gap premium, and deductibles, on certain individuals in your plan. You know, HIPAA protection, I can't tell you who. So, that did raise it, by the time we factored out what they projected claim costs are. What their medical history is and everything. The projection was \$1.6 million, you we're going to pay that. **Davis:** You're talking about the city? **Love:** The Village and at that time, Brian and I worked very hard to go get other quotes with United Healthcare, Aetna, Medical Mutual and Anthem. When we came back Anthem, was the only carrier that gave us a quote. Medical Mutual decline, Aetna decline, and United Healthcare decline. I went to Summa Care, and they are not a very good match and they declined. Anthem gave us a very nice proposal and we've installed that proposal. You have multiple components with this plan, but your total costs \$1,000,050 total. No possibility of overrun on that. And we're thinking it will go down and I'll tell you why. This is going from a self-funded plan to a totally fully insured plan. **Williams:** Can you describe the differences between the two? **Love:** A self-funded plan is where most individuals had a \$35,000 deductible, including the employees and their dependents. Then other individuals had lasers. We had \$100,000 laser deductible on one individual 75 on another. You hired Mutual Health Service to adjust your claims and when claims went over \$35,000. It went to the insurance company to pay the difference, that's the gap. That's a self-fund, in other words, you're funding your claims under \$35,000, in some cases higher. Then the reinsurance would kick into reimbursement when they got hired. This year it's fully insured, there is no funding mechanism for you. You're paying a premium to anthem about \$65,000 a month. The dental is and vision is about another \$2,800 per month. **Matlock:** Dental and vision are added into this plan or is that a separate plan? **Love:** Yes, now it's added with Anthem. **Matlock:** With Anthem, is it something that they can pay for, or a partial payment, or co-pay for their vision and for their dental? **Love:** Yes. **Matlock:** Can we just be responsible basically just for their healthcare? I know that there is a difference between your healthcare, your vision, and your dental, those are three different plans. So right now, we pay for all three of those plans, correct? Do the employees pay any part of those plans, period. Do they pay any type of deductible? **Love:** Yes, let's talk about the dental and vision. Those both have cost shares and copays. We had an employee meeting yesterday and we talked about it. **Greenfield:** Well, the deductible for the dental is \$50.00 for a single. It's \$150.00 for an employee and more than one. **Matlock:** Like a family plan? **Greenfield:** Yeah. **Matlock:** So, the employee would pay \$50 if it's just for a single, just for them. **Greenfield:** That's their deductible, they don't have any premiums here. I believe you guys are picking up a 100% of the premium. **Matlock:** That's what I want to know. The premium portion of that, is there a portion that the employee picks up? **Greenfield:** The city is picking all of it up right now. **Matlock:** So, 2024, the city is picking up all of that? They get full vision; they get full dental. Then their deductible per single would be \$50. **Greenfield:** Just for dental. **Matlock:** That's just for dental. If you go it's \$50, if they go for a family, it's \$150.00 am I correct? **Greenfield:** Yes. **Matlock:** How much does the city pay for the premium? **Warren:** \$2800 a month. **Greenfield:** For dental and vision. **Matlock:** So, for dental and vision both we're paying? **Greenfield:** Yeah, that's correct. **Matlock:** We're paying \$2,800 a month for each employee. **Love:** Well, that's total for the whole group. **Matlock:** How many do we have enrolled?

Love: 41 employees. **Williams:** The 1,000,050, do you know what it was last year? What was the comparable cost for that? **Love:** Well, we're projecting \$1.1. Million for 2023. So, there's actually a savings here. **Williams:** A tiny bit, ok. **Love:** It should be more next year, and I will tell you the reason why. **Williams:** When did you become aware of the situation? **Love:** November 16th, 2023. **Williams:** Thank you. **Love:** Traditionally it takes four weeks to go to marketplace. We were giving decisions to Brian, who's working hard. There's lots of data back and forth. I don't know when I met with Brian, it was near Christmas. Finally, we had a firm offer from Anthem. At that time, we were still looking at the \$1.6 million. We're very happy about that, Nick did a great job getting that for us. Because it's fully insured, we went to a health savings account. That's where you have a high deductible plan. It's a lowest high deductible plan than Anthem offers. \$2500 per single for the calendar year, \$5000 per family for the calendar year. The employees, before they were only responsible for \$2.00 cost share on prescription, \$100 per year. With my council, with Brian and the Mayor, to go from where the employees are paying virtually nothing to \$2500. We are going to contribute to the Village and the mayor deciding to the HSA, to the employees. **Hardin:** How much? **Love:** For a single \$1,250, so 50% of that out of pocket for the year. Now their cost went from \$2.00, to a cost sharing of \$1250. For the family, for single plus one, that's the \$5000, max \$2000. So now a single employee plus one or family total dynamic. They're going to have an additional \$3000 out of pocket. **Matlock:** Let me understand this a little bit more. For example, if I go into the hospital. The first \$2500 will be on me to pay. **Love:** That's correct. **Matlock:** Then after that \$2500, the insurance is going to pick up. **Love:** Correct. **Matlock:** And you call this a high deductible at \$2500? **Love:** That's the lowest of the high deductible. **Matlock:** Is there a cost difference? And this is just a question hypothetical, on the deduction? For instance, if that employee goes into the hospital. The first \$5000, they would pay the \$5000 and then we pick up the rest. Is there a difference in the type of plan that we can get if there's a higher deductible that would be reasonable? **Love:** This is a step, because you also have the union with the Police, and you have a Union contractor. **Matlock:** We're not talking about the Police. With the Police, we already know that is governed by the union. Once they signed that contract that's it. We go into play with that, there's nothing we can do. We're talking about employees who are non-union. **Love:** There were other options we looked at. But by the time we factored in what the cost to fund, I only remembering the Police. Because it's part of this agreement. It doesn't make sense because you, the Village has to fund. Pretty much what you were doing last year for the Police. The Police has a totally different HSA (Health Savings Account) contribution. You're funding the whole amount, the \$2500 and \$5000. **Matlock:** What you're saying is that we cannot separate the Police from the non-union? We have to keep it all as a Union. **Love:** No, you have a \$2,500 deductible and a \$5,000 deductible. What the Village is paying on the health savings account. It's a bank account, a card goes to the employee. They're going to fund \$625 for a single, for six months and in July another \$625. So, they got to be around to get it. Then for a family it's \$1,000 now and \$1,000 in July. For the police, it's \$2,000, that's more because you got prescription drugs. You're funding \$3,175 for a single and for a family, \$6,350. **Hardin:** Do you have this all documented? **Love:** Yeah. **Williams:** For the HSA, the \$1,250 and the \$2,000, are you saying we did not have to do that? That's the choice that we made. **Love:** Yeah, that's the choice you made, it's not mandatory. **Williams:** That choice we made that's not mandatory, is already done. We've already entered into that contract? **Love:** We told the employees yesterday. **Matlock:** Who told the employees yesterday? **Thompson:** I did it in the meeting with instructions from the Mayor. **Williams:** Is that the money you came to us asking if we would be willing to approved? **Thompson:** Yes. **Williams:** So, when you asked us... **Thompson:** We didn't know the amount at that time.

Williams: I don't care about the amount, whether it's two dollars, five dollars, a thousand dollars, you asked us. As if we were coming back to that conversation. But it's already done, the decision is made.

Thompson: As of yesterday, yes. **Williams:** Got it, For the police and their contract for the FOP. When it says same or like, does it mean both the HSA coverage amount or the actual healthcare coverage? **Love:** Both, I reviewed the contract. That's why Anthem is a perfect match for your Medical Mutual contract. It's probably the best of all those people. We had to match that, and I talked to the Police Chief. We made the Police Chief aware of this right away. I like to be transparent, and I didn't want to spring something on them on January 1st. He said well we're going to following your contract. You just got to give us room to be creative and make sure it happens. **Hardin:** So, they're going to participate in this HSA? **Love:** The Police Officers are going to get an HSA card as well. But it's going to be fully funded by the Village to satisfy your fraternal order police union contract.

Williams: But to clarify, we could have satisfied the FOP contract and not extended that same amount to the other employees? **Love:** We did, and it is different. **Williams:** But we didn't have to do it. **Love:** You didn't, but I don't manage your human resource. **Davis:** You said 41 employees. How many of those are Police? **Love:** 18. **Davis:** Is this an 80/20 medical coverage? **Love:** It's 100%.

