

VILLAGE OF OAKWOOD
WORK SESSION
February 24th, 2026
6:00 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-43 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH CEP RENEWABLES OH, LLC FOR THE REDEVELOPMENT OF CERTAIN PROPERTY IN THE VILLAGE AS A SOLAR ENERGY PROJECT WITH ATTENDANT RECREATIONAL USES
- 2024-WS-45 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRCT WITH CREtelligent AND DECLARING AN EMERGENCY
- 2025-WS-16 A PAY ORDINANCE AUTHORIZING THE EMPLOYMENT OF AN EMPLOYEE AND SETTING FORTH THE DUTIES AND COMPENSATION FOR THEIR POSITION AND DECLARING AN EMERGENCY
- 2025-WS-62 A PAY ORDINANCE AUTHORIZING THE EMPLOYMENT OF DARYL HARRIS IN THE POSITION OF COMMERCIAL/RESIDENTIAL BUILDING CODE ENFORCEMENT OFFICER AND SETTING FORTH THE DUTIES AND COMPENSATION FOR THAT POSITION AND DECLARING AN EMERGENCY
- 2026-WS-12 AN ORDINANCE ENACTING OAKWOOD CODIFIED ORDINANCE SECTION 1185.10 PROHIBITING THE POSTING OF SIGNS, HANBILLS AND OTHER DEVICES IN PUBLIC RIGHTS OF WAY AND PROPERTY AS WELL AS CERTAIN PRIVATE PROPERTY AND DECLARING AN EMEGENCY
- 2026-WS-13 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTON 6.07 OF THE CHARTER TO ELIMINATE GENDER-SPECIFIC LANGUAGE AND TO PERMIT ELECTED OFFICIALS OF THE VILLAGE TO HOLD OTHER PUBLIC OFFICES IN AN EX OFFICIO CAPACITY DECLARING AN EMERGENCY.
- 2026-WS-14 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF WHETHER SECTION 7.03 OF THE CHARTER SHOULD BE AMENDED AND DECLARING AN EMERGENCY.
- 2026-WS-15 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.04 OF THE CHARTER AND REPEALING THOSE SECTIONS OF THE PRESENT CHARTER WHICH ARE IN CONFLICT WITH SAID AMENDMENT AND DECLARING AN EMERGENCY.
- 2026-WS-16 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.05 OF THE CHARTER AND REPEALING THOSE SECTIONS OF THE PRESENT CHARTER WHICH ARE IN CONFLICT WITH SAID AMENDMENT AND DECLARING AN EMERGENCY.
- 2026-WS-17 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.06 OF THE CHARTER AND REPEALING THOSE SECTIONS OF THE PRESENT CHARTER WHICH ARE IN CONFLICT WITH SAID AMENDMENT AND DECLARING AN EMERGENCY.
- 2026-WS-18 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.07 OF THE CHARTER AND REPEALING THOSE SECTIONS OF THE PRESENT CHARTER WHICH ARE IN CONFLICT WITH SAID AMENDMENTS AND DECLARING AN EMERGENCY.
- 2026-WS-19 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.09 OF THE VILLAGE CHARTER CONCERNING MEETINGS OF COUNCIL AND DECLARING AN EMERGENCY.
- 2026-WS-20 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.10 OF THE VILLAGE CHARTER CONCERNING THE ORGANIZATION OF COUNCIL AND DECLARING AN EMERGENCY.

- 2026-WS-21 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.12 OF THE VILLAGE CHARTER CONCERNING ACTION BY COUNCIL AND DECLARING AN EMERGENCY
- 2026-WS-22 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.14 OF THE VILLAGE CHARTER CONCERNING THE PUBLICATION OF ORDINANCES AND RESOLUTIONS AND DECLARING AN EMERGENCY.
- 2026-WS-23 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF ADOPTING A PROPOSED NEW CHARTER SECTION 13.07 TO PERMIT COUNCIL TO CORRECT TYPOGRAPHICAL AND OTHER ERRORS OF FORM IN THE CHARTER AND DECLARING AN EMERGENCY.
- 2026-WS-24 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF ADOPTING A PROPOSED NEW CHARTER SECTION 13.08 TO PERMIT COUNCIL TO CORRECT TYPOGRAPHICAL AND OTHER ERRORS OF FORM IN THE CHARTER AND DECLARING AN EMERGENCY.
- 2026-WS-25 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 5.03 OF THE VILLAGE CHARTER CONCERNING THE RECALL OF ELECTED OFFICERS OF THE VILLAGE AND DECLARING AN EMERGENCY.
- 2026-WS-26 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF REPEALING SECTION 6.04 OF THE VILLAGE CHARTER AND DECLARING AN EMERGENCY.
- 2026-WS-27 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 9.06 OF THE VILLAGE CHARTER CONCERNING THE DIRECTOR OF FINANCE AND DECLARING AN EMERGENCY.
- 2026-WS-28 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 9.09 OF THE CHARTER TO ELIMINATE GENDER-SPECIFIC LANGUAGE AND TO CLARIFY THAT A TWO THIRDS AFFIRMATIVE VOTE OF THE MEMBERS OF COUNCIL SHALL BE NECESSARY FOR THE APPOINTMENT OR REMOVAL OF THE POLICE CHIEF AND DECLARING AN EMERGENCY.
- 2026-WS-29 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 9.10 OF THE CHARTER TO ELIMINATE GENDER-SPECIFIC LANGUAGE AND TO CLARIFY THAT A TWO THIRDS AFFIRMATIVE VOTE OF THE MEMBERS OF COUNCIL SHALL BE NECESSARY FOR THE APPOINTMENT OR REMOVAL OF THE FIRE CHIEF AND DECLARING AN EMERGENCY.
- 2026-WS-30 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 10.11 OF THE CHARTER TO PROVIDE FOR LESS COSTLY MEANS OF ADVERTISING PROPOSED ZONING REFERENDUMS AND DECLARING AN EMERGENCY.

Reminder to set date(s) for: Hardin

- ✓ Organizational Meeting
- ✓ Charter Review Meeting
- ✓ Budget Review Meeting
- ✓ Council Education Courses

Clerk of Council Hardin

Municipal Complex Hardin

Disaster Recovery Plan Hardin

Human Resources Hardin

Five Year Plan Hardin

Recreation Budget & Events Scruggs

Group photo discussion Hardin

5. Matters Deemed Appropriate

6. Adjournment

VILLAGE OF OAKWOOD

COUNCIL MEETING

February 24th, 2026

7:00 p.m.

AGENDA

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

Council President	Eloise Hardin	Mayor	Erica L. Nikolic
President Pro Tempore	Norman Bliss	Law	James Climer/ Sam O’Leary
Ward 1 Councilperson	Taunya Scruggs	Finance	Brian L. Thompson
Ward 2 Councilperson	Yvonne Evans-Warren	Service	Tom Haba
Ward 3 Councilperson	Paggie Matlock	Fire	Dave Tapp
Ward 4 Councilperson	Mary Davis	Police	Mark Garratt
Ward 5 Councilperson	Malcolm Sims Jr.	Building	Roland Walker
		Engineer	Matt Jones
		Recreation	Karen Gaither

- 4. Minutes
 - September 6th, 2024, Special meeting Minutes
 - July 7th, 2024, Special meeting Minutes
 - August 23rd, 2024, Special meeting Minutes

- 5. Clerk Correspondence
- 6. Departmental Reports

MAYOR-ERICA NIKOLIC	FIRE-DAVE TAPP
LAW-JAMES CLIMER/ SAM O’LEARY	BUILDING-ROLAND WALKER
FINANCE-BRIAN THOMPSON	0 HOUSING INSPECTOR
SERVICE-TOM HABA	POLICE-MARK GARRATT
ENGINEER-MATT JONES	RECREATION-KAREN GAITHER (INTERIM)

- 7. Ward Reports
- 8. Committee Reports
- 9. 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.*

10. Legislation

2025-37(AMENDED) A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REPORT AND RECOMMENDATION A PROPOSED ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-08-028 and 795-08-029

Introduced 6-10-25

By the Mayor and Council as a whole

1st read 6-10-25

2nd read 6-24-25

3rd read 7-8-25

Tabled 7-8-25

- 2025-38(AMENDED)**
 Introduced 6-10-25
 By the Mayor and Council as a whole
 1st read 6-10-25
 2nd read 6-24-25
 3rd read 7-8-25
 Tabled 7-8-25
- 2025-39(AMENDED)**
 Introduced 6-10-25
 By the Mayor and Council as a whole
 1st read 6-10-25
 2nd read 6-24-25
 3rd read 7-8-25
 Tabled 7-8-25
- 2025-40(AMENDED)**
 Introduced 6-10-25
 By the Mayor and Council as a whole
 1st read 6-10-25
 2nd read 6-24-25
 3rd read 1-27-26
 Tabled 7-8-25
- 2025-41(AMENDED)**
 Introduced 6-10-25
 By the Mayor and Council as a whole
 1st read 6-10-25
 2nd read 6-24-25
 3rd read 7-8-25
 Tabled 7-8-25
- 2025-42(AMENDED)**
 Introduced 6-10-25
 By the Mayor and Council as a whole
 1st read 6-10-25
 2nd read 6-24-25
 3rd read 7-8-25
 Tabled 7-8-25
- 2025-04**
 Introduced 1-13-26
 By Council as a whole
 1st read 1-13-26
 2nd read 1-27-26
 3rd read 2-10-26
 Tabled 2-10-26
- A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REPORT AND RECOMMENDATION A PROPOSED ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-08-030 and 795-08-031**
- AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH J WALL HOMES, LLC, C/O JOHANNAH WALLACE, INDIVIDUALLY TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-08-028 AND 795-08-029**
- AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH J WALL HOMES, LLC, C/O JOHANNAH WALLACE, INDIVIDUALLY TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-08-030 AND 795-08-031**
- A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REPORT AND RECOMMENDATION A PROPOSED ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-09-043**
- AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH J WALL HOMES, LLC, C/O JOHANNAH WALLACE, INDIVIDUALLY TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-09-043**
- AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF ADOPTING A PROPOSED AMENDED CHARTER FOR THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY**

