

**VILLAGE OF OAKWOOD
WORK SESSION MINUTES
2024-10-8**

ATTENDANCE

Johnnie Warren, President Pro Tem
Taunya Scruggs, Ward 1
Eloise Hardin, Ward 2
Paggie Matlock, Ward 3*
Mary Davis, Ward 4
Candace Williams, Ward 5

ABSENT

| | |
|-------------------------------------|--|
| Matt Jones, Village Engineer | Erica Nikolic, President |
| James Climer, Law Director | Ross Cirincione, Prosecutor |
| Gary V Gottschalk, Mayor | Tom Haba, Service Director |
| Mark Garratt, Police Department | Dave Tapp, Fire Department |
| Brian Thompson, Finance Director | Daniel Marinucci, Chief Bldg. Official |
| Sam O'Leary, Assistant Law Director | Carlean Perez – Recreation Director |

** Arrived after roll call*

Meeting opened at 6:14pm by Warren
Pledge of Allegiance
Roll Call taken

2024-WS-04(Amended) AN EMERGENCY ORDINANCE ADOPTING AN AMENDMENT TO THE EMPLOYEE HANDBOOK FOR PERSONNEL OF THE VILLAGE OF OAKWOOD OTHER THAN FIRE AND NON-AUXILIARY POLICE

Hill: I mean, I think just the heading. I don't even think there's any... the heading was incorrect. Because the purpose was to merge the handbooks for Fire. The only people that wouldn't be covered was Police because they're under FOP. So, this doesn't even read correctly. **Davis:** So, non-auxiliary would still be included or no? **Hill:** Non-Auxiliary is FOP, so Auxiliary and Fire would go under so, yeah. This is not written correctly and also I don't know where Climer is on merging them. So, we didn't get any feedback on that, unless it happened the last meeting I wasn't here.

2024-WS-05(Substituted) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRCT WITH CREtelligent AND DECLARING AN EMERGENCY

Warren: This one here, I think the Council Clerk mentioned that the Mayor mentioned that this was proposed from him. He said he never agreed with it, that the Council President is the one that put his name on it. But he doesn't support it, and he doesn't want his name on it. **Hill:** Since it needs to be resubmitted, can we remove it? **Warren:** Yes, so can we make a motion to remove 2024-WS-05 from the work session. **Davis:** You mean to put it on the agenda to vote? **Warren:** No, to remove it from the work session and walk away from it. **Davis:** Okay.

Motion to remove 2024-WS-05 from work session, made by Davis seconded by Hardin
YES VOTE: Hill, Davis, Hardin, Scruggs, Matlock, Warren
MOTION PASSED

2024-WS-12

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDMENT OF PROFESSIONAL SERVICES AGREEMENT FOR BUILDING INSPECTION SERVICES WITH SAFE BUILT OHIO, LLC, AND DECLARING AN EMERGENCY

Hill: Just FYI, I believe the last contract that's included is... The last time I was here, I was not here at our last meeting. But the last time I was here, Council request for three additional changes. We emailed to our Law Directors to have updated. I am now sending a new email to the Law Director and Safe Built to get those three changes in. And then I think we would be ready to call a special meeting for it. **Warren:** Okay. **Hill:** This is not what Council requested at the last week meeting. **Warren:** Okay. **Hardin:** So, there was a date involved. So, when we resubmitted it for those three changes. Any date should be relevant to giving us time to look at it. **Hill:** I requested that they give us a new expected start date. Based on the time that... The date was for them to have enough time to hire. Not technically for us, because our lawyer is submitting the changes. **Hardin:** Okay, all right, that's fine.