Davis: So, we do pay the \$2,500 for a single automatically, first, no 80/20? **Love:** Correct, the only thing that you pay after you meet your deductible, is prescription drugs up to an additional out of pocket max. **Davis:** If you guys knew about this November 16th. When were the employees notify that it was going to be a whole change? Did we give them any idea that it's going to be a different instead of what we had all these years or not? **Thompson:** As Jim said, It was right before Christmas, when he came back with the plan. **Love:** So, probably right after Christmas. **Thompson:** Yeah, before the first year came in and we had the documentation. I did submit the plan to the employees that we're moving to Anthem before January 1st. **Davis:** Ok. **Love:** First of all, we had to get Anthem to fully approve it. Then we had an offer on the table and then administration had to look at it and analyze it. The Mayor had to look at it. And by that time, it was somewhere right after Christmas I don't know the exact date. I was on vacation, but I worked every day for you, I'm not complaining, but I don't know what day it was. **Williams:** I thought there was some law where you're required to give them a certain amount of notice? **Greenfield:** That law applies to renewal claim changes. So, that doesn't apply. I think the 60-day notice is what you're talking about. That's part of the Affordable Care Act. **Matlock:** So, most of your plans are coming off the Affordable Care Act? I mean, that's what we went into for Anthem, correct? **Love:** All of our plans are compliant with the Affordable Care Act. There's two ways to talk about this. So, technically it's 51 to 99 fully insured plan. It's not a marketplace, small ACA plan. **Matlock:** Would it reduce the cost any if the insurance plan would just be for the employees who are employed? If we're looking for spouse or... **Love:** Spousal waiver, we've adopted that. I announced yesterday that we adopted it and we're preparing those documents. So, what means is, if you have a spouse that doesn't have the ability to get insurance. They can opt into your plan. There was one individual sitting here. His spouse has a plan available to her. Because we have a spousal waiver, she now is eligible and required to take that. So, she's going to notify her employer for February 1st. We're going to see Members come off your plan because of this change. Which is going to lower your cost. It's going to take a period of time. **Matlock:** I know it's going to take a period of time. Because I think right now since we've already put it in place for 2024 for the employees. As long as they know we got a whole year to work this out. To let them know that next year, we are going to make these changes. Because it lowers the cost for the city altogether. **Love:** That's right, yes. **Warren:** The thing that I am curious about is, why does it take so long. Or close to the end of the year before we get the numbers? **Love:** Ok, so I don't know if you were here when I

started. We had the numbers October 30th. But there was a caveat, you had subject to underwriting from the reinsurance. They didn't give the final, they gave us their number. But there's a big star showing this is not finalized, we're still doing some medical underwriting. They asked for files on five different people in your group, it came back November 16th. It said this is our new deal, this is what we saw on this person, this person, this person, this person. This could guarantee claim cost for this much and we don't want to have another unit losing year, so here it is \$1,600,000, I have no control. **Warren:** Who made the determination/decision that the people that retire and come back are fully insured on the regular plan? **Love:** I don't know who made that decision. **Thompson:** If they are primary Jim, here at the Village, they have the option to take ours instead of some type of retirement. **Love:** Right, but they got to work so many hours a week. **Warren:** Ok, but that's a Village situation, not the insurance company. An insurance company can't impose that on the Village. So, it was the decision made by the Village. To provide full coverage for employees that are retired. See what we anticipated is, people retire, they go on to Medicare or something like that. **Love:** After the meeting people came up to me. I already got three individuals tell me they are going on that Medicare; out of seven. **Warren:** I can't speak for all of Council but going forward. That's something that we want to have to consider. **Greenfield:** The law does require if you're working full time hours, that you provide the insurance. So, whether they are retired or not. If they're working 30 hours full time with the city, they're provided insurance. **Warren:** Is that a law based on you providing somebody else this same thing, so they're required? **Greenfield:** That's HIPPA, the Affordable Cares Act requires that. **Warren:** Could you provide Brian with a copy of where that law makes that requirement. That any retired person that comes back and works 40 hours a week, you have to give them full coverage. **Greenfield:** It's not a stipulation of retire and come back. **Warren:** No, I'm saying if they retire and come back. You're saying that the law says that if they come back and work 40 hours a week that they're entitled to full coverage insurance. **Greenfield:** You wouldn't be retired anymore if you're working full time. **Warren:** Then if that's the case, then what we could do is. For those that are retired, we can offer them a different plan, with a greater deductible. **Love:** We can't discriminate, we can't offer a different plan on that because of age. But what we did, we announced it yesterday. That's because we got seven employees that are over 65 years old, and they can go on Medicare. So, I said you want Medicare, you get your Medicare A&B. And the Village has offered to pay their supplement for this year. We just said about this year, their supplement. Now that's encouraged them to leave a very costly plan. The supplements are running anywhere from \$40 to \$50 to \$70 a month. **Hardin:** Do we pick those, the supplemental claims? **Greenfield:** No, they do, they talk to an advisor and then they pick it. **Hardin:** But it has to be in a certain price range, yes or no? **Greenfield:** They're all about the same. **Hardin:** Ok. **Love:** We're going to have people come off. And people are going to be talking. So, I would suspect we're going to have the number of insured employees come down. Which is going to lower your premium, but it's got to work itself off. **Warren:** Right, I still would request that we get a copy provided to us of the law. **Williams:** Do you have the cost of what we will pay for Medicare and Medicaid people transitioning into that plan. **Love:** Everybody's different. **Williams:** Different based on what they choose? **Love:** On what they choose, AARP is United Healthcare, they're big. Anthem has one, medical mutual has one, Aetna has one, Summa care has one. I'd rather they go and seek their own advisor because I just feel there's a conflict. So, they're doing that and they're talking. Call me if you have any questions. I'll advise you on what I think but seek your own advisors. **Williams:** So, because there's so many different plans, we can't estimate what that cost will look like. But also, we do not have to cover these costs, is that right? **Love:** You do not, we're giving them \$1,250 bucks, that's a cost. Then a lot of these plans have

dental and vision that go with it. So, you don't have to provide the dental or vision either. **Hardin:** We wouldn't anyway. **Love:** If they're working 30 hours or more a week. They're considered eligible, they get the same benefits. That's the point, according to the Affordable Care Act. We can't force anybody off the plan. **Greenfield:** They have to agree. **Love:** But they're making decisions on their own. **Williams:** Once they do that, they don't opt into either dental or they completely transition into the two. **Love:** They can opt out of that too. **Davis:** Right now, they're covered separately. **Love:** So that's why they're going to have to opt out totally. **Williams:** So, when they opt out, you can pick and choose pieces of our plan. **Love:** That's right. **Williams:** Are you able to provide any cost projections of what you think this will be. **Love:** \$704.00 per a month per person. Of that, you're paying an additional \$105 dollars for the HSA contribution. So, now that is \$809. **Matlock:** I'm just going to ask another question. It may not have anything to do with you. But it would have to be done with Council on how they approve it. You're saying that if they are over the age of 65 or if they work 30 plus hours a week, it is considered full-time. **Love:** Yes. **Matlock:** That means they will fall under one of our health plans. They have to be on a Medicare plan unless we the city. Pass something stating if you're retired, and you come back for employment. You could come back for the hours, but the benefits would not be provided for you from the City. That will force them to go on Medicare and we don't have to pick up that cost on their medical. But that's just something that I think we as a city will have to. **Love:** How other entities have handled it; I would tell you seek your attorney. Because you don't fully understand the rules of law, you'll get penalized really badly. What you're suggesting is that they don't become a regular employee, but a professional contracting employee. So, they don't have the regular standard employee contract. They have a separate contract that your attorney would have to draw up a contractor professional form to keep them outside of that. But I can't advise that. **Matlock:** That's why I said I think that's something we would have to do. **Warren:** They would have to be like 1099, then be an independent employee. They have to handle their own taxes and everything else. **Nikolic:** The change in the healthcare was initiated as a cost, as a response to lowering the cost or what initiated the change? **Thompson:** When they came back \$1.6 million, I knew that we couldn't afford that level of funding for it. **Nikolic:** This is the previous provider? **Thompson:** Yes, they came back to us with the renewal. At that point, I told them we couldn't afford that plan and that's when he started going back out to market. **Nikolic:** November 14th is when you went out to market, and you came back in, and Anthem is the proposal that you received. **Love:** Correct and we had an anthem representative here that's totally engaged, we're totally covered. **Davis:** The people that are going on Medicare supplements, are they allowed to do that even though the renewal is over with December because of your insurance? **Love:** They can opt out at any time. **Davis:** Are we still going to be paying mutual health to do all our claims? **Thompson:** No, we are going to Anthem. **Love:** You got three more months. You got what's called the claims run out. Those are self-funded, you had claims that occurred on 12/31. So, you have claims that occurred November, December that haven't been paid by your self-funded plan. So, most are going to be paid out with the next four months, you might have some stragglers. I advised the Village to enter into what's called a claims run out contract with Mutual Health Service. They'll go through this contract, pay your runout claims for the next 12 months when somebody had service prior to January 1. Brian how much did that cost? **Thompson:** It was \$6625. **Love:** For the whole year. **Davis:** So, we're paying \$6625 for catching up of 2023? **Love:** Correct. **Davis:** After that, Anthem is going to be doing our claims. Is there another charge for that or is that included? **Greenfield:** It's all rolled into the premium dollar master plan. **Davis:** Thank you, Sir. **Matlock:** We shouldn't run into any issues like we had before with this other healthcare plan, correct? **Love:** We're hoping that by managing people coming off the