2026-09 (AMENDED)

Introduced 1-27-26

By Council as a whole

1st read 1-27-26

2nd read 2-10-26

3rd read 2-24-26

**AN EMERGENCY ORDINANCE ESTABLISHING THE OAKWOOD SCHOLARSHIP AWARDS
COMMUNITY AND PRESCRIBING RULES THEREFOR**

2026-10

Introduced 1-27-26

By Council as a whole

1st read 1-27-26

2nd read 2-10-26

3rd read 2-24-26

**AN ORDINANCE ESTABLISHING A NEW RENTAL FEE SCHEDULE FOR THE OAKWOOD COMMUNITY
CENTER AND DECLARING AN EMERGENCY**

2026-15

Introduced 2-10-26

By Council as a whole

1st read 2-10-26

2nd read 2-24-26

**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**

11. Adjournment

ORDINANCE NO. 2024-WS-43

INTRODUCED BY MAYOR

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH CEP RENEWABLES OH, LLC FOR THE REDEVELOPMENT OF CERTAIN PROPERTY IN THE VILLAGE AS A SOLAR ENERGY PROJECT WITH ATTENDANT RECREATIONAL USES

WHEREAS, the Village of Oakwood and CEP Renewables OH, LLC ("CEP") deem it advantageous to each of them to enter into a Development Agreement for the redevelopment of certain property generally known as the former Silver Oak Landfill and more fully described as Permanent Parcel Nos. 795-41-005, 795-42-001 and 795-43-001 for purposes of a solar energy project with attendant recreational uses; and,

WHEREAS, Oakwood and CEP have agreed in principle to the terms of said Agreement as set forth in the document attached hereto and incorporated herein by reference and marked Exhibit I.

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

SECTION 1. The Mayor be and is hereby authorized to enter into a Development Agreement with CEP substantially in the form attached hereto and expressly made a part hereof by reference and marked Exhibit I.

SECTION 2. This Ordinance shall take effect 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 - 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 in the Council Chambers in the locations and manner provided in the Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

Exhibit 1

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("Agreement") is executed as of this ____ day of _____, 2024 ("Effective Date") by and between the Village of Oakwood, an Ohio municipal corporation and political subdivision ("Village"), and CEP Renewables OH, LLC, a New Jersey limited liability company with an address of 331 Newman Springs Road, Building 1, 4th Floor, Red Bank, NJ 07701, or any of its assignees ("CEP"). Village and CEP are referred to individually each as a "Party" and, collectively, as the "Parties."

RECITALS

WHEREAS, CEP has executed an agreement to acquire the property known as approximately 46.54 acres of vacant land in Oakwood Village, Ohio, whose Cuyahoga County tax parcel numbers are 795-41-005, 795-42-001 and 795-43-001 (hereinafter the "Property"), from the Cuyahoga Land Bank ("Land Bank") pursuant to a Purchase and Sale Agreement with an effective date of _____, 2024 ("Purchase Contract"); and

WHEREAS, as a condition of the sale of the Property, the Land Bank may seek evidence that the local community in which the Property is situated has reviewed and approves of the development plan that CEP put forth as part of the Agreement; and

WHEREAS, one or more environmental covenants, including but not limited to the environmental covenant recorded as AFN 201507220442 in the Cuyahoga County Records ("Environmental Covenants"), place restrictions on the use of the Property for commercial or industrial purposes; and

WHEREAS, as evidence that the community has reviewed and approves CEP's development plan for an approximately 7 MW-dc, 5.5 MW-ac solar power generation facility at the Property, including, without limitation, the right to construct a ballasted solar photovoltaic system, together with all appurtenant facilities, including but not limited to cables, conduits, transformers, concrete pads, poles, wiring, meters and electric lines and equipment, and to convert the solar energy into electrical energy and to collect, store, sell and transmit the electrical energy so converted, together with any and all necessary and permitted activities related thereto (collectively, the "Solar Energy Project"), and as evidence that the community approves of the use of the Property for Solar Energy Project purposes, CEP and Village have executed this Development Agreement wherein CEP shall set forth and represent to Village the development representations which CEP made to the Land Bank.

NOW THEREFORE, in consideration of the Purchase Contract, and other good and valuable consideration received by CEP, CEP hereby agrees as follows:

1. No Preemption. Unless otherwise provided for specifically herein, this Agreement shall not be deemed to waive, preempt or make unnecessary any applicable municipal or governmental process, including but not limited to zoning, variances, brownfield and economic incentives, assessments or fees and that the CEP and/or any Property user will be required to submit and partic-

ipate in any appropriate process as provided in Village's ordinances, rules and/or regulations. Notwithstanding the foregoing, Village agrees to use its best efforts, subject to Council approval and limitations on the use of public funds to support ballot measures as well as other legal restrictions, to support and advocate for any necessary land use, zoning and regulatory approvals as are necessary for CEP to construct and operate the Solar Energy Project on the Property.

2. Zoning and Land Use. The development activities at the Property shall be conducted in accordance with the applicable portions of Village's zoning ordinances, as may necessarily be amended or varied from in order for CEP to construct and operate the Solar Energy Project. Village agrees, subject to Council approval and limitations on the use of public funds to support ballot measures as well as other legal restrictions, to assist CEP in the amendment of any zoning ordinances, or CEP's pursuit of variances therefrom, necessary for CEP to construct and operate the Solar Energy Project. Village agrees to assist CEP in the amendment of Environmental Covenants necessary for CEP to construct and operate the Solar Energy Project.

3. Intended Use. CEP intends to use commercially reasonable efforts to design, install, maintain and operate the Solar Energy Project. CEP also agrees to coordinate with the Cleveland Metropolitan Park District and Village to plant flora and construct and maintain a trail, with educational kiosks, connecting the parking lot off Solon Road with the Solon Club Apartments and extending to connect to the trail off Hawthorne Parkway consistent with the conceptual renderings and descriptions attached hereto and incorporated herein as Exhibit "A". The actual location and design of the trail will be finalized prior to closing.

4. Capital Expenditure. CEP has budgeted approximately \$12 million to \$14 million for capital improvements to design, procure, and construct the Solar Energy Project.

5. Jobs. The project expects to result in part time employment of a maximum of 80 temporary construction jobs. Additionally, the long term operations and maintenance of the facility will result in annual contracting of approximately three part-time individuals for regularly scheduled activities.

6. Term. Except to all matters that relate to zoning approvals, which terms shall remain in effect for applicable periods required by law, this Agreement shall terminate and be of no further force or effect five (5) years from the Effective Date if, despite the best efforts of the parties, necessary approvals and permits for the Solar Energy Project described hereinabove are not granted. Once all approvals have been secured for the Solar Energy Project, including but not limited to interconnection approval, CEP anticipates a construction period of approximately six to 12 months.

7. Effect of Invalidation. If any declaration is held to be invalid by any Court, the invalidity of such provision shall not affect the validity of the remaining provisions hereof.

8. Stipulation of Consideration. The parties to this Agreement hereby acknowledge and stipulate to the mutual promises contained herein as good and sufficient consideration for this Agreement.

9. Force Majeure. CEP shall not be liable for loss, damage, destruction or delay, nor be deemed to be in default for failure to comply with this Agreement when prevented from compliance or fulfillment of any obligation by causes beyond its reasonable control including but not limited to acts of war (declared or undeclared), acts of God, fire, strike, labor difficulties, acts or omissions of any governmental authority, compliance with government regulations, insurrection or riot, embargo, delay or shortages in transportation or inability to obtain necessary labor, materials, or manufacturing facilities from usual sources or from defects or delays in the performance of its suppliers or subcontractors due to any of the foregoing enumerated causes. In the event of delay due to any such cause, the date of performance will be extended by a period equal to the delay plus a reasonable time to resume performance.

10. Assignment by CEP. CEP may freely assign this Agreement to an affiliate or subsidiary of CEP of equal or greater financial, technical and other ability as CEP to carry out the terms of this Agreement.

11. As capacity is free and available for new subscribers, CEP agrees to provide or arrange for electricity discounts of 10% to 15% to CEP subscribers who are residents and/or commercial customers located in the Village as permitted by state and local laws and regulations at the time the Solar Energy Project becomes operational and/or as permitted by subsequent amendments to said laws and regulations.