2024-WS-34

AN EMERGENCY RESOLUTION ADOPTING THE ALTERNATE FORMAT TAX BUDGET FOR THE YEAR 2025

Hardin: And why is that an alternative? What are we doing with that? **Davis:** Do we understand? I mean, I don't understand. I read the whole email and everything, but ... **Hardin:** What's the new format? **Hill:** This is actually late; this was due July. I believe this was due July first if this is the one I'm thinking of. **Davis:** This says it's for the year 2025, so this is for next year. **Hill:** Oh, wait a minute, (inaudible) no there's one that's due on July 1st, did we... I'll ask. **Hardin:** Is this appropriate time to ask did we ever pass the balance of the appropriation? **Hill:** No, we did not, we do not have... We approved the budget to the third quarter. That was through September 30th technically. **Hardin:** Yes. **Hill:** Technically, our budget now has expired technically. Unless we just have funds in there that we didn't use for the last quarter. But, we don't have up to date financials. The last financials are July 31st. **Joseph:** He just gave us this today. **Hill:** That to July 31st it's the middle of October so... **Warren:** We'll pass on this and wait until we have the Finance Director in. And get the information that we need. **Hill:** That is the one we usually pass for January. But I believe we missed the one for July. There's one that was due July 1st. **Hardin:** We can ask him that when he comes in. **Warren:** But it goes from July 20th, I mean, July 1st to July 31st. **Hill:** You're talking about our financial? **Warren:** Yeah. **Hill:** No, these are our financials just for the budget. But he needs to give us up to date through September 30th. In order for us to approve the last quarter. And we don't have that we are behind still. But these two are unrelated, 34 and what we're talking about. **Warren:** Okay. **Hardin:** Can we make a note to make sure we... I'm sure he's going to talk about it because of what he's given us today. So, forget my statement, thank you.

2024-WS-35

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FINANCIERE ESTEREL d/b/a TRESICAL, INC., FOR THE PROVISION OF A NON-REFUNDABLE NET PROFITS TAX CREDIT AND DECLARING AN EMERGENCY

Warren: I think that we can move, that's the French company that is supposed to be moving into the King group. **Hardin:** Okay, he mentioned that several months ago. So, what is what are we doing now? **Warren:** They're just asking for us to allow them to have provision for job creation tax credit. **Hardin:** And what does that cost us? **Warren:** It doesn't cost us anything. The Mayor was supposed to be calling too. **Hill:** Calling into our meeting? **Warren:** He said he was going to call, but he hasn't, so... **Hardin:** All right, so there's no explanation, moving on.

2024-WS-36

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FINANCIERE ESTEREL d/b/a TRESICAL, INC. FOR THE PROVISION OF A JOB CREATION GRANT AND DECLARING AN EMERGENCY

2024-WS-40

AN EMERGENCY ORDINANCE REAFFIRMING THE PROHIBITIONS AGAINST DISCHARGING, IGNITING OR EXPLODING FIREWORKS IN THE VILLAGE OF OAKWOOD AS SET FORTH IN CHAPTER 1519 OF THE CODIFIED ORDINANCES OF THE VILLAGE NOTWITHSTANDING THE PROVISIONS OF H.B. 172

Hardin: Now's the time, I don't know how many people have looked at the samples. The specific one was from Elyria. And the original ordinance that was submitted at that time. Even the Police Department was in agreement with some restrictions. I'm submitting it and asking this Council to look at restricting the times that we do it and the number of days that we do it. Because of the effect it had on some of my constituents. And so, and I had another question based on the type of fireworks that that are being sold at this time. The noise level, does that noise level exceed our noise ordinance? I thought about that... **Matlock:** Some of it do, due to the fact that some of those fireworks have gunpowder in them now and it makes them stronger. **Hardin:** You know, when you start to restrict, you have to have some rationale for it. That was one of the things that I would like to look at. Does it conflict with our noise ordinances? Because that is the problem, the noise level of the fireworks. Then my other question was, and I think I asked that at the original when we first started on this. Is it possible to restrict the type of fireworks? Because some of them are just great, others not so much. **Warren:** Yeah, I believe that's what the Law Director had mentioned too. That we could restrict the types and everything, and to restrict the days. I think it is actually in the ordinance that provides the dates that you. **Davis:** I think this is just restricting what the governor or what the state of Ohio is doing. **Warren:** But remember, our last meeting we talked about... **Hardin:** We had all the dates, it is here it's in our packet. All the different holidays, it even gives Chinese New Year. **Warren:** Yeah, well what we did, I think we just reduced it down to July 4th. I think that that's the only thing. I'm not sure that we had any other date. **Davis:** Because I talked to Mr. Garrett today to ask him their opinion or his opinion on this. And he said he would love to have it restricted. But he said he still would want July 4th. If it falls on a weekday, July 4th, if it falls, or it could be in the week. You could do it July 4th and the weekend before or the weekend after. But he just wants July fourth. **Warren:** Right. **Hardin:** Well, I would like this Council to consider that then. Because it is because of the noise level. **Warren:** I've never had a problem with July 4th either. I could just go one day because technically and theoretically, that's all it was supposed to be anyway. And people just started taking it further than they were supposed to. So, I would very definitely support a July 4th. **Hardin:** Okay, now, the current the state law, if I'm not mistaken,