plan. The plan will look different, it might even be better. I can't guarantee that, but that's the projection. **Matlock:** Are you going to be working with Brian with that? **Love:** Yes. **Warren:** Now with that, are we still paying the premiums for Medical Mutual? **Love:** No, those end, so only cost to you is a fixed fee of \$6,625 in 12 months. **Warren:** Who's going to be providing the coverage for April, May, June, July and all the way to the end of the year. **Love:** The coverage for all claims is effective January 1st, 2024, with Anthem. These are just bills that haven't been processed. So, somebody goes and has knee surgery December 4th. And it takes the Cleveland Clinic a long time to collect all their bills. By the time they get it to us, it's January 15th. That bill then lands in January.

Williams: You talked about expecting it to dip for 2025. Are you able to project that drop?

Greenfield: It's hard to project that, it's a couple of things going into that. The first part is dependent upon how many retiree age Medicare people come off the plan. A lot of those people are the people that are driving your group's claim. If a lot of these people come off, your group's experience is going to really clean up. When it comes time to do renewals next year for 2025. It should theoretically look great. That doesn't mean there couldn't be three young people in your group have catastrophic claims that counterbalance that. The way the group's structured today, it should get better. But you never know with people in life. With that being said, if it does clean up. Regardless of what the Anthem renewal looks like for 2025. All of these other carriers that declined us for 2024. They were doing so based on the population of today. They will, hopefully, want to take a look at it the next go round.

Love: That's the plan. **Williams:** Back to the spousal waiver. Is there a certain amount of time in which they have to do that waiver or is it all year long? **Love:** It's immediate, we haven't given the waiver out. **Greenfield:** Depending upon when you hand it out. They would advise their employer that they're losing their coverage under their spouse's plan. Then on whatever date that is, they would be able to go on their employers' plan as a qualifying investment. **Williams:** If someone were to become employed during the year. That spousal waiver is still in effect for that process to happen?

Greenfield: Yes. **Williams:** I know some companies charge a fee if spouses do choose to take our plan. Do you know any of the average amounts of what that fee is across the people that you serve?

Greenfield: It varies widely across the board. **Williams:** My question is a little bit different. If your spouse and you choose our plan. So, for instance, Progressive, if you're a spouse and you choose the plan, you pay an additional \$175 to choose that plan. Do you have an average of what those fees look like across anybody that you serve, do you know the fee? **Greenfield:** That would be their cost share. They would have different levels of projection that spouse would have to participate in that cost.

Williams: No average amount then? **Greenfield:** No average amount. **Williams:** Do you know how many families we have and how many single? **Love:** We have 12 employees, 5 employees and spouse, 10 employees plus children, and 15 employees and family, a total of 20 spouses. A lot of the spouses are not working, some are working. Those that are working, they're going to be required under the waiver to take the healthcare coverage from their employer. Now this is part of the Affordable Care Act, it's legislated. So, that employer is required to provide, if they have healthcare they're offering to employee. That particular spouse, he, or she is eligible for that coverage and cannot be penalized. They got to enter it when they become eligible. **Williams:** Do you all have the breakdown of the cost in totality that we are doing now? **Love:** That's based on the current status. \$142,052 dollars, that's included in the \$1,000,050 number I gave you. If we manage that number, that's going to come down as well. So now we're going to save premium, you're going to save contribution. Next year we'll talk about what level of contribution the Village will do. **Williams:** I noticed a number of fees with the healthcare costs. Can you talk about how you're paid and what other fees we pay to? **Love:** OK, so as your agent broker and advisor, I get paid \$35 per month, per

member. **Williams:** There was another larger fee, what management fee is that? **Davis:** I think she's talking about Mutual Health. **Love:** That's not occurring this year. **Williams:** With Anthem we don't pay that fee? **Love:** No. **Williams:** Ok. **Greenfield:** If there wasn't a broker on the case the premium would still be the same. **Williams:** Got it, ok. **Warren:** If an employee elects to withdraw, are we obligated to take them back once they drop off? **Love:** They have to be a member of eligibility. If the spouse drops off and then they get fired, or they retire, they lose coverage. Then you're required to take them back. **Warren:** if they retire... **Greenfield:** Healthy retired yourself, there's no requirement. **Warren:** Ok. **Davis:** The individual employees, anybody paying anything out of their paycheck for the premium or is it all paid by the Village? **Thompson:** No, It'll be voluntary if they want to get the pretax savings to fund the rest of their HSA. **Davis:** Ok, thank you. **Hardin:** The word that has been spoken several times here today was catastrophic. How are we protected as it relates to catastrophic illnesses? **Greenfield:** Your plan is a fully insured plan. So, you're never going to pay more than the actual premium that's being charged for the full year, there's no exposure. **Hardin:** So, there's no limit to the number of days an employee can be hospitalized? **Greenfield:** According to Anthem there's no limit. **Hardin:** So, there's total coverage? **Greenfield:** As long as it's medically necessary. **Love:** This is a very good plan. This is not a step-down plan. **Hardin:** We no longer pay the gap? **Greenfield:** No more gaps. **Williams:** Are we required by law to cover spouses with our insurance? **Love:** No. **Nikolic:** Ok, if there's no more questions, thank you all for your time. For the remaining time Finance Director, Brian Thompson. **Thompson:** The document that you asked for is the closeout for the 12/31/2023. We always kind of report to the General Fund, the most important fund. While we began the balance with 236,117, we ended unexpended with \$405,053. So, it did increase some for the year. After encumbrances, the ending balance is \$268,236. Overall, all funds we ended after encumbrances for 2023 at \$1,005,784. It's about \$550,000 more by the end of the year. We did have some improvement in the general fund. You can see there's no negative fund balances as well on any of the funds as we close out the year. While you're perusing through that. The other exhibit that you asked me to scale out. The Village of Oakwood 2024 cola increase exhibit from 1% to 5% raise is scaled out by Police, Fire, and non-union. I contributed the impact of having the employer shares on the pensions. So, you can take a look at each share in terms of what the cost is. **Williams:** Can you also share, there is some I think that's what OPERS they're talking about doing an increase as well. Have you been following that? **Thompson:** I haven't seen them yet, but I can research those. **Davis:** Recreation fund, I thought our budget was only like \$66,000. How do we get to \$197k? **Thompson:** No, I think the \$66K is what we scale the budget down to. This is year to date, I think it is a little under what we had for the year. It's showing month to date expenses, but that was taken into account the drop of \$66K. **Williams:** We had asked for some documents by January 5th. Credit card statements that we have been asking for. A comparison from the realignment in the budget wherever we ended December 31st. And what you needed to realign to the actual numbers. Where are those financials and when are we going to have them? **Thompson:** As I wrapped up these reports here, I got the final numbers so I can put together that exhibit for you. I have my staff, she's redacting all of the account numbers. She'll be having that credit card stuff by the end of the week. **Davis:** Can we please delivered to our houses? **Thompson:** Sure. **Hardin:** May we ask the Finance Director to remain? **Nikolic:** Would you like to work session? **Hardin:** Yes. **Nikolic:** Motion for work session.