12. Miscellaneous. This Agreement may be signed in one or more counterparts (or with counterpart signature pages) which, taken together, shall constitute a fully executed Agreement and shall be considered a single document. For purposes of this Agreement, a pdf or electronic copy shall be deemed to be an original.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals and/or have caused their corporate seal to be affixed hereto the day and year first above written.

VILLAGE:

VILLAGE OF OAKWOOD, AN OHIO
MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION

By: _____

Its: _____

Date: _____

Approved as to legal form:

Law Director/Assistant Law Director

CEP:

**CEP RENEWABLES OH, LLC, A NEW
JERSEY LIMITED LIABILITY COM-
PANY**

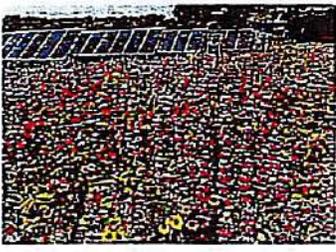
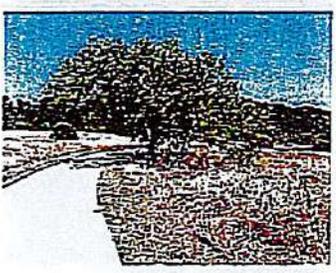
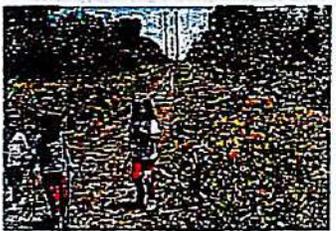


By: Gary R. Cicero
Managing Member

Date: September 4, 2024

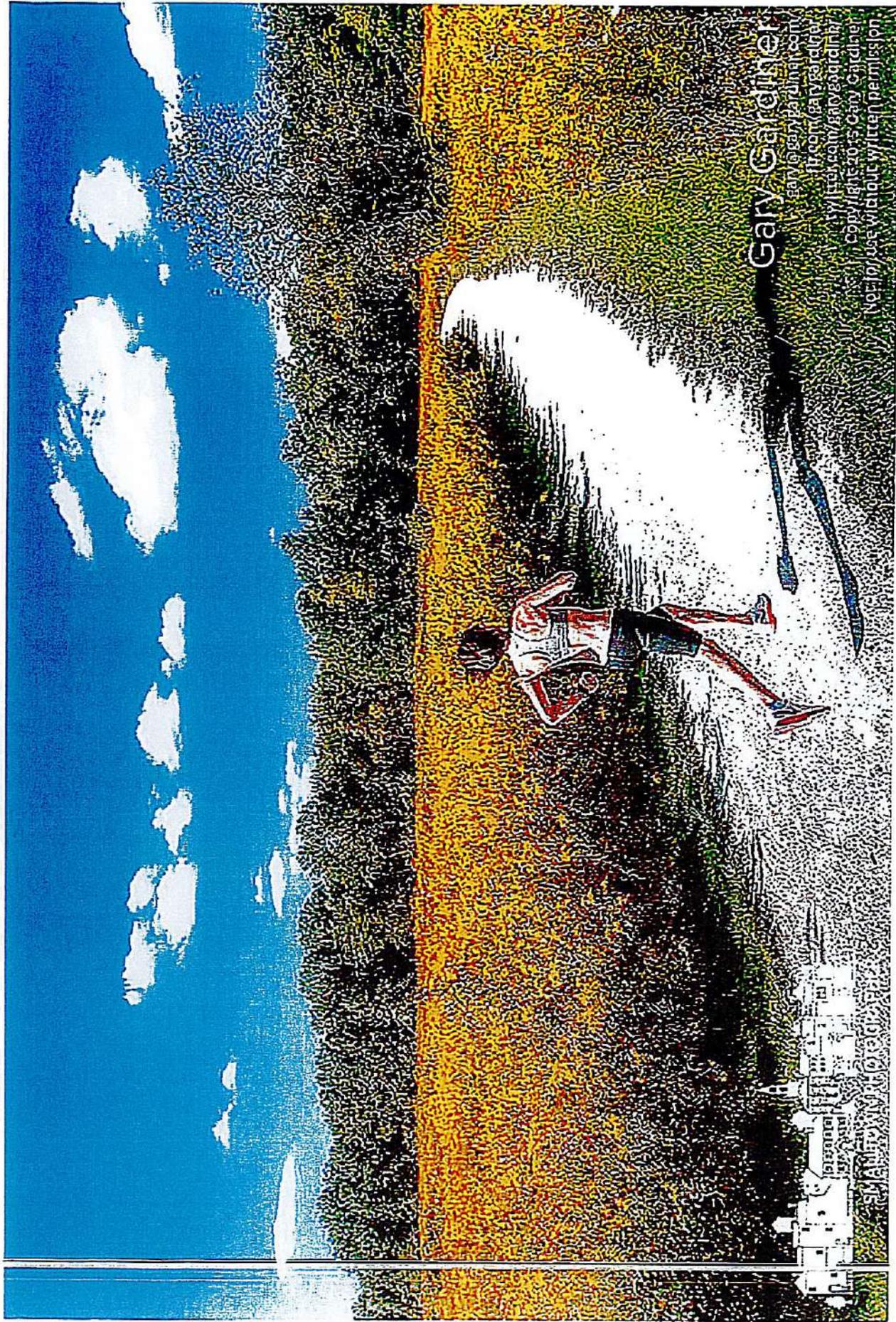
• *ANDREW L. SPARKS AND ASSOCIATES, INC.* •
• *Landscape Architecture* •
30303 Euclid Ave., Wickliffe, OH 44092
CELL 216-469-5252 PHONE 440-833-0163 FAX 440-943-9593

Landscaped Recreation Trail for site of Seneca Engineering 26 Acre Solar Energy Project



This "park-like" trail will have a groundcover canvas of varying shades, textures, and heights of green and blueish native grasses. This will be the background for an array of durable and ornamental native prairie and meadow re-seeding annuals and perennials, shrubs, small trees and evergreens planted along the trail. As the path winds along the watershed on the north, then over and down the mounding hills, and along the wooded area adjacent to Richmond Rd., vibrant and pastel annual and perennial flower colors and shapes will appear seasonally in large drifts and intense colonies with whisps of small flowering and berrying trees and shrubs in groupings, and be punctuated by a few larger evergreens and trees (far enough east and north to not interfere with the sun angle) to accomplish an invigorating and educational display for the hiker, runner, wanderer, and sight-seer. Beginning and ending at Solon Road and Richmond Road it will be a fine diversion from the views of the solar panels beyond, and an eye-catcher for even those traveling the roadways. There will be environmental benefits far beyond that present on the site now, for those residents and employees who make the effort; and for the birds and insects and our four-footed friends. Naturally provision will be made for their breakfast, lunch, and dinner as well, which should be tolerated. Perhaps a bridge at one spot for crossing at a Solon Club trail tributary. And rock outcroppings made from material raised on site. Exact points of beginning and ending have not been determined yet, but could result in a 2,500 foot to 3,000 foot trail.

Exhibit "A"



Gary Gardiner

gary@garygardiner.com

<http://www.garygardiner.com>

<http://www.garygardiner.com>

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ORDINANCE NO. 2024-WS-45

INTRODUCED BY COUNCILPERSON NIKOLIC

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CREtelligent AND DECLARING AN EMERGENCY

WHEREAS, the Village Oakwood has received reports of various illnesses suffered by residents in the vicinity of Wright Avenue in the Village; and,

WHEREAS, Council has determined that it is in the best interests of the Village and the health and well-being of its residents, visitors and persons working within the Village to investigate potential environmental sources of said illnesses to determine what if any further steps should be taken;

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

SECTION 1. The Mayor be and is hereby authorized to enter into a contract with CREtelligent substantially in the form attached hereto and incorporated herein as Exhibit "A".

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 the urgent need to determine potential environmental sources of reported illnesses in the vicinity of Wright Avenue in the Village, 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 - 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 in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

EXHIBIT A



2717 S. Arlington St., Suite C
Akron, OH 44312
E: f.hamilton@cretelligent.com

January 8, 2024

Ed Hren
Engineer
Village of Oakwood
24800 Broadway Ave
Oakwood Village, Ohio 44146

Via email: hren@cvelimited.com

Re: Proposal
Preliminary Assessment
Environmental Conditions
Wright Ave, Oakwood Village

Dear Ed:

CREtelligent (CREt) is pleased to present this proposal for a preliminary assessment of environmental conditions along Wright Ave.

INTRODUCTION

During a recent meeting at your office, we heard concerns from Council President-elect Erica Nikolic regarding possible contamination of soil along Wright Ave associated with nearby industries. This proposal has been prepared to begin gathering data that might be able to help better understand that concerns raised.

SCOPE OF WORK

We have developed a scope of work that includes the following specific services:

INTERVIEWS

We are proposing to interview residents along Wright Ave and other nearby streets to better understand their concerns. During these interviews we will gather basic demographic data (age, gender, etc.). We will ask residents questions about where they have lived and worked now and historically. We will also attempt to gather information about other habits that might affect exposure to environmental contaminants. We will also ask residents to describe any concerns they have related to local environmental conditions. We will also ask residents if they have any health concerns. Response to any and all interview questions will be voluntary.