and we can pull it. I think it allows you to shut them off two days before July 4th and then two days after. It expands other than days before and after each one of those holidays. **Warren:** Oh yeah, it gives you a whole variety. **Hardin:** So, am I understanding that this Council would consider doing just July 4th the day itself. And not any of the days before or after as stated in the state law? **Warren:** I would agree with that. **Hardin:** Okay, just July 4th? **Warren:** Yes.

Hardin: Okay, so I know we don't vote, but we can poll. Can we then say asked the Law Director to draw something up that meets those requirements? All right, I thank this Council.

Davis: I would like to have at the same time we approve this. To have that other one with the

dates or part of that same one. **Hardin:** Yes, ma'am, thank you. Madam Secretary, did you understand what she was saying? She wants to make certain that our people understand. We were aware that all of the other ones were available. But we've chosen to narrow it to just the 4th of July. Am I understanding you correctly Mary? **Davis:** Yes, so that's what the Police Chief reiterated today. I mean, that's one that he would have been in favor of. **Hardin:** Now the times are okay because we can look at that again. I think it's up until... I know it's 10:30pm or 11:00p.m. **Joseph:** It's not in this legislation, that was the other one. You were thinking of...

Hardin: The first one. **Joseph:** The way Elyria had theirs. **Hardin:** Yes. **Joseph:** But he didn't do it, that's what I was saying. He didn't do it similar to their, he just brought back the legislation that was presented to Council. That you guys never went forward with. That's what I was trying to explain to you. It wasn't exactly how you wanted it. So, that's what I was explaining to him in the email as well. That he failed to, you know, list the parts that you wanted specifically.

Hardin: Okay, so let's come up with our time frame that we would be interested in having.

Naturally, you want to do it were dark. I guess that's part of the fun. So, we're talking, it gets dark in the summer at what? **Davis:** Nine, closer to nine. **Warren:** Yeah but kids would be... **Davis:**

Even if you said 8:00pm to start. I mean, some people have little kids. They might want to do them even though it's not dark dark. So, if you started at 8:00pm until midnight, that's four hours.

I mean, I think, we'll ask our Chief. **Scruggs:** He said 11:00pm the last time. **Warren:** Yeah

8:00pm to 11:00pm. **Scruggs:** I don't remember the start time. I just remember 4th of July was

until 11:00pm. **Warren:** We'll just say 8:00p.m.-11p.m. **Hardin:** Okay, ask him to restrict it to those hours, 8:00p.m. to 11:00p.m., 4th of July only. Not before or after?... No time, okay thank you Council.