Motion for Work Session made by Davis seconded by Williams

YES VOTE: Nikolic, Warren, Scruggs, Hardin, Matlock, Davis, Williams

MOTION PASSED

Nikolic: We will go into a work session following the general meeting. May I have a motion to adjourn?

Motion to adjourn made by Hardin seconded by Scruggs

YES VOTE: Nikolic, Warren, Scruggs, Hardin, Matlock, Davis, Williams

MOTION PASSED

Adjourned at 7:04 p.m.

Approved _____

Tanya Joseph, Clerk of Council

Erica L. Nikolic, President of Council

**VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES
2024-1-9**

ATTENDANCE

Erica Nikolic, President	Brian Thompson, Finance Director
Johnnie Warren, At- Large	James Climer, Law Director
Taunya Scruggs, Ward 1	Tom Haba, Service Director
Eloise Hardin, Ward 2	Dave Tapp, Fire Department
Paggie Matlock, Ward 3	Mark Garratt, Police Department
Mary Davis, Ward 4	Daniel Marinucci, Chief Bldg. Official
Candace Williams, Ward 5	

ABSENT

Ed Hren, Village Engineer	Carlean Perez – Recreation Director
Ross Cirincione, Prosecutor	Gary V Gottschalk, Mayor

Meeting opened at 7:04pm by Nikolic
Pledge of Allegiance
Roll Call taken

Nikolic: May I have a motion to approve the minutes of Dec. 22nd, 2023, finance meeting.

Motion to approve finance meeting minutes of Dec. 22nd, 2023, made by Hardin seconded by Warren
YES VOTE: Warren, Hardin, Davis, Matlock, Williams ABSTAIN Nikolic, Scruggs
MOTION PASSED

Nikolic: May I have a motion to approve the minutes of Dec. 22nd, 2023, regular Council meeting.

Motion to approve regular minutes of Dec. 22nd, 2023, made by Hardin seconded by Warren
YES VOTE: Warren, Hardin, Davis, Matlock, Williams ABSTAIN Nikolic, Scruggs
MOTION PASSED

Nikolic: May I have a motion to approve the minutes of Dec. 28th, 2023, special Council meeting.

Motion to approve work session minutes of Dec. 28th, 2023, made by Hardin seconded by Warren
YES VOTE: Warren, Hardin, Davis, Matlock, Williams ABSTAIN Nikolic, Scruggs
MOTION PASSED

Nikolic: Do we have any correspondence from the clerk? **Joseph:** A few councilmembers have a letter from Legal Aid Society requesting a contribution. **Nikolic:** Ok, agenda item number six we will have the departmental reports. May we please hear from Fire Chief Dave Tapp.

Departmental Reports

Fire-Tapp: Tapp: I provided each of you a yearend report. It's broken down by calls from all of your communities, as well as mutual aid calls. Here to answer any questions you may have. **Nikolic:** May we hear from Building Director Daniel Marinucci.

Building-Marinucci: Marinucci: No report, here for questions. **Davis:** We talked at last month's meeting that you were going to have activity reports. We have nothing from Aaron, nothing from anybody else. **Marinucci:** I sent it the day after. Do you send it out, or do I have to send it individually? **Joseph:** Yeah, I sent it out when I got it. **Marinucci:** We'll get that out tomorrow morning. **Nikolic:** May we hear from the Police Chief, Mark Garratt.

Police- Garratt: Garratt: Thank you, Madam President, just to bring you up to speed on a couple things. The Mayor's office, along with my office, received a letter from the County. Fiscal officers will be coming out to Oakwood, reviewing all the parcels in the municipality and reevaluating everything. The appraisers will be working in the next upcoming weeks. It takes two to four weeks to finish. The cars will be identifiable with markers in the front and back windows. Along with IDs with pictures on them. So, if you're seeing those vehicles, give us a call if there's any questions; we'll check them out. We had shop with a cop December 16th. It went very well thanks to Nikki here, she organizes it. She does a fantastic job for every year, along with the Officers to help out. They bring their spouses along and friends and it really works out well. Mr. Callender was here also, he helped wrap presents, it was a good time. We took nine kids, thirteen of them signed up. Four of them couldn't make it. So, I ended up taking nine of them to Target in Bainbridge. They just had a fire last night and closed down indefinitely. **Nikolic:** May we hear from Service Director Tommy Haba.

Service- Haba: Haba: Thank you, Madam President, welcome new Councilmembers. Just following up on the controversial change of days with the waste pickup. It was the day after New Year's. So, with the holiday and the change of date of Tuesday and pick up on Wednesday, there was a little confusion. We probably had about 25 calls. But in the end that went understood today, we didn't have any problems really. So, I think it will be fine. It'll actually make it easier down the road being on Tuesdays because most of the holidays are on Mondays. We did pick up leaves again last week. That will be the last time because the weather stayed nice. Because of the mild winter so far, we will probably save on salt again. Not this year, but 2025 when we order for that year. That's all I have; I'd be happy to take any questions. **Williams:** I have a resident on Arbutus Ave., that asked about the streetlights being out. Do I call the electric company for that? **Haba:** They Illuminating Company asked us about five years ago. They rather have the residents call, but you can call. They can call us, we'll call it in, or the Police sometimes. And you can do it over the phone. **Warren:** May I make a suggestion, that maybe we call so we can document it. So, if there's a conflict between the residents saying that I called a week ago and can't verify. If we call, we can verify when we called and be able to follow back up with the Illuminating Company. **Haba:** We can, we don't get that many. Police go out and if they notice they'll make a list and have a dispatch or whoever call them. **Warren:** Right, we want to make sure we also call so that we can document that we did make the effort. **Haba:** Ok, thank you. **Nikolic:** May we hear from Brian Thompson, our Finance Director.

Finance-Thompson: Thompson: Thank you, Madam President, just a quick recap. At our Finance Committee meeting the healthcare representative went in depth with a lot of issues. I'm hoping that helped out everyone and I'll be working with them closely as we move into the 2024 outlook on the healthcare. Also, as we rounded

out the meeting. I reported that we began the year at \$236,000 approximately in the general fund. The unexpended balance, and by the end of 2023, we had moved to a little over \$405,000 in the general fund. All funds we had approximately \$421,000 in cash and all funds. And as we rounded out the end of the year of 2023, we had little over \$1,000,000. **Williams:** Do you know the approximate or actual cost of the stop gap loss that we typically pay off? **Thompson:** We paid them probably about two hundred and something thousand for the stop loss. **Williams:** This year we will not have that expense or is there some? **Thompson:** No, we won't have that. **Williams:** They presented a lot of information and numbers. Do you have a document with all of these by number? **Thompson:** I'll get a recap from them and forward it to the clerk. **Nikolic:** May we hear from our Law Director.

Law- Climer: Climer: Thank you, Madam President, and welcome Ms. Scruggs. I'd like to wish everybody a happy New Year. There is going to be some upcoming legislation concerning the Engineer Department. Which I'd like to discuss at a later point. I'm happy to answer questions. **Nikolic:** The floor is now open for comments from Village residents. Please step up, state your name, comments, and address if you so desire.