A questionnaire will be developed and used so that consistent and uniform information is collected. Residents will be requested to complete this, or another, questionnaire prior to the interview. It is likely that we will walk the neighborhood, particular properties of residents who have agreed to interviews prior to in person interviews. That reconnaissance will help guide the interview process.

Interviews will be conducted a location convenient for residents. We would propose a location at the Village Hall or even your office. Audio and/or video recording of the interviews might be conducted.

DESKTOP RESEARCH

After the interviews are completed and results reviewed and compiled, we will continue our research to understand possible sources of environmental contamination in the area. We will use an outside data contractor to compile a list of properties/businesses within a to be determined radius of the affected area. These data will include a list of businesses that have activity that has been reported to state, federal and local environmental authorities. The search area will be developed using an understanding of prevailing winds. We will also perform a visual reconnaissance from public roadways in the area to assess completeness of the data provided by the data vendor.

SAMPLING

CREtelligent is proposing to collect representative soil samples from the neighborhood to begin to develop an understanding of existing conditions. Soil samples will be collected from the near surface and from a depth of approximately 12 inches at each location. The study area will initially focus on properties east and west of Wright Ave between Forbes Road and North Lane. The study area may be adjusted based on the results of interviews and research described above.

This proposal includes costs for collection of two samples from each of 15 locations. Samples will be collected using properly decontaminated tools into laboratory supplied and prepared containers appropriate to the proposed analytical program. Samples will be maintained in an iced cooler under strict chain of custody until delivered to the analytical laboratory.

It is anticipated that samples will be submitted to Summit Environmental in Cuyahoga Falls Ohio. At this time, we are proposing to request samples be analyzed for the following metals via EPA Method 6010D:

- Selenium
- Vanadium
- Arsenic
- Tin
- Barium
- Lead
- Hexavalent Chromium
- Trivalent Chromium
- Copper

This list is subject to change based on the results of our research and interviews. The parameters listed above are, however, typically what one might expect to be discharged to air from the types of industries in the area.

Sampling locations will be restored by placing soil back into the excavation/hole. Topsoil and grass seed will be spread over each location. We are not proposing any ongoing maintenance or watering of samples areas.

PROJECT MANAGEMENT AND REPORTING

At the conclusion of the work described above we will prepare a report. The report will include a summary of work completed and detailed review of the results. The report will not name any resident specifically but will refer to interviewees in a generic sense. The report will include photographs, figures and other exhibits as appropriate.

We will also include recommendations. As discussed during our meeting, should our results suggest that there is some widespread impact we would recommend that the results be provided to the County Board of Health and/or the Ohio EPA.

ESTIMATED COST ¹

CREt has prepared the following budget for this project, based on the scope of work described herein:

Task	Estimated CREt Cost	Estimated Expenses	Estimated Laboratory Cost	Total Estimated Task Cost
Interviews	\$6,000			\$6,000
Desktop Research	\$1,000	\$500		\$1,500
Soil sampling	\$2,000	\$1,000	\$7,000	\$10,000
Reporting and project management	\$5,000			\$5,000
TOTAL ESTIMATED PROJECT COST				\$22,500.00

This budget includes the following assumptions:

- Interviews will be conducted at a location to be provided by the Village. Two full days have been budgeted for interviews.
- Soil sample locations will be marked in the field. We expect the Village Engineer will provide us a drawing for our report documenting sample locations.
- If, after completing interviews, modifications to the list of laboratory analytes seems appropriate we will prepare a modified scope of work and advise any budgetary impacts prior to proceeding.

Oakwood Village
January 8, 2024
Page 4

All work will be completed in accordance with the attached terms and conditions.

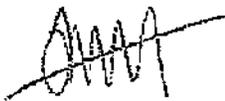
SCHEDULE

We are prepared to begin scheduling interviews immediately upon receipt of authorization to proceed. We will also commence the desktop research task immediately upon receipt of authorization to proceed. Soil sampling will be scheduled once the interviews and research are completed. Soil sampling will require snow and frost-free conditions. The soil sampling will take approximately one week to complete. Once the soil samples are collected, laboratory analysis will require approximately one week. Altogether, it is anticipated that this project will take 6 to 8 weeks to complete, contingent upon weather and other conditions beyond our control.

CREtelligent appreciates the opportunity to propose on this important project. Please do not hesitate to contact the undersigned with any questions or comments.

Regards,

CREtelligent



Fraser K. Hamilton, Sr PG EP
Director, Environmental Consulting

1. The cost to the client shall not exceed the estimated cost without the client's prior written consent.

Authorization to Proceed:

Please sign below and include appropriate contact information.

_____	_____
(Client or Authorized Client Representative)	Date
_____	_____
Printed Name	Title

Billing Contact Information:

Contact Name _____

Company Name _____

Address _____

City, State, Zip _____

Phone Number _____

Fax Number _____

Email Address _____

Proposal
Preliminary Assessment
Environmental Conditions
Wright Ave, Oakwood Village

APPROVED AS TO LEGAL FORM

James A. Climer, Law Director

CREtelligent
General Conditions

1.0 BILLING

1.1 Invoices will be issued with the report, unless the work extends for more than 1 month, in which case invoices will be issued every four weeks. All invoices will be payable upon receipt, unless otherwise agreed.

1.2 Interest of 1 and 1/2% per month (but not exceeding the maximum rate allowable by law) will be payable on any amounts not paid within 15 days. Payments will be applied first to accrued interest and then to the unpaid principal amount of invoices. Any attorney's fees or other costs incurred in collecting any delinquent amount shall be paid by the Client.

1.3 In the event that the Client requests termination or suspension of the work prior to completion of a report, CREtelligent (the "Company") reserves the right to charge the Client for work completed and charges incurred by the Company as of the date of termination, including a charge to complete such analyses and records as are necessary to place its files in order and, where considered by it necessary to protect its professional reputation, to complete a report on the work performed to date. The Company reserves the right to impose a termination charge to cover the cost thereof in an amount not to exceed 30% of all charges incurred up to the date of termination.

2.0 WARRANTY AND LIABILITY

2.1 Company will provide services in accordance with the specifications prescribed by its Clients, in a manner consistent with the level of care and skill ordinarily exercised by members of the same profession currently practicing in the same locality under similar conditions. The Company hereby disclaims any warranties or representations, either expressed or implied, other than as expressly stated in the Company's proposals, contracts or reports.

2.2 The Company, its employees, subcontractors and agents shall not be liable for indirect or consequential damages, including without limitation loss of use, loss of value and loss of profits.

2.3 In addition to the limitations provided in 2.1 and 2.2, and notwithstanding any other provision herein, the liability of the Company, its employees, subcontractors and agents shall be limited to injury or loss to the extent caused by the negligence of the Company, its subcontractors and/or agents hereunder; and the liability of the Company for injury or loss arising from professional errors shall not exceed the lesser of (a) the total amount billed by the Company for the services rendered to Client, or (b) \$10,000. In no event shall the Company, its subcontractors or agents be liable for injuries or losses pertaining to environmental impairment, pollution, radiation, nuclear reaction or radioactive substances or conditions.

2.4 The Client agrees to indemnify and hold harmless the Company, its employees, subcontractors and agents against and from any claim, liability, attorneys' fees or other defense costs incurred because of (i) injury or loss caused by the acts and omissions of the Client, its employees, agents, contractors or subcontractors, and (ii) any third party claim arising from the performance of services hereunder by the Company, its agents or subcontractors with respect to claims that do not arise solely from the negligence or willful misconduct of the Company, its agents or subcontractors.

2.5 In the event that the Client asserts a claim against the Company that causes the Company to incur defense costs, and a court of law or arbitration panel rules in favor of the Company, the Client shall reimburse the Company for all costs, including attorney's fees, incurred by the Company in defending itself against such claim.

3.0 GOVERNING LAW:

These terms and conditions shall be governed by and construed in accordance with the laws of the State of California (without regard to its conflicts of law's provisions). The parties hereto hereby agree that venue of any action under these T&Cs shall be exclusively in Sacramento County, California, and that these terms and conditions are performable in part in Sacramento County, California.

ORDINANCE NO. 2025-WS-16

INTRODUCED BY MAYOR

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

WHEREAS, no individual shall become employed or be compensated in the Village of Oakwood without a pay ordinance; and,

WHEREAS, a pay ordinance shall have attached an exhibit for a job description of the employment position for which they shall be compensated that describes the following: the title of the position, employee name, the scheduled work days and hours of the position, who the position reports to, location of the position, pay scale range for the position, special requirements of the position, required roles and responsibilities to be fulfilled, and qualifications for the position as well as, any cross-training for coverage of other positions for the specific employee being hired.

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

SECTION 1. Council hereby authorizes the employment of Tom Liotta as Finance Clerk.

SECTION 2. Tom Liotta shall be responsible for the duties set forth in the job description attached as Exhibit A.

SECTION 3. Tom Liotta, as Finance Clerk, shall work Full-Time at (40) hours per week and be compensated at a rate of eighteen and 00/100 Dollars (\$18.00) per hour.

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 the same that relates to the daily operation of a municipal department and the ability of the village to provide uninterrupted services to the citizens of the Village given, 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 Nikolic, President of Council

Tanya Joseph, Clerk of Council

Presented to the Mayor: _____

Approved: _____

Gary V. Gottschalk, Mayor

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. 2025- was duly and regularly passed by this Council at the meeting held on _____ day of _____, 2025.