2024-WS-41

AN ORDINANCE AUTHORIZING THE ACQUISITION OF TWO POLICE VEHICLES
AND ACCESSORY EQUIPMENT FOR USE IN THE POLICE DEPARTMENT FROM THE
STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES, STATE
PURCHASING AND DECLARING AN EMERGENCY

Hill: I (inaudible) that these were hybrid vehicles. And I'm wondering if, first of all, they can provide us quotes for the hybrid and regular vehicles. Two, I'm wondering if he has a plan in terms of moving to hybrid. Three, I'm wondering if anyone has looked into the cost, particularly. Last time the Chief wanted to move from I forget which vehicle we have, but to a Tahoe. They didn't research and found out the cost for the Tahoe was far more expensive than they thought for repairs. So, I want to know if anyone's looked into the cost of repair for higher hybrid vehicles. It may be a cost savings, savings, or fuel. But is there going to be a cost savings on repairs because that's new technology. So, I'm wondering what research has gone into that. **Warren:** Okay, well, I will support getting two vehicles. The Chief has done it for years and years and years. **Hill:** Have you read which vehicles they are? **Warren:** And I would move that we put it on the... because he gets it from state purchasing. So, he gets the vehicle that the state has. **Hill:** No, no he

gets (inaudible). **Warren:** Most of communities get their vehicles from state purchasing. **Hill:** But the state has hybrid vehicles too. But there were hybrid vehicles before, so that's why I am asking. You're not listening to what... **Warren:** I heard exactly what you said. But I'm saying that I'll leave it up to the Chief. To get the vehicles that he has been purchasing and his due diligence. He understands it, but I will say that we should move it on to the regular agenda for first reading. **Hardin:** I can go along with that as long as it's exactly what you said. We get a price break when we order through the through the state. **Warren:** Right. **Hardin:** That's number one, number two, there is a time frame that he is working. **Warren:** I agree, so we put this on... **Hardin:** But we do want him to please research the repair aspect if he's going hybrid. **Warren:** Right. **Hill:** That's what's in there, it's hybrid. **Davis:** He's got listed hybrid. **Hill:** It's not the regular ones, which is what prompted me to ask the question. **Hardin:** Okay, we still want that question answered Mr. President. **Warren:** Okay. **Davis:** And the warranties or whatever comes with that, right? What covers those? **Hardin:** You know, I'd like to go one step further with that. If we are going to go through the state, because that's always a savings. So, I'd like to know what the objective of the state is? Are they going to now promote and expect all municipalities to start to convert? And what's the long-term plan there? **Warren:** I have no idea. **Hardin:** I'd like for them to find out. Are we all going to go that route? Okay, thank you.

Motion to move 2024-WS-41(to become 2024-125) to the agenda, made by Davis seconded by Warren

YES VOTE: Warren, Scruggs, Hardin, Davis, Hill

MOTION PASSED

2024-WS-42

A PAY ORDINANCE AUTHORIZING THE EMPLOYMENT OF AN EMPLOYEE AND SETTING FORTH THE DUTIES AND COMPENSATION FOR THEIR POSITION AND DECLARING AN EMERGENCY

Hardin: I'm looking for that, what is it? **Joseph:** It's the Mayor's. **Warren:** It's the Mayor's concept of what he's proposing for the person in question. So just tell me, what is he proposing to do? I'm sorry... **Warren:** 3% retro plus a \$5,000 lump sum? **Davis:** And additional duties as performed as assisting the Clerk of Council. **Hill:** Whoa, whoa, whoa, so is this in addition to what we proposed? Because this is for Assistant Clerk, this had nothing to do with her. This is for the additional duties. Is this a (inaudible)? **Warren:** No, this was supposed to be... I guess in her position that she was at. But this has nothing to do with what he's intending. He thought that he was he was giving a counter offer for the veto legislation. **Hardin:** Number one, he's making this a little difficult to work through. Because he has nothing to do with the Assistant Clerk position. **Hill:** Yeah, that's not what we were addressing. **Warren:** Well, what he really was addressing was the position that the Mayor's executive assistant, had. And remember, we had the legislation that was passed and then he vetoed it? **Hardin:** Okay. **Warren:** Well, his counter is to give her 3%, but it doesn't read that. But his counter is to give her 3% plus a \$5,000 lump sum for... **Hill:** Acting as Clerk of Council. **Warren:** What I'm saying is that he... again, the wording is incorrect. So, we can't entertain it, we can't move it to the regular agenda. Because the intent in the wording is not correct. **Hardin:** Okay. **Hill:** Well, it could be correct. If he's trying to do is say, I'm giving her 3%. Keeping her salary the same, but I'll give her \$5,000 for... That could be his (inaudible) it's not addressing what we were. **Warren:** Well, his thing is, he was giving her