Open Floor Comments:

Joe Fouche, Unknown: Fouche: I'd like to welcome the new Council members here. I'm here for a couple of reasons. One, I am the president of senior centers of Ohio. Which is a new adult day facility for seniors that are 60 years and over. We've been recently blessed because of our hard work with a grant that provides free services to seniors that are over 60 years old, and we have transportation. We have adult day services and facility. We provide home delivered meals and we also provide concrete meals. I wanted to make that public announcement to you all as Council members and residents here in Oakwood Village. If you know of any seniors, there are a lot here in Oakwood Village. That are looking for a place to have some activities and be able to do some things outside of their home. My facility can provide that. I will work with each of the Councilmembers here. To help register people in your ward that you think might need the services or want the services. **Matlock:** Do you have any literature on that, that we can have? **Fouche:** Yes ma'am, at the end of the meeting, I'll get some of your numbers and emails. I'll make sure I e-mail that over to you. This is a free service, some of the services ask for donations. I am also in the process of talking to other cities and villages to see if the Mayors and our City Council want to allocate funds to help supplement some of the food and or some of the services. So, that would be something that I would be bringing to Council to see if you all and the Mayor will consider. **Hardin:** This is funded how? **Fouche:** Through the Older Americans Act through the federal government. **Hardin:** Excellent and you'll give us a copy of all the services you offer? **Fouche:** Yes, ma'am. **Davis:** Did you mention where your facility is at? **Fouche:** Our facility is in Maple Heights. In the former Southgate bowling alley at the corner of Northfield and Southgate Park Blvd. The address is 21400 Southgate Park Blvd. **Davis:** What are your hours? **Fouche:** Depending on the service for the most part, it's 8:00 AM to 5:00 PM. But we have some extenuating circumstances where some family members need care before that time and after that time. So, we've made some special accommodations in certain situations. **Hardin:** May I ask you to come before Council, maybe in the next few months or so. To give us some feedback because as you know, we have a large population of seniors. I'd like to know how it's working out. And to maybe partner with you to get this, if that's an option. **Fouche:** Well, if you would allow me, I would like to not wait a few months. I'd like to wait maybe a couple weeks if at all possible. There's a big push right now to get people registered. The funds start in January, and we have finite set of services that we can provide. Oakwood is my home; I would like to have as many of the seniors here benefiting from the services. Surprisingly, there's a lot of seniors that aren't getting certain things. They can receive services from us for free. To come and be able to take care of your loved one while you do whatever it is that you need to do. This money from the Older Americans Act is basically like a stopgap. It

helps in rare situations and situations where you maybe don't qualify for some other money. That all you have to do is be 60 years or older and basically have some minor disability. All of the people that are older than 60 years old can talk about some ailments they may have. Which will probably qualify them to be able to receive services. The other reason why I was here is in light of the information about insurance changing for your employees here in Oakwood Village. I wanted to inquire because I know that this is probably going to be a hot topic. What does that actually mean for the workers here? What does it mean from a raise perspective for the workers? Is there any way of offsetting that increase that you all are anticipating they may have to pay. I wanted to know from the Council members if each one of you all support a raise. And at what amount do you support raise for the workers? **Warren:** Well, at this point, that issue would be a discussion in an executive session.

Williams: We kind of approached this a little bit within the last few months when we started budget discussions. We haven't been given the full numbers of what a total budget would look like until just now at this meeting. So, it's difficult to make that decision without all the information. Once we have it, then we have some time to take a look at it. Even though we've been going through these budgets for months. To just get this today and make a decision today, it's very difficult. For me, if I can look at everything in totality and I have information, I can make a solid decision. Of course, we want to pay our people that serve our Village. But we also need the numbers in front of us to make sure that when we're making those decisions, we have all the information. We don't want to give a raise and we don't have the funds. So, that's what I've been looking at personally. **Nikolic:** We have a scheduled work session for Council after this because we just had a presentation from the insurers today. So, we're all getting up to speed. Once we have an overall better understanding of where the plan sits. We will be better prepared to answer those questions. But we need to workshop it a little bit more within Council. **Fouche:** The budget that you received today, is that made public? Also, is that proposing a certain percentage raise right now? **Williams:** What I have in front of me is a spreadsheet that tells us what 1% to 5% will look like for Police, Fire, non-union and a total. **Fouche:** From a budgetary standpoint and this is for the Finance Director. Is a 5% raise feasible in your mind? **Thompson:** Yeah, I did a compilation with the numbers and the 5% number is feasible for the Village. Of course, just like budgeting for anything, you go through your budgeting process. You look through your upcoming year, you have to evaluate things to take into account when you're doing that. But overall, feasibly the number that I came up with, the five percent is feasible to get a raise. **Fouche:** All right, thank you. **Hardin:** The document that my counterpart Councilwoman Williams was referring to is this piece of paper. This was just handed to us to vote. We understand you've already been covered on some aspects of healthcare. You're welcome to step up and tell us what's on your mind. Because we're only now getting these numbers and that's what's going to dictate what we can or cannot do. So, when Joe asked specifically, is the 5% feasible and you asked the Finance Director. He has maybe seen some things that we have not, but everything is public record. We are going to work through these numbers, and we will where it is by law, do it publicly.

Shirley Stevens, 7251 Linwood Dr., Stevens: Congratulations to the new Council people that take their seat today. Thank you for the old Council people. I want to make a public comment because a lot of people sitting and standing here. And I felt like I know what they were all about. I want to make this quick and to the point because Americans are very spoiled, I'm spoiled. And I say that because I'm the owner of a business. I have a business called the tax doctor. The Internal Revenue some people don't even know, it's not even open. Do you know that you can't file tax returns? It's scary because it's like going to the bank at 9:00a.m. It's supposed to be opened but they are saying they don't know when there're going to open. That's scary and they're not telling us. My point is that it's scarier out there than you realize. Because we go on our way every day and we expect these institutions to be in place and take care of us. My point is to the workers in here and to the Council because you got to be tough. Because I said well before unless you're looking at that budget. And seeing what you can cut,

doing what you got to do. Then you don't need to be up there because I had to make some decisions. I had to work within a budget. The money is not there. I love the Fire Department every time I have a problem, and my friend over there that gets the driveway done; I need these services. I fell in the driveway; I was in the hospital for two days because I fell on ice. I don't have that problem now. My point is we got to toughen up people, I'm saying that to everybody, it's all our responsibility. The numbers don't lie, you make the numbers line up and you can move mountains. But we're all responsible for the numbers on the paper. So, my hat goes off to you, you're going to have to manage that budget. Because the numbers are not there and nobody's saying anything. You have to just look at what we got here and make sure we work with those numbers. And I tell you, work those numbers, the numbers take care of you. Whatever we have to do to make this boat float. I thank you for indulging me, I love this community. My community has been good to me. Every time I have an emergency, they're right there. So, I feel like I owe them allegiance and everything. But I also know, as a tax person working with numbers. Stay, see what's on the pieces of paper, it may surprise you. It may surprise you that the numbers are not as thick and wide as you think.

Sylvia Johnson, Bedford Heights Public Library, Johnson: I just wanted to let you know about some programs. We have an entrepreneurial program starting. It's 12 weeks, it's going to be available via zoom and it will be in a couple of different locations. It starts with creating a business plan, testing your idea, obtaining permits and licenses, marketing and so on. I don't know if everyone is aware, but Cuyahoga County Public Library. We offer career services and a job center. It is mainly housed at our Maple branch, but they will make appointments and see you everywhere and it's called Cuyahoga Works. The library has employed a social worker who will work with anyone on any subject. There's a phone number and I have program guides. The food distribution at our location will not start again until March. But for now there are food giveaways at our Warrensville and our South Euclid branch. We have computer classes that are available, and I will leave all of the material here. Thank you guys so much.

Floor closed

Climer: Proceeded to read...

Legislation:

2023-55	AN EMERGENCY ORDINANCE AUTHORIZING THE RE-APPOINTMENT OF
Introduced 12-22-23	ROSS CIRINCIONE AND JOHN MONTELLO TO THE POSITION OF ASSISTANT LAW
By Mayor and	DIRECTOR/PROSECUTOR WITH THE VILLAGE OF OAKWOOD
Council as a whole	
1 st read 12-22-23	
2 nd read 1-9-24	

Williams: Why are they sharing this position? **Climer:** John Montello formerly worked as the Magistrate in Oakwood's Mayor's court. The Oakwood Mayor's court is no longer conducting hearings. Summonses are now being issued to the Bedford Municipal Court. The violations bureau is still open and so there's still an Oakwood Municipal Court for that purpose. But Mr. Montello is no longer sitting as the Magistrate. He and Ross are willing to share that job. Basically, the division of labor would be that Ross would handle the boards and commissions as he has. John would handle the prosecutions. **Williams:** So, they're just opting to share this? Just because he doesn't have a position somewhere else. **Climer:** No, there are advantages for the Village. I would like to discuss that in executive session, since we're getting into the reasons. **Williams:** Would the budget for

both of them be the same as what it was for one of them? **Climer:** Exactly the same. **Davis:** In doing this, we voted for Mr. Cirincione with his salary and everything before. I thought we already approved ordinance when we gave him the job. So, will we be amending this if this is ever passed? Or would that be deleted or how does that work? **Climer:** It's a re-appointment of Ross and an appointment of John. **Davis:** Ross will only be taking care of the boards, the planning, and architectural, or you want to get to that later? **Climer:** I'm happy to discuss it, but it would be a little more fluid than that. That would be the general division of labor. There may be a day when Ross is unavailable that John would cover the board Commission and vice versa for the prosecutions. **Williams:** Is there a job description for this split role? What this will look like for either or how this would be split if there's a different title, anything. **Climer:** There is a job description for the assistant law director generally I believe. **Williams:** How would we transform that to cover what is happening right now? There's no way to hold anybody accountable to anything if there's no description of what should or could be done. **Climer:** We can develop that. **Nikolic:** We move to executive session to extend the conversation. **Climer:** The motion would be to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of the public employees. **Williams:** Can I also make an additional request that we include the Finance Director and the acting Fire Chief.