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. 2025- was duly posted on the _____ day of _____, 2025, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____



Job Description – Exhibit A

Position Title: Finance Clerk
Employee Name: Tom Liotta
Scheduled Work Hours/Days: Full time, 40 hours per week
Reports To: Finance Director
Location: Village Hall
Pay Scale: \$18 per hour

- Assist Finance Director with ongoing projects
- Communicate with vendors, customers and colleagues
- Greet visitors and accept deliveries
- Answer incoming calls direct to appropriate designation
- Assisting other administrative staff with overflow work
- Research old files and information request
- Collect monies from residents for: Field trips, Summer Camp, Snowplow Permits, Various Event Classes, Etc.
- Organize projects such as gathering information by letter or email
- Photocopy and scan documents as needed
- Open and sort mail
- Organize and print calendars for events
- Schedule appointments for Oakwood Bus Riders

Village of Oakwood is an equal opportunity employer. All applicants will be considered for employment without attention to race, color, religion, sex, sexual orientation, gender identity, national origin, veteran or disability status. Reasonable accommodations for disabilities will be made.

Employment with Village of Oakwood is at-will. This means your employment is for an indefinite period of time and it is subject to termination by the employee or Village of Oakwood, with or without cause, with or without notice, and at any time. Nothing in this policy or any other policy of Village of Oakwood shall be interpreted to be in conflict with or to eliminate or modify in any way, the at-will employment status of Village of Oakwood employees.

ORDINANCE NO. 2025-WS-62

INTRODUCED BY _____

A PAY ORDINANCE AUTHORIZING THE EMPLOYMENT OF DARYL HARRIS IN THE POSITION OF COMMERCIAL/RESIDENTIAL BUILDING CODE ENFORCEMENT OFFICER AND SETTING FORTH THE DUTIES AND COMPENSATION FOR THAT POSITION AND DECLARING AN EMERGENCY

WHEREAS, no individual shall become employed or be compensated in the Village of Oakwood without a pay ordinance; and,

WHEREAS, a pay ordinance shall have attached an exhibit for a job description of the employment position for which the employee shall be compensated that describes the following: the title of the position, employee name, the scheduled work days and hours of the position, who the position reports to, location of the position, pay scale range for the position, special requirements of the position, required roles and responsibilities to be fulfilled, and qualifications for the position as well as, any cross-training for coverage of other positions for the specific employee being hired.

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

SECTION 1. Council hereby authorizes the employment of Daryl Harris as Commercial/Residential Building Code Enforcement Officer provided that Mr. Harris executes a waiver of the benefits available to 30 hour per week employees as listed in the Employee Handbook.

SECTION 2. Daryl Harris shall be responsible for the duties set forth in the job description attached as Exhibit A.

SECTION 3. Daryl Harris, as Commercial/Residential Building Code Enforcement Officer, shall part time 30 hours per week and be compensated at a rate of \$27 per hour.

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 the same that relates to the daily operation of a municipal department and the ability of the village to provide uninterrupted and adequate 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: _____

Eloise Hardin, President of Council

Tanya Joseph, Clerk of Council

Presented to the Mayor: _____

Approved: _____

Erica Nikolic, Mayor

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. 2025- was duly and regularly passed by this Council at the meeting held on _____ day of _____, 2025.

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. 2025- was duly posted on the _____ day of _____, 2025, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____



Job Description – Exhibit A

Position Title: Commercial/Residential Building Code Enforcement Officer

Name: Daryl Harris

Scheduled Work Hours/Days: Part Time Monday through Friday 10:00AM – 4:00PM

Reports To: Mayor and Building Manager

Location: Building Department

Pay Scale: \$27 per hour

Special Requirements: The position will be subject to a review three months after commencement

Roles and Responsibilities:

- Conduct Commercial/residential property maintenance inspections, ensuring compliance with housing codes and related ordinances, and preparing detailed inspection reports while maintaining accurate records.
- Perform field inspections on Commercial/residential properties, assessing the condition of Interiors/exterior, including roofs, chimneys, gutters, downspouts, foundations, windows, siding, steps, sidewalks, driveways, and landscaping.
- Issue notices of code violations to property owners who are out of compliance and provide information on available resources to assist with necessary repairs.
- Notify supervisory staff of any hazardous or deteriorating conditions that require immediate attention.
- Respond to inquiries from property owners, potential buyers, tenants, real estate agents, contractors, and the general public regarding the inspection process.
- Prepare inspection reports and maintain thorough records of all inspections conducted.
- Perform other related duties as assigned.
- Perform Point of sale inspection.

Village of Oakwood is an equal opportunity employer. All applicants will be considered for employment without attention to race, color, religion, sex, sexual orientation, gender identity, national origin, veteran or disability status. Reasonable accommodations for disabilities will be made.

Employment with Village of Oakwood is at-will. This means your employment is for an indefinite period of time and it is subject to termination by the employee or Village of Oakwood, with or without cause, with or without notice, and at any time. Nothing in this policy or any other policy of Village of Oakwood shall be interpreted to be in conflict with or to eliminate or modify in any way, the at-will employment status of Village of Oakwood employees.



- Respond to public inquiries, complaints, and requests for information
- Coordinates collaboration and decision-making with SafeBuilt and other key contractors to meet requirements and ensure decisions align with the Village of Oakwood's expectations and goals

Qualifications:

Minimum high school degree, effective reading, writing, and planning skills, effective organization and communication abilities, clean background check, knowledge and experience in residential building code enforcement.

Village of Oakwood is an equal opportunity employer. All applicants will be considered for employment without attention to race, color, religion, sex, sexual orientation, gender identity, national origin, veteran or disability status. Reasonable accommodations for disabilities will be made.

Employment with Village of Oakwood is at-will. This means your employment is for an indefinite period of time and it is subject to termination by the employee or Village of Oakwood, with or without cause, with or without notice, and at any time. Nothing in this policy or any other policy of Village of Oakwood shall be interpreted to be in conflict with or to eliminate or modify in any way the at-will employment status of Village of Oakwood employees.

ORDINANCE NO. 2026-WS-12

INTRODUCED BY MAYOR

AN ORDINANCE ENACTING OAKWOOD CODIFIED ORDINANCE SECTION 1185.10 PROHIBITING THE POSTING OF SIGNS, HANBILLS AND OTHER DEVICES IN PUBLIC RIGHTS OF WAY AND PROPERTY AS WELL AS CERTAIN PRIVATE PROPERTY AND DECLARING AN EMEGENCY

WHEREAS, Council has determined that the extreme proliferation of signs, handbills and other devices posted in public rights of way, attempts to do so on other public property and the posting of such items on vacant properties has become a public nuisance;

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

SECTION 1. Council hereby enacts Codified Ordinance 1185.10 which shall read as follows:

1185.10 PROHIBITED SIGN LOCATIONS.

(a) No person shall paint, mark, write on, post or otherwise affix any signs, handbills or other devices in any of the following locations:

- (1) In any public right-of-way, unless specifically authorized in writing by the Village Engineer in compliance with the criteria specified in the Ohio Manual of Uniform Traffic Control Devices and the Ohio Revised Code;
- (2) In any utility easement or no-build zone;
- (3) In any public park or other public property;
- (4) On any traffic control signs, signals or devices or any street signs;
- (5) In any location where the view of approaching and intersecting traffic would be impaired or so as to otherwise interfere with the safe movement of vehicles or pedestrians on, entering, leaving, or crossing a public right-of-way;
- (6) On any property without the prior authorization granted by the property owner on which any sign is to be placed.

(b) This section shall have no application to any political subdivision or its officials or employees posting signs, signals or traffic control devices authorized by the Ohio Manual of Uniform Traffic Control Devices or the Ohio Revised Code in rights of way within their jurisdiction or to public informational signs posted by a political subdivision on its property.

(c) Any sign, marking, handbill other device posted in violation of this section is deemed a public nuisance and the Chief of Police, the Service Director or their designees are authorized to cause it to be removed.

(d) Whoever violates this section is guilty of a minor misdemeanor. If the offender has previously been convicted of a violation of this section the offender shall be guilty of a fourth degree misdemeanor. If the offender has previously convicted of two or more violations of this section, the offender shall be guilty of a first degree misdemeanor.

SECTION 2. The Codifier is hereby instructed to publish and incorporate the foregoing into the Oakwood Codified ordinances at the earliest possible date.

SECTION 3. 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 uninhibited proliferation of signs in public rights of way and other areas has been determined to pose a public nuisance requiring abatement at the earliest possible date, therefore, provided it receives two-thirds ($\frac{2}{3}$) 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: _____

Eloise Hardin, President of Council

Evan Garrett, Acting Clerk of Council

Presented to the
Mayor _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Acting Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2026.

Evan Garrett, Acting Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Acting Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day of _____, 2026, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers in the locations and manner provided in the Village Charter.

Evan Garrett, Acting Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-13

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 6.07 OF THE CHARTER TO ELIIMINATE GENDER-SPECIFIC LANGUAGE AND TO PERMIT ELECTED OFFICIALS OF THE VILLAGE TO HOLD OTHER PUBLIC OFFICES IN AN EX OFFICIO CAPACITY DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether the Section 6.07 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 6.07 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 6.07. Qualifications.