the 3% plus the \$5,000. And he claimed the \$5,000 would be for the work that she did on behalf of Council. **Hardin:** Let's clear that up, she transcribed three... **Joseph:** I received one. **Hill:** He's talking about acting for the Council when she wasn't here. He's not talking about Assistant Clerk; it says acting clerk. That means when she wasn't here. **Hardin:** Well, he doesn't have anything to do with that, does he? **Hill:** Technically, no. **Warren:** Well, you're saying technically, yet Council... **Hill:** We made payment for our clerk. **Warren:** Right, that's correct, but the Mayor... he just called me. Mayor we're on your legislation. **Hill:** Is that legal because... **Warren:** What do you mean if it's legal? This is a work session... **Hill:** Law Director said he cannot join in via phone. That was during the pandemic, we asked that question. **Warren:** (speaking to the Mayor via phone) Well, the Law Director said you can't participate in the meeting unless you're here. Gottschalk (via phone): No, this is the work session, it's not a Council meeting. Warren (speaking to the Mayor via phone): I know it's a work session, and that's why I don't understand with it being a work session. I can see an official meeting, but not a work session. Gottschalk (via phone): Yeah, as a work session, I can do this. Not at a regular meeting. **Hill:** That's not what the Law Director said. **Matlock:** You sure is not executive session that he can go on that? **Hill:** No, The Law Director said only during the pandemic, he didn't... **Warren:** But that was for regular meetings, that wasn't for work session. **Hill:** Did you confirm that? Because we've confirmed with the Law Director. **Warren:** Well, I was there with you. No, I'm just saying that... **Hill:** (inaudible) the communication, did you read that, or you made an assumption? **Warren:** No, I'm making the assumption that this is work session. Now, did the Law Director make the specific reference for work session? **Hill:** Law Director said that he can't call in, that was only during the pandemic. **Warren:** Well, that was for regular meetings. We didn't confirm, Mayor, they have an issue with you participating in the meeting. They're claiming that the Law Director said, although I disagree. I can understand for a regular meeting, but not a work session. Because anybody could talk at a work session. But anyway, I'm going to terminate the conversation and we're going to move on with our agenda. Gottschalk (via phone): So, we don't discuss this tonight? **Warren:** No, we already did, it's presented incorrectly. Because he's making reference towards a part time clerk. Gottschalk (via phone): Part time Clerk for what? For this project... **Warren:** No, I'm talking about the ordinance currently which says assisting the Clerk of Council and serving as Acting Clerk of Council. That's what Article three in your works session says. Well, this actually doesn't actually isolate it. Because it just says that she is the Executive Assistant to the Mayor. Shall receive an increase in her present salary of 3% retroactive to January 1st, 2024. Plus, a one-time payment of \$5,000 in recognition of the additional duties she has perform in assisting the Clerk of Council and serving Acting Clerk. So, that does makes reference to her being the Executor Assistant of the Mayor. And then isolates the 3% for that and then isolates the \$5,000 as acting Clerk. **Matlock:** So, why can't we give her 3%? Gottschalk (via phone): Yeah, but anyways, again, remember, I'm talking about the company from France. **Warren:** Mayor, we're talking about the Mayor's Executive Assistant position. **Hardin:** Mayor, I'm not going to have any communication with the Mayor over that phone. Don't call my name... **Warren:** Right, but it is worded properly. **Hardin:** Thank you. **Hill:** I already said that could be exactly what he is intending. Our Clerk has been here like two years now. He's trying to give her retroactive for being Clerk from two years ago. I don't know if he's getting into that. That is our official business... **Warren:** Well, the thing is that it is his employee, so he can do it. **Hill:** The Charter says we... **Warren:** Okay, well, I want to poll to say putting this on the regular agenda? The legislation reads as it should. It says to give the 3% increase period for 2024. And she gets \$5,000 for her service as acting Clerk of Council. In the stead of when our Clerk was either off