Motion to enter executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of the public employers made by Davis seconded by Matlock
YES VOTE: Warren, Nikolic, Scruggs, Hardin, Matlock, Davis, Williams
MOTION PASSED

Nikolic: Motion to add to the agenda legislation:

2024-1 A RESOLUTION OF CONDOLENCES TO THE FAMILY OF WILLIE THOMAS
Introduced 1-9-24
By Mayor and
Council as a whole
1st read 1-9-24

Motion to add legislation 2024-1 to agenda, made by Hardin seconded by Scruggs
YES VOTE: Warren, Nikolic, Scruggs, Hardin, Matlock, Davis, Williams
MOTION PASSED

Motion to suspend rule for legislation 2024-1 made by Warren seconded by Matlock
YES VOTE: Warren, Nikolic, Scruggs, Hardin, Matlock, Davis, Williams
MOTION PASSED

Motion to adopt legislation 2024-1, made by Scruggs seconded by Hardin
YES VOTE: Warren, Nikolic, Scruggs, Hardin, Matlock, Davis, Williams
MOTION PASSED

Enter Executive Session at 7:50pm
Adjourned Executive Session at 9:21

VILLAGE OF OAKWOOD
WORK SESSION MINUTES
2024-1-9

ATTENDANCE

Erica Nikolic, President	Brian Thompson, Finance Director
Johnnie Warren, At- Large	
Taunya Scruggs, Ward 1	
Eloise Hardin, Ward 2	
Paggie Matlock, Ward 3	
Mary Davis, Ward 4	
Candace Williams, Ward 5	

ABSENT

Ed Hren, Village Engineer	Carlean Perez – Recreation Director
Ross Cirincione, Prosecutor	Gary V Gottschalk, Mayor
James Climer, Law Director	Tom Haba, Service Director
Dave Tapp, Fire Department	Mark Garratt, Police Department
Daniel Marinucci, Chief Bldg. Official	

Meeting opened at 9:21 by Nikolic

Scruggs: The timeline for receiving the minute. I wanted to request that we get them before Friday of the meeting. I currently serve on boards where I am the Recording Secretary person. I have to type up the minutes and I have to submit them to my board a week before. To let them know what the minutes were of that meeting. To let them know what the agenda is for the upcoming meeting to give them time to actually review. It took me some time because I was new to it, of course. But it did take me some time to really read through all of the things that were sent to me. Then I wanted to reread it again to make sure I was understanding things clearly. To get it on Fridays really only gives me maybe two days to try to figure that out Saturday or Sunday. And if I have any questions about it beforehand. Monday is the only day that I get to even reach out to anybody to ask any questions. So, my question or recommendation is that we get this before Friday. So that we can have a little bit more time to read through it. So, that we can come here, and we can just move a lot faster. **Nikolic:** I agree I've had this conversation with Tanya. She mentioned that before there had been no complaints. But I'm glad you brought it up. What day do you think would be feasible for you? **Scruggs:** So, my thought is, and this is just my thought, and you can let me know and let us know what your responsibilities are. When we meet, like tonight, we've had all of this going on. The very next day really should be dedicated, the whole entire day. To making sure that the meeting minutes are already typed up, get it done. If you got to spend 6/7 hours, get it done. So, within 48 hours of a Tuesday meeting, the minutes should be done. If that is not able to be done. You have all these different technical systems that we can put in place that can actually type up stuff for us. For instance, when you do zoom, zoom has a feature within it. The AI will record your voice as you're talking and type out the meeting minutes for you within the zoom. You could just take it and adjust it, read through it, listen to it, make your grammatical corrections. But it's already typed. You don't have to guess who's saying anything because you're talking into your zoom computer. From what I'm told everybody has a laptop, so we can log into our zoom. That AI could have recorded, it could be in that manuscript and that would save Ms. Joseph from actually having to type every single word. But just having to go back and just kind of edit it. That's one way, but if that's not an option for that zoom. Then physically sitting down and typing it up is the only other option. But basically, giving her an opportunity to sit down and focus on writing. Because we meet for an hour for whatever

our Council needs. And then that hour maybe should take a couple hours to transpose. And I'm just saying that because that's what I do. **Warren:** Well, we had Debra Hladky, who was former Council Clerk and was President of the Municipal Clerks Association. We've never, I've been on Council since '96 and we've never had minutes two or three days after our meeting. As a matter of fact, Debra Hladky, like I said, is second to none as far as municipal clerks and has the ability and recognition throughout state. She gave us our minutes every other Friday, and since '96 I've been able to read them and haven't had a problem with it. **Scruggs:** Well, I'm going to have a problem with it. I don't know if just because it's been done that way for 40 years that that's ok. But I really would like to, if we want to sit here and be here in this meeting for hours and asking 10,000 questions, then ok. But I really feel like we can make a more efficient way to get this done and get it to us before Friday. **Warren:** The 10,000 questions is not the issue. The more we talk, the more you have to take minutes and the more you write. Whether it's specific to the issues or whatever. If there's technology that we can introduce to the Council Clerk that works then we should pursue that. But as far as saying that you can have your minutes from what I've seen in my past experience with the Council Clerks. I'll go and talk to some of the other communities to see how fast their meeting minutes go. But again, like I said, I've never had a problem in digesting the minutes. Because a lot of this stuff is already what we've discussed anyway. So, all it is, is a revelation of what was already discussed. **Williams:** Well, let me say this. We can set the expectation for how we want our Council to be conducted moving forward. We don't have to go off of what's been done in the past just because it's been done. We can set a new expectation. I do think it's reasonable to have those minutes earlier. It is a lot to digest minutes with reports and budgets. We get 2 to 3 inches worth of stuff. So just to say it's been done that way, it's not a sufficient response to say we can't do it a different way. The other thing is I think that's going at it in the wrong direction. The question that needs to be asked is what are the roles and responsibilities that are done in the days following a Council meeting. And how can that be shifted or rearranged so that the minutes become the focus in those days following and this can get done. Whether that's with technology or what, but it's time, we have to be better at governing. We can only do that if we're able to digest the information and make sound decisions. When we're digesting reports and minutes on a Friday and expected to make a decision on a Tuesday. That is not and has never been in my opinion sufficient time. **Matlock:** The information that you receive in order to put on the agenda, not the minutes. Do you get that in a timely fashion? For instance, how late do they give you that information of what's going to be on the actual agenda for our following meeting? **Joseph:** Well, the deadline that I gave everyone when I first came was the Thursday before the Friday that I would send out the agenda, at 12p.m. That would be the deadline for them to get it to me. I mean, I get it at a decent time. As soon as I get it is when I send it out. As far as the minutes, for transcribing the minutes. I do utilize Microsoft Word. They have a transcription section where I can put the audio that's being recorded, and it will transcribe it. However, it's not going to pick up everything that's being said correctly. So, I still have to go through and listen to all of those minutes. I have to make sure it's correct, get it in the correct format, make sure there's a name to the person speaking, etc. It still takes a process and then you have to go back through and edit it. But I do understand what you're saying. And, you know, if Council feels like it needs to be quicker, that it needs to get to you guys more efficiently. Then that's something I'll make sure that I get done. As far as working on the minutes the next day. That is the first thing that I do behind getting all legislation signed and getting it posted in its correct location. So, the next thing I do after that is work on my minutes. **Williams:** Can you tell me why it doesn't record it accurately? **Joseph:** I mean, if a million people are talking or if it's picking up feedback in the background. Or if you say something, it might switch the word to something completely different. So, it's just not clear when it's transcribing. It's picking up and relying off of the audio it's getting. **Williams:** I asked that question to get to, we've requested microphones for Council before. Most Councils when you attend their meetings, there's a microphone in front of everybody and it helps with the clarity of what that recording is picking up. **Joseph:** I mean the recording on this is pretty clear, especially with the extenders that's around. It

picks up everyone's words, but that's the thing, it picks up everything. It would pick up conversations in the audience, just whatever is happening, especially again if multiple people are talking. Then I have to go back through numerous times to decipher who's saying what. When it's being said, make sure it's in the right order.