Each ~~at large~~ elector of the Municipality shall be a registered elector of the Municipality and shall have resided continuously therein, or in a territory annexed thereto, for a period of one year immediately preceding the date of his election. He ~~or she~~ The elected official shall continue to be a bona fide resident of the Municipality during ~~his or her~~ the elected official's term. Each Ward Councilman shall be a

registered elector in his or her ~~the ward~~ the official is elected represent and shall have resided continuously in ~~his or her that~~ ward for ~~a~~ one year immediately preceding his or her election to office. He or she ~~The Councilperson~~ shall continue to be a bona fide resident of ~~his or her that~~ ward during ~~the~~ his or her term. ~~A Ward Councilperson or an at large Councilperson~~ Elected officials of the Municipality shall have had no felony convictions prior to ~~his or her~~ the official's term, and shall hold no other public office, other than notary public, or such offices as may be held in an ex-officio capacity. ~~He or she~~ No elected official shall not, directly, or indirectly, solicit, contract for, receive, or be interested in any profit or emolument from or on account of any contract, job, work, or service with or for the Municipality.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-14

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF WHETHER SECTION 7.03 OF THE CHARTER SHOULD BE AMENDED AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, The Charter Review Commission and Council have found that the present Charter Section 7.03 interferes with efforts to comply with ward redistricting efforts by requiring a Charter amendment each time districts are redrawn as required by Charter Section 7.04 and that ward boundaries are better documented by maps maintained by the Village Engineer.

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether Section 7.03 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 7.03 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 7.03. Boundaries.

The five wards are hereby established and bounded as follows:

A. Ward No. 1 shall comprise that section of the Municipality bounded as follows:

~~Beginning at the intersection of the center line of Columbus Road and the center line of Richmond Road;~~

~~thence southerly, along said center line of Richmond Road, to its intersection with the center line of Tryon Road;~~

~~thence westerly, along said center line of Tryon Road, to its intersection with the southerly prolongation of the westerly line of Selker's Oakwood Park Subdivision as recorded in Volume 176, Page 5 of the Cuyahoga County Map Records;~~

~~thence northerly, along said southerly prolongation and along the westerly line of said Selker's Oakwood Park Subdivision, to its intersection with the northerly line thereof;~~

~~thence easterly, along said northerly line, to its intersection with the center line of Glenshire Road in the Marsol Park Inc. Cape Code Estates as recorded in Volume 192, Pages 37 and 38 of the Cuyahoga County Map Records;~~

~~thence northerly, along said center line of Glenshire Road, to its intersection with the center line of Forbes Road;~~

~~thence easterly, along said center line of Forbes Road, to its intersection with a westerly Corporate Limit of the Village of Oakwood;~~

~~thence northerly, along said westerly Corporate Limit of the Village of Oakwood, to its intersection with the center line of Columbus Road;~~

~~thence easterly, along said center line of Columbus Road, to its intersection with the center line of Richmond Road and the place of beginning.~~

B. Ward No. 2 shall comprise that section of the Municipality bounded as follows:

~~Beginning on the center line of Forbes Road at its intersection with the center line of Glenshire Road as shown in the Marsol Park Inc. Cape Code Estates as recorded in Volume 192, Pages 37 and 38 of the Cuyahoga County Map Records;~~

~~thence southerly, along said center line of Glenshire Road, to its intersection with the northerly line of Selker's Oakwood Park Subdivision as recorded in Volume 176, Page 5 of the Cuyahoga County Map Records;~~

~~thence westerly, along said northerly line of Selker's Oakwood Park Subdivision, to the westerly line thereof;~~

~~thence southerly, along said westerly line and along a southerly prolongation thereof, to its intersection with the center line of Tryon Road;~~

~~thence easterly, along said center line of Tryon Road, to its intersection with the center line of Richmond Road;~~

~~thence southerly, along said center line of Richmond Road, to its intersection with the center line of Pettibone Road;~~

~~thence westerly, along said center line of Pettibone Road, to its intersection with the center line of Macedonia Road;~~

~~thence northerly, along said center line of Macedonia Road and crossing Broadway, to its intersection with the center line of Tryon Road;~~

~~thence easterly, along said center line of Tryon Road, to its intersection with the center line of Lamson Road;~~

~~thence northerly, along said center line of Lamson Road, to its intersection with the center line of Forbes Road;~~

~~thence easterly, along said center line of Forbes Road, to its intersection with the center line of Glenshire Road and the place of beginning.~~

~~C. Ward No. 3 shall comprise that section of the Municipality bounded as follows:~~

~~Beginning at the intersection of the center line of Pettibone Road and the center line of Richmond Road;~~

~~thence southerly, along said center line of Richmond Road, to its intersection with the southerly Corporate Limits of the Village of Oakwood which is also the southerly line of Cuyahoga County;~~

~~thence westerly, along said southerly Corporate Limit of the Village of Oakwood and the southerly County line, to its intersection with the center line of Macedonia Road;~~

~~thence northerly, along said center line of Macedonia Road, to its intersection with the center line of Pettibone Road;~~

~~thence easterly, along said center line of Pettibone Road, to its intersection with the center line of Richmond Road and the place of beginning.~~

~~D. Ward No. 4 shall comprise that section of the Municipality bounded as follows:~~

~~Beginning at the intersection of the center line of Forbes Road and the center line of Lamson Road;~~

~~thence southerly, along said center line of Lamson Road, to its intersection with the center line of Tryon Road;~~

~~thence westerly, along said center line of Tryon Road and crossing Broadway, to its intersection with the center line of Macedonia Road;~~

~~thence southerly, along said center line of Macedonia Road, to its intersection with the center line of Drake Road;~~

~~thence westerly, along said center line of Drake Road, to its intersection with the easterly line of Interstate Route I-80;~~

~~thence northerly, along said easterly line of Interstate Route I-80, to its intersection with the center line of Broadway;~~

~~thence northwesterly, along said center line of Broadway, to its intersection with the center line of Forbes Road;~~

~~thence easterly, along said center line of Forbes Road, to its intersection with a westerly Corporate Limit of the Village of Oakwood;~~

~~thence northerly, along said westerly Corporate Limit of the Village of Oakwood, to its intersection with a northerly corporate limit thereof;~~

~~thence easterly, along said northerly corporate limit, to its intersection with an easterly corporate limit thereof, which line is also the easterly line of Original Bedford Township Lot No. 68;~~

~~thence southerly, along said easterly Corporate Limit of the Village of Oakwood and along said easterly line of Original Bedford Township Lot No. 68, to its intersection with the center line of Forbes Road;~~

~~thence easterly, along said center line of Forbes Road, to its intersection with the center line of Lamson Road and the place of beginning.~~

~~E. Ward No. 5 shall comprise that section of the Municipality bounded as follows:~~

~~Beginning at the intersection of the center line of Drake Road and the center line of Macedonia Road;~~

~~thence southerly, along said center line of Macedonia Road, to the southerly Corporate Limit of the Village of Oakwood which is also the southerly line of Cuyahoga County;~~

~~thence westerly, along said southerly Corporate Limit of the Village of Oakwood and the southerly County line, to its intersection with the southwestery Corporate Limit of the Village of Oakwood;~~

~~thence northwesterly, along said southwestery Corporate Limit of the Village of Oakwood, to its intersection with the most westerly Corporate Limit of the Village of Oakwood;~~

~~thence northerly, along said most westerly Corporate Limit of the Village of Oakwood, to its intersection with the center line of Forbes Road, which is the northerly Corporate Limit of the Village of Oakwood;~~

~~thence easterly, along said center line of Forbes Road and the northerly Corporate Limit of the Village of Oakwood, to its first intersection with a westerly Corporate Limit of the City of Bedford;~~

~~thence southerly, along said westerly Corporate Limit of the City of Bedford, to its intersection with a southerly Corporate Limit of the City of Bedford;~~

~~thence easterly, along said southerly Corporate Limit of the City of Bedford, to its intersection with an easterly Corporate Limit of the City of Bedford, which is also the westerly line of Free Avenue;~~

~~thence northerly, along said easterly Corporate Limit of the City of Bedford and along the westerly line of Free Avenue, to its intersection with the center line of Forbes Road;~~

~~thence easterly, along said center line of Forbes Road, to its second intersection with a westerly Corporate Limit of the City of Bedford;~~

~~thence southerly, along said westerly Corporate Limit of the City of Bedford, to its intersection with a southerly Corporate Limit of the City of Bedford;~~

~~thence easterly, along said southerly Corporate Limit of the City of Bedford, to its intersection with an easterly Corporate Limit of the City of Bedford;~~

~~thence northerly, along said easterly Corporate Limit of the City of Bedford, to its intersection with the center line of Forbes Road;~~

~~thence easterly, along said center line of Forbes Road, to its third intersection with a westerly Corporate Limit of the City of Bedford;~~

~~thence southerly, along said westerly Corporate Limit of the City of Bedford, to its intersection with a southerly Corporate Limit of the City of Bedford;~~

~~thence easterly, along said southerly Corporate Limit of the City of Bedford, to its intersection with the center line of Broadway;~~