or unavailable. **Matlock:** Can I ask you a question? When she was writing in that capacity of our Acting Clerk, was she not paid? **Warren:** A regular pay? **Matlock:** Did we not pay her. **Davis:** I thought we paid, did we not as extra because of that or not? I don't know. **Matlock:** Did we pay her yes or no? She just stepped in, and we didn't pay her... **Warren:** Well, she's a salaried employee. **Matlock:** Okay. **Hill:** She's a salaried employee for Executive Assistant to the Mayor. She is not a salaried employee for Acting Clerk of Council. **Warren:** Right, he's proposing that Council pay \$5,000 for the services that she's provided for us. That's all he's saying... **Hardin:** Well, we can talk about that because while you were on vacation. She did set up everything and she did put up the notices. **Hill:** But that is Assistant Clerk. **Warren:** She just doesn't want competition with the other legislature, that's it. **Hill:** No, no, no. **Warren:** Yes, it is. **Hill:** No, it's not. **Warren:** Yes, it is. **Hill:** No, the Acting Clerk of Council is when she was not here. **Warren:** Right. **Hill:** The Assistant Clerk of Council was the last several times Dee filled in for her while she was not. Those two positions span a two-year different time frame. So, it's not about competition. First of all, I didn't create legislation. **Warren:** Well, the thing is... **Hill:** The legislation was something we all discussed and agreed upon. **Warren:** And the bottom line is why are you fighting this? It is right... **Hill:** I told you before you call him it was right. I said this may be what he's intending. **Warren:** Right. **Hill:** Well, what I'm saying to you is you keep conflating different things. Assistant Clerk of Council role is different than the Acting Clerk of Council role. **Warren:** But both he's proposing that she gets \$5,000. **Hill:** For acting (inaudible). **Hardin:** Time out, time out, when it comes to personnel. We should be in executive session to decide what we want to do with that. **Warren:** Well, I just say that the legislation is here. Can I request that we take a poll to see if we want to put it on a regular agenda? **Hardin:** Yeah, well, we want to discuss it in executive session. **Warren:** Okay. **Joseph:** I just wanted to note that the \$5,000 is for assisting and for acting. **Warren:** Right, that's what I said, it is for assisting her and acting. That's what it reads, he's saying accumulatively. **Hardin:** Can we go in executive session? **Warren:** Yes. **Hill:** We can't go into executive session in the work session. But we can in our regular meeting. **Hardin:** Thank you. **Warren:** Then we can move it to the regular agenda and have it on first read. Okay can we move it to the regular meeting, then we can have it on executive session.

Motion to move 2024-WS-42 (to become 2024-126) to the agenda, made by Davis seconded by Warren

YES VOTE: Hill, Davis, Matlock, Hardin, Scruggs, Warren

MOTION PASSED

Warren: Okay, now, if there's no further discussion,

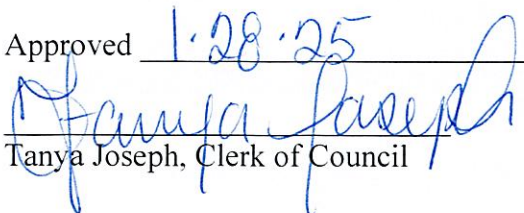
Motion to adjourn made by Davis seconded by Warren

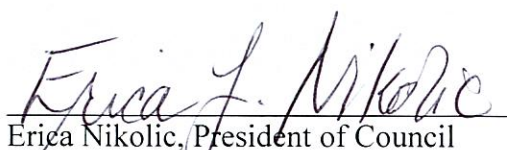
YES VOTE: Warren, Scruggs, Hardin, Matlock, Davis, Hill

MOTION PASSED

Adjourned at 6:49 p.m.

Approved

1-28-25

Tanya Joseph, Clerk of Council


Erica Nikolic, President of Council