Matlock: Do you think that if we put it on the zoom like she suggested. Then have zoom transcribe the minutes or whatever is the part that we need to have for the minutes. Would that help? **Joseph:** I haven't used it; I don't mind trying it. I can reach out to the other Clerks and see what they're doing to get it to you guys quicker and try to have it in two days. **Williams:** If we have microphones speaking into that, it won't pick that up more loudly than it's picking up other things. **Joseph:** I personally wouldn't know. When we did it at the Community Center for the moments that we used the mic. It picked up, but I feel like a microphone is going to pick up feedback regardless. Unless you have soundproofing, that's around it to keep it from bouncing everywhere.

Nikolic: The other point I'd like to make is sometimes when we're in Council. We're talking, someone may address a question to the person that's speaking. And someone else may chime in to sort of answer the question for them. I think one way we could help is if we let that person answer the question. I think we have a tendency, if we know the answer, someone may pipe up and answer. If we get stricter about if someone's speaking. We can wait, we can raise our hand and have that input. I understand the technology is there and if we can just explore that. Because like Taunya, I have a lot going on. So, I like to ask Councilwoman Scruggs, what would be a good day. And we can kind of make a balance between what you think is fair now without any new technology and what you think might be fair. Just to throw some days out there. **Scruggs:** I'm thinking if we have a meeting on Tuesday, within 72 hours we should be able to at least have the minutes. Being able to have the minutes is one, great to be able to read it to kind of see what happened. But also, to make sure if there were any action steps that needed to take place that we were responsible for. We can make sure that we're doing that. So, we can come back to the table and have a productive session. Anything is better because again, I want to read it and then I want to read it again. Even if I'm in the meeting, I still want to make sure that I'm clear. That's why I didn't have to ask so many questions today because I spent time and I reread stuff to make sure. I feel like if we get an opportunity to do that a little bit more ahead of time, we'll be more effective. **Williams:** Can we do Monday at noon? **Joseph:** Its whatever Council wants me to do, it's my job and I'll do it. **Hardin:** Do you feel that that's reasonable or do you want to try it and then lets reconvene. Or do you want to start looking for the technology? **Nikolic:** Put feelers out like immediately and we piloted for a couple weeks. By that time, you'll have the technology then we could cut it back to 72 hours. Brian, my follow-up question would be for the microphones, is there a reason why, was that a cost? I know we talked about that line item for extra equipment that could be ordered. Do you have an idea of a cost for microphones? **Thompson:** We would charge the equipment under Council so she could shop around and let us know the price. **Williams:** Who's our IT person? **Thompson:** Tom Souza. **Williams:** That's who needs to do it. Tom needs to find us adequate equipment for this environment, this setting. We need a tech person to tell us what microphone we should have so that it picks us up, gets to that recording. You should be able to communicate the context of this conversation. So, that he knows what we need to fix and what we would like to purchase. You shared that you're getting signatures for things. What other things happen immediately after Council meeting. That might take up your Wednesday, Thursday, or Friday. **Joseph:** I mean well, first of all, I just started, and it's only been five months. So initially I was trying to get a feel as I do my minutes. You know, just finding my way, which I think I'm improving on. However, immediately after I get those legislative things complete. I'm doing the minutes, unless like I'm helping with a newsletter or helping get an envelopes out or something. Then I might step away for a second and help to get that out. Because it may need to go out sooner than my minutes. Then I go back to my minutes. That was before I knew Council's concern on getting their minutes earlier. If I knew that in fact, I would have tried to make sure that I got it even sooner. I more or less was just working with what I saw in the Charter. I know I have 10 days to get it done. So, anything that I had to do, I was just fitting it in within getting those

minutes done and getting the other jobs done. When I came in, I had other things I had to complete that, I just stepped in the middle of. As far as the grant programs for shred days and working with the Soil and Water Conservation District and everything. I was just more or less learning my roles and getting acclimated to that. So, it's a new year, I can find out from the other Clerks how quickly they get their minutes done. What they do to get their minutes done quicker and what technology is utilized. **Williams:** So, if our focus and priority is meeting minutes. The first three days after a meeting, then what we're saying is we're not asking you to be stressed out to do this. We're just asking you to make it known that this is first. So, maybe you can't help some people do some stuff. **Joseph:** I understand. **Williams:** Monday 12:00 PM, and I just think Monday at 12:00 PM is good. I suggested because sometimes you come in Monday morning and Mondays are different days of the work week. So, at least that gives you a few hours to tidy one last thing up. You still got till noon. It's not a hard deadline like you going to lose your job if you don't have it by 12:00 PM. It's just a hey, this happened, and I'm going to get them to you by two or four. But Monday 12:00 PM is kind of the goal. **Davis:** Mr. Thompson, you know, I have requested this before. I'm going to request it now that we're speaking about our Clerk getting our paperwork to us early. We don't even get it the Friday before; we get stacks of the budget stuff and I expect to look at all that stuff. I even want to see those credit card things that we've been asking about. If we can do the minutes by the Monday before our meeting. We should be able to get our finance information too. That gives us time to look it over. So, is that possible for you because we've been asking. **Thompson:** I'm on track for 2024, I hear you loud and clear. **Davis:** Then you promised me the Senior Center rental. What we took in and what we spent out. There's no way we only made \$220 profit if they pay \$150 each time they rent it. It was rented every Saturday and Sunday, so that doesn't even make sense. There is something wrong there, somewhere, those numbers are wrong. **Warren:** Or something that somebody is not collecting. **Thompson:** I mean it's showing here what you collected the \$14,805 they paid. A large portion of it goes back to the center, if it's in good condition. **Williams:** You pay a fee and a deposit. The deposit comes back, but the fee is a fee. **Thompson:** Right, the fee is collected, but you offset the payment for the return of the same fund. **Davis:** No, but the fee was \$250, it was \$100 deposit. So, \$350.00 to rent it, I got the \$100 back and I still pay the \$250. There's a \$250 profit, this doesn't even show, it's only a \$220 difference. **Thompson:** It's not there to make a profit, it's just the ins and outs... **Davis:** No, it's there to make a profit, that's a profit for our city. That's how Walton Hills does theirs. **Thompson:** It's not a problem to run it in detail. I'll flush out every name that paid under that fund. **Warren:** Right, but do you understand what she's saying? She's saying that the refund is contingent only on \$100, but the rental is \$250. We should be getting \$250 clear, notwithstanding the one or two times that the people don't clean it and we hold back another \$50 bucks. But there should be no reason why the \$250 isn't a profit. And you're right, it's not to make a profit, but it is to maintain the center. Because the whole purpose of renting it is to cover the expenses of the of the center. **Thompson:** I'll run these details, and take a full scale look at it. **Davis:** So, we're getting all of your reports, when did we say? **Williams:** When January 5th came, you knew you didn't have it done. Send communications to the Council Clerk so she can forward them to all of us. There should still be communication about why you don't have it. I've heard you say if your boss doesn't make you do it, we're responsible for this budget. And we can say just like we just said with the Law Director. Maybe we look at paying him hourly instead of salary. Like, we can start cutting budgets, we would not like to do that. But if we're not getting the outcomes and people are not meeting their job descriptions. We don't have to make full payments for salary. You can be part time, you can be hourly, like we need the work to be done. So, that when we're making payments with taxpayer dollars for salaries. It's because the work is getting done, you follow that. So, to say you don't have to do it because your boss isn't on you. Or to say you are a victim of... **Thompson:** I never said that. **Williams:** Or to say you are a victim of not getting the information. You know what you're responsible for, you know what we need in terms of budget. Because you've been doing this for so long, you got to communicate. **Thompson:** Ok. **Matlock:** I was informed NLC is in Washington. March 11th