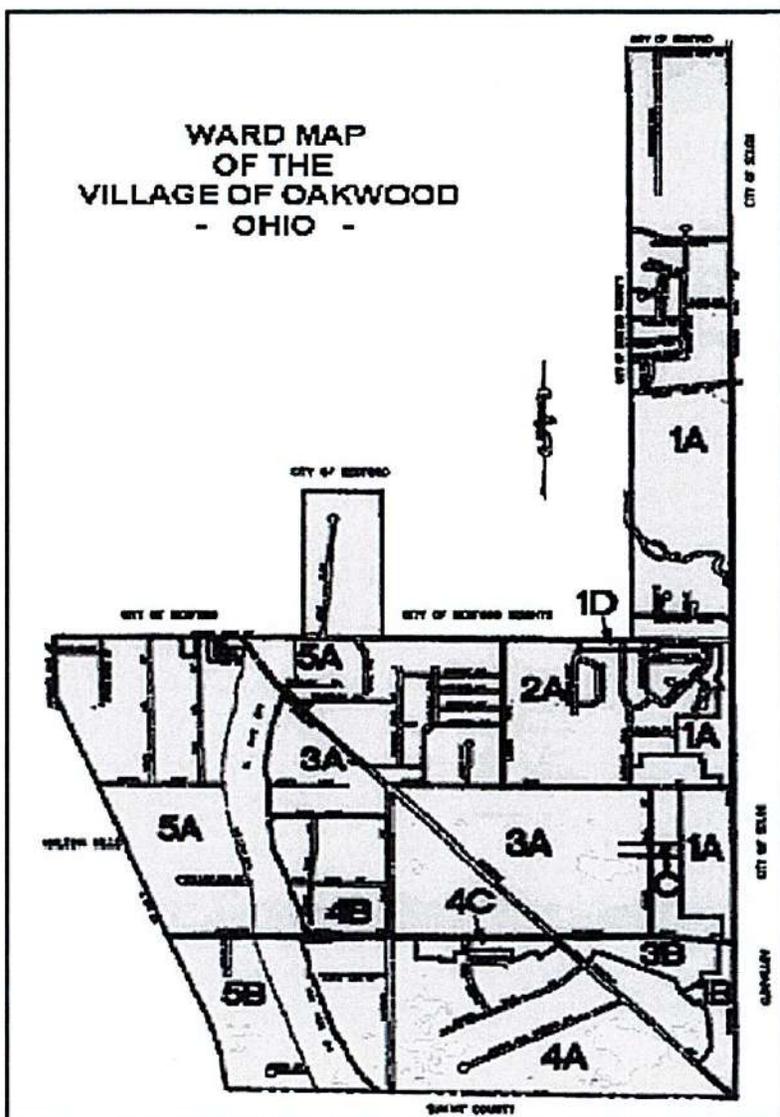
~~thence southeasterly, along said center line of Broadway, to its intersection with the easterly line of Interstate Route I-80;~~

~~thence southerly, along said easterly line of Interstate Route I-80, to its intersection with the center line of Drake Road;~~

~~thence easterly, along said center line of Drake Road, to its intersection with the center line of Macedonia Road and the place of beginning.~~

~~The Council may change the boundary of any or all wards during the even-numbered years, but such change shall not be effective before the first day of January of the next even-numbered year, excepting for purposes of election of members of the Council. The change shall be deemed effective to permit the filing of nominating petitions and electing a member of the Council for each separate ward.~~

CHART



The Village Engineer shall keep, maintain, and make available for public inspection a map of the Municipality delineating its ward boundaries, and shall update such map within 30 days of passage of an ordinance redividing the Municipality or the President of Council's submission of a plan to the Clerk of Council as provided in this section.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the ____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-15

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.04 OF THE CHARTER AND REPEALING THOSE SECTIONS OF THE PRESENT CHARTER WHICH ARE IN CONFLICT WITH SAID AMENDMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether Section 7.04 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 7.04 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 7.04. Division after Federal census.

No later than September 1, 1970, based on the Federal census of 1970, and thereafter, within sixty days after the proclamation by the Secretary of State of Ohio announcing the population of municipalities in Ohio, as determined by each recurring Federal census, the Council shall redivide the Municipality into five wards which shall be as nearly equal in number of persons as is possible.

Any change shall be made by ordinance. All wards shall be bounded, as far as practicable, by county lines, streets, alleys, public grounds, subdivision lines, corporation lines, center lines of streets, railroads or natural boundaries and each ward shall be composed of adjacent and compact territory so that the wards shall be as nearly equal in number of persons as is possible, regardless of the land area of each ward.

Upon failure of the Council to act to redivide the Municipality within the period provided, the President of the Council shall redivide it as herein provided and ~~he~~ shall file such plan with the Clerk of the Council within 120 days after the proclamation of the Secretary of State of Ohio. The plan shall thereupon become the new division by wards of the Municipality.-

Council may direct such officials, departments, or employees of the municipality, or may appropriate such funds and contract with a third party, as Council may determine is necessary and desirable to effectuate this section.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-16

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.05 OF THE CHARTER AND REPEALING THOSE SECTIONS OF THE PRESENT CHARTER WHICH ARE IN CONFLICT WITH SAID AMENDMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether Section 7.05 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 7.05 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 7.05. Qualifications; quorum.

The Council shall be the judge of the election and qualifications of its members.

A majority of all members ~~elected to~~ of the Council shall constitute a quorum for the transaction of business, but a lesser number may adjourn from day to day and compel

the attendance of absent members in such manner and under such penalties as may be provided by rules of the Council.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village .

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-17

INTRODUCED BY: AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.06 OF THE CHARTER AND REPEALING THOSE SECTIONS OF THE PRESENT CHARTER WHICH ARE IN CONFLICT WITH SAID AMENDMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether Section 7.06 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 7.06 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 7.06. Removal.

~~The Council shall be the judge of the election and qualifications of its own members. It may expel or remove any member for gross misconduct or malfeasance or nonfeasance in or disqualification for office, or upon conviction while in office of a felony or other crime involving moral turpitude, or for a violation of his oath of office, or persistent failure to abide by the rules of Council, or absence without justifiable~~

~~excuse from three (3) consecutive regular meetings of Council, provided, however, that such expulsion or removal shall be upon the concurrence of two thirds (2/3) of the members of Council after public hearing upon the charge or charges brought; and provided further, that the accused member shall have been notified in writing of the charge or charges against him at least fifteen (15) days in advance of such public hearing; and provided further, that he or his counsel shall have been given an opportunity to be heard, present evidence, and examine witnesses appearing in support of such charge or charges.~~

~~The decision of Council in expelling or removing a member of Council after compliance with this section shall be final and thereupon the office of any such removed or expelled member of Council shall be vacant.~~

Elected officials and any Director of any Department of the Municipality shall be removed for cause as provided in this Section of the Charter.

As used in this section of the Charter, the "charging official" shall mean: The Mayor or 2/3 of the Council.

The charging official, if there exists reason to believe there is probable cause (as such causes are defined in this section) for removal of an official, shall give notice of the alleged cause for removal and the time, date, and place of the commencement of a hearing for removal, which shall not be earlier than ten (10) days after the service of the notice, to the accused person by personal service, certified mail or by leaving a copy of such notice at the person's last known place of residence in the Municipality. At such time, date, and place and at any adjourned meetings of such hearing, the Council shall hear the cause for removal; shall provide an opportunity for the accused person to be heard and present defenses and shall determine whether the accused person shall be removed from office. The Council may remove an official for any of the following causes by a three-fourths (3/4) vote of the members of Council. Such person shall not vote on any matter during the removal procedure and shall not be counted in determining required majorities. The following are grounds for removal of elected officials and directors of departments of the Municipality.

A. Failure to possess the qualifications of office required pursuant to the provisions of this Charter.

B. Conviction of a felony or other crime involving moral turpitude.

C. Failure to take the required oath, or to give any required bond within twenty (20) days after effective date of election or appointment, or obligation to give a new or additional bond.

D. Being adjudicated legally incompetent.

E. Conduct which is determined by Council to be gross misconduct or gross neglect of duty with respect to the official's powers or duties.

F. Violation of the oath of office.

G. Gross failure of an elected official or director to abide by the rules of Council or the ordinances of the Municipality, as appropriate; or absence from three (3) consecutive regular meetings of the Council without being excused by Council.

Upon the removal of an official from office pursuant to this Section, the office of the offending person shall be declared vacant, subject to any appeal to and review by an appropriate court, and the vacancy shall be filled as provided in this Charter.

The removal of an official or the occurrence of any of the causes permitting the removal shall not invalidate any action of the official or anybody, including Council, in which the member participated. The subsequent removal of a person who fills a vacancy created pursuant to this section by reinstatement by a court of a person previously removed by Council, shall not invalidate any action of the person who filled the vacancy or anybody, including Council, in which such person who filled the vacancy participated.