through 13th, the hosting hotel is the Marriott where all the conferences are in that one hotel. Everybody now has started to book because this is like their 100th year, their anniversary. So, everybody, every city is going to be there. We want to make sure that we do get in that host hotel and we're not somewhere in our hotel away from Conference Center. and you got to walk in. So, is it ok that she goes ahead and makes that call to at least get us the reservation for the Marriott NLC right now? If we are planning on attending it as Oakwood Council. I like this one because of the fact you get to go in the capital, and you can meet with your representatives and stuff while you're there. **Nikolic:** Does everyone anticipate going? **Warren:** We usually just take a role of who wants to go, and then she'll register you. While we are all here we might as well. **Hardin:** Remember if you don't go, I personally feel you should pay the Village back, so, make sure. **Matlock:** And it is the 11th through the 13th. And normally we'll go in the day before. So that'll be the 10th and we'll come back the date after which is the 14th. **Hardin:** Now the one other thing is there are classes too, especially newcomers. You go online and check classes and make sure you avail yourself of it. The objective is education, and it's invaluable. **Williams:** I would like us to return back to having legislation put into our work session before it goes on to the agenda. Like we used to for a long length of time. It helps with the being able to process if it's in the work session. You can review it; you can ask your questions here. You can talk about what you think about it and then you can get a response before it even goes on to agenda. So, I think we should return to that and request all the directors or whoever gives us legislation, to start putting that in our work session. **Hardin:** When we had a hard and fast rule. Nothing goes on that agenda unless it goes through the work session. We had a more efficient situation going. So, if we're going to do it, it has to be hard and fast. Whatever time frame you set, if it's not given to her timely, don't even think about it. **Warren:** Just to let you know, just like you're saying. The Mayor does have a right to put things on the agenda without consent period. But then what we can do, if he is combative about it. We can as Council move it to the work session. **Williams:** What we did was we kept with that pattern, and he wasn't combative. Because he knew we weren't looking at it unless it was in that work session. So, it wasn't a combative situation. But when we started making exceptions, that is our rule. So, we can process and make a decision. Gives you a chance to know what you're looking at. **Nikolic:** On this work session document, it says Hardin municipal complex, disaster recovery plan, HR, and five-year plan. Is this something we still need on here? **Hardin:** Those are ideas and areas of concern that go back. We never go forward with those ideas. To me, that's why it didn't get lost. But nobody here knows anything about a five-year plan. Every community should have a five-year plan. It's a part of an organization through the County that will help you set up your five-year plan. We need to avail ourselves of that, we need a five-year plan. **Williams:** If you just read the things that are on here. For instance, it says legislation, there should be a fiscal officer certificate present whenever we do anything with dollars. So, you should have a certificate certifying that you know we have those funds. It is there, it's been there. Those are just routine things that we should always have. That should be common practice and they are best practices. You should always be able to tell us with that certificate yes, we got this money and I'm telling you, yes, we got this money. **Matlock:** When are we going to have another meeting for the employees and what percentage of raise they get? Because I'm quite sure they want to know. **Nikolic:** Ok, so my thought with things like this. And please fill out your surveys if you haven't. Things like this could go in committees. Committees with specific interests could workshop these ideas and we can get them moving along. **Williams:** I'm not sure municipal complex and five-year plan can go into committees. Just because we should all be present for that. I also want to make a recommendation. Like when we don't need to use emergency ordinance that we stop using it. Because we don't have to have everything as an emergency ordinance, everything is not an emergency. This legislation right here is not an emergency, and so we should use it appropriately. **Nikolic:** The rule that we're workshopping legislation that will take that off. That would eliminate that because we would have had that discussion. **Hardin:** Before we go, at the next meeting, we would like a financial breakdown of what's going on in the Mayor's court. What costs were involved in that

decision. **Davis:** And the Clerks, how much are they being paid. **Matlock:** Brian, this is no big thing but when Joe asked you do we have the money. That's not for him to know if you have the money or not. **Thompson:** It's something he needs to request. **Matlock:** To me I would have never said we have it or not. That's not for him to know if they have it or not. Because the first thing when you said we have it. They're going to sit there and say, well, how come they didn't give me 5%? **Warren:** The answer should have been and going forward, we'll know that. This is what we're in the process of doing now. We're reviewing our budget, and we haven't approved our budget. **Williams:** Because yeah, I think they have a right to know. But Council has to make that budgetary decision. Would have been more of a reasonable response to say. I do believe Council just got the healthcare numbers. I do believe they just got the amount of the increase. Like there's information that we didn't have and after they take a look at all of that. They can probably make a better decision. But to just say yeah, we got it. When we may look at these, you got to give us the healthcare numbers. Because I saw you write numbers when I was writing them. So, I don't know if you don't know. We got to talk about the lump sum for these fire people because they're likely going to get that money in 2024. That's going to be a part of the budget. We haven't received the sick leave or vacation for people that are right now eligible for retirement. That could impact our budget. So, we're kind of putting the cart before the horse when we tell the entire staff. Hey, you're going to get raises and we haven't looked at all these other things holistically. **Hardin:** That was why I became pretty defensive. I didn't show any anger, just frustration. That's why it seemed a little ignorant and I did it intentionally. You can read it along with me. I have no idea where we are with this, and I left it at that because the room was packed. **Thompson:** So, somebody's doing something like that. It's not so much a special request, it's just... **Williams:** I think it's ok to tell him we have the money. You have the statement of cash in front of you. I think that's perfectly fine. We're a government entity, everything we do is public information, except for executive session. So, you should tell them that. But also, what you should have said is all of these other things factor into that decision. You just made it like, oh, they got the money in addition to all these things. We haven't looked at all of it yet. I'd like to make a recommendation for Council to consider adding to our budget the microphones. Adding to our budget an individual, preferably a lawyer, to review our Charter with the Community. A possibility to explore having our own legal for Council. I think we should consider those things, given the situation that just happened with respect to legal. I think we also need legal counsel for ourselves with the rest of that playing out. The fourth thing was having our Council meetings recorded. If people can't make it here, they can't make it here. We should have them online available. Everything is recorded now and available. **Davis:** Our minutes are online, correct? **Williams:** Yeah, but you got to go back and read them. You should be able to sit and watch a meeting from anywhere as it's occurring. Considering legal counsel, microphones, having our meetings recorded and someone who can review our Charter with the community independently. **Nikolic:** I sent out an e-mail asking for us to have a meeting. Somewhat of an organizational meeting to discuss things like that. So, it was contingent on whether or not they were going to do the hearing. So, since we know that he cannot prepare the witnesses by the 23rd. Everyone can agree if we come at six and have this meeting we can discuss things like that and other topics that we'd like. Everyone can present whatever ideas they have. We could kind of workshop at that meeting. **Davis:** Is this a work session? **Nikolic:** It's a special meeting that would happen before Council meeting. **Williams:** Do we need to do it earlier or like 5? Because the 2nd meeting is typically finances and we haven't received those reports. I'm just asking, or we want to make finance separate. **Nikolic:** So, is there another day? Because these are things that I kind of think we should probably get on top of. We don't want to keep pushing them into February. So, we can do a different day. **Hardin:** Monday the 22nd. **Warren:** Yeah. **Hardin:** What time? **Davis:** Have to be 6pm because I babysit until 6:00pm. **Hardin:** Ok, Monday, 6:00pm on 22nd. **Hardin:** They have to announce what it is, what is it? An organizational meeting? **Williams:** Council organizational meeting. **Nikolic:** Can I get a motion to adjourn?

Motion to adjourn made by Davis seconded by Matlock
YES VOTE: Warren, Nikolic, Scruggs, Hardin, Matlock, Davis, Williams
MOTION PASSED
Adjourned at 10:32p.m.

Approved _____

Tanya Joseph, Clerk of Council

Erica Nikolic, President of Council