Council shall be the judge of the qualifications of and of the grounds for removal from office and shall conduct the proceedings relative to removal. Council shall have the power to subpoena witnesses, administer oaths, and require the production of evidence, either on its own motion or through the process of any appropriate court or officer thereof. A person charged with conduct constituting grounds for removal from office shall receive a public hearing, and a record of the proceedings shall be made and preserved. A notice of such hearing shall be published in at least any one (1) newspaper of general circulation in the Municipality at least one (1) week in advance of the hearing, and in such event, the President of Council, or other presiding officer of Council, may reschedule the time, date, and place of the hearing to accommodate the publication of the notice. If the hearing is rescheduled, the President of Council, or other presiding officer, shall notify the accused person of such fact. Decisions made by Council under this Section shall be subject to review by the Courts on matters of law and whether Council acted arbitrarily and without probative evidence to support the grounds for removal.

The Director of Law or special counsel engaged by the Director of Law shall prosecute the removal proceedings before Council and any review thereof by the courts. In the event the person sought to be removed from office is the Director of Law, a special counsel engaged by the Mayor, with the approval of a majority of Council, shall prosecute the removal proceedings before Council and any review thereof by the courts. If a person accused is not finally removed, the Municipality shall pay the reasonable costs of the defense of such person and any compensation withheld pending the appeal of the action of Council.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-18

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.07 OF THE CHARTER AND REPEALING THOSE SECTIONS OF THE PRESENT CHARTER WHICH ARE IN CONFLICT WITH SAID AMENDMENTS AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether Section 7.07 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 7.07 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 7.07. Vacancy.

Whenever the office of a member of Council shall become vacant for any reason, the vacancy shall be filled by a majority vote of all the remaining members of the Council. If the Council shall not so fill such vacancy within thirty (30) days after the date the vacancy has occurred, the power of Council to do so shall lapse and the Mayor shall make an appointment to fill such vacancy. Such appointee shall hold

office for the unexpired term of the member in whose office the vacancy has occurred or until the beginning of the term of a successor elected as hereinafter provided. A successor shall be elected to serve the remainder of the unexpired term of the member in whose office the vacancy occurs at the next regular or primary municipal election if (a) such election shall occur more than one year prior to the expiration of the unexpired term, and (b) the vacancy shall have occurred not less than 120 days prior to such election. There shall be no primary contest for the election held under this Section and the candidate receiving the highest number of votes shall be elected to serve the remainder of the term in which the vacancy has occurred. A candidate for office under this Section shall file with the Board of Elections, not less than 60 days before the election, a petition signed by the number of voters specified for the office by Section 6.05 of this Charter. A candidate for office under this Section is ineligible if he or she holds a different elective office of the Village at the time of filing his or her nominating petition for said office and his or her office as member of Council shall thereby become vacant.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026 –WS–19

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.09 OF THE VILLAGE CHARTER CONCERNING MEETINGS OF COUNCIL AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 7.09 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 7.09. Meetings.

In each calendar month, the Council shall hold at least two regular meetings, excepting in July and August, when it shall hold at least one regular meeting. The time of regular meetings shall be prescribed by ordinance. The Mayor or any three members of the Council may call special meetings upon at least twelve hours written notice to each member, sent by email, served personally on each member, or left at their ~~his~~ usual place of residence. Such notice

shall state the subject or subjects to be considered at the meeting and no other subject shall be there considered. The notice shall be signed by the Clerk, or the Clerk's his deputy, who shall see that it is properly served. All meetings of Council called for the purpose of transacting public business, where a majority of the members elected are present, shall be open to the public unless a private executive session is called pursuant to the Ohio Revised Code.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-20

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.10 OF THE VILLAGE CHARTER CONCERNING THE ORGANIZATION OF COUNCIL AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 7.10 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 7.10. Organization of Council.

Within ~~seven~~ five days after the commencement of their term, ~~at the call of the Mayor, or otherwise at its first regular meeting after the commencement of a new term of any of its members, the~~ members of the Council shall meet in the Council Chamber and organize. At such meeting, the Council shall elect a Clerk and such other officers and employees of the Council as it may deem necessary, to serve at the pleasure of the Council.

The Clerk shall keep the records of the Council and its committees and an accurate and complete journal of the proceedings of the Council. ~~The Clerk~~He shall perform such other duties as may be required by this Charter, the Council or by law. ~~The Clerk~~He shall, with the President of Council, authenticate all ordinances and resolutions and any official act of the Council. When called on, ~~the Clerk~~he shall certify copies of ordinances, resolutions and minutes of the Council. As soon as an ordinance, resolution or bylaw is passed and authenticated, and signed by the Mayor, it shall be recorded by the Clerk in a book furnished by the Council for that purpose.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-21

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.12 OF THE VILLAGE CHARTER CONCERNING ACTION BY COUNCIL AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether Sec. 7.12 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 7.12 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 7.12. Action by the council.

The action of the Council shall be by ordinance or resolution, except that action by Council not required by this Charter or law to be by ordinance or resolution, may be taken by motion approved by at least four (4) members of Council, and on the passage of each ordinance or resolution the vote shall be taken by "yes" and "no" and entered upon the journal, but this shall not apply to the ordering of an election, or direction by the Council to any board or officer to furnish it with information as to the affairs of any department or office. An affirmative vote of at least four (4)

members of Council shall be required for the passage or enactment of every ordinance or resolution. No bylaw, ordinance, or resolution, of a general and permanent nature, or granting a franchise, or creating a right, or involving the expenditure of money, or the levying of a tax, or for the purchase, lease, sale, or transfer of property, shall be passed, unless it has been fully and distinctly read on three different days, and with respect to such bylaw, ordinance, or resolution, there shall be no authority to dispense with this rule, except by three-fourths vote of all members elected ~~to~~of the Council, taken by "yes" and "no", on each bylaw, resolution, or ordinance, and entered on the journal.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-22

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.14 OF THE VILLAGE CHARTER CONCERNING THE PUBLICATION OF ORDINANCES AND RESOLUTIONS AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether the Oakwood Village Charters Sec. 7.14 should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 7.14 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 7.14. Publication.

All ordinances and resolutions shall be published by posting copies thereof in the lobby of the Village Hall and on the official Village website ~~plus one other public place in the Municipality to be identified on the Village website~~ for a period of not less than fifteen days prior to the taking effect thereof, excepting emergency measures which shall take effect as hereinabove provided. The Council may provide for additional publication of an ordinance or resolution in a newspaper of general

circulation within the Municipality, and in such case the effective date of such ordinance or resolution shall be as provided in this Charter.

The Clerk shall make and sign a certificate as to such posting and as to the times when and the places where such posting was done, and such certificate shall be prima-facie evidence that the copies were posted as required. Such certificate as authenticated by the Clerk shall be entered in the record of ordinances and resolutions ~~on a blank for such purpose.~~

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-23

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF ADOPTING A PROPOSED NEW CHARTER SECTION 13.07 TO PERMIT COUNCIL TO CORRECT TYPOGRAPHICAL AND OTHER ERRORS OF FORM IN THE CHARTER AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether to adopt proposed Section 13.07 of the Oakwood Village Charter.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall a new Section 13.07 of the Oakwood Village Charter be adopted as follows?

Sec. 13.07 Charter corrections.

Council shall be authorized to make typographical corrections to or changes or deletions in, as well as changes in the form of, the Charter; however, the changes shall relate to matters of form; or, to make the Charter consistent with Ohio law, upon advice of the Director of Law. Any such modification, change, or correction shall, in all cases, be approved by resolution of Council, prior to going into effect. No modification, change or correction shall affect the construction, meaning, substance,

or intent of the Charter as adopted and amended by the people, except where the change corrects the Charter to comply with Ohio law. The specific powers granted by this Section include the following:

- A. Council may correct obvious misspellings and typographical errors.
- B. Council may divide the text of any section or paragraph into shorter paragraphs or subparagraphs and letter or number the same to improve clarity and ease of reference.
- C. Council may renumber the sections and rearrange their order to provide:
 - 1. More coherent grouping of sections related in subject matter; and
 - 2. Continuous, consecutive numbering of sections.
- D. Council may remove inconsistent language and correct language that violates Ohio law to ensure that the Charter complies with Ohio law.
- E. Council may change gender-specific language to gender-neutral language.

Upon the adoption of any amendment that creates or abolishes an office or offices or changes the powers or duties of any officer or department of the Village, the Council shall make necessary correlative changes in existing sections that refer to such offices, officers, or agencies by deleting therefrom, as the case may be, the name of the office created or the title of the officer or agency then having such powers or duties.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-24

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF ADOPTING A PROPOSED NEW CHARTER SECTION 13.08 TO PERMIT COUNCIL TO CORRECT TYPOGRAPHICAL AND OTHER ERRORS OF FORM IN THE CHARTER AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether to adopt proposed Section 13.08 of the Oakwood Village Charter.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall a new Section 13.08 of the Oakwood Village Charter be adopted as follows?"

13.08 Ethical Conduct and Conflict of Interest

The standards of ethical conduct and avoidance of conflicts of interest for all elected and appointed officers, officials, and employees of the Municipality shall be those established by the general laws of the State of Ohio.

The civil and criminal penalties imposable for violations of such standards shall be in accordance with the general laws of the State of Ohio.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village .

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-25

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 5.03 OF THE VILLAGE CHARTER CONCERNING THE RECALL OF ELECTED OFFICERS OF THE VILLAGE AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether Section 5.03 of the Charter of the Village of Oakwood, should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 5.03 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 5.03. - Recall.

The electors shall have the power to remove from office by a recall election any elected officer of the Municipality. If an elected officer shall have served for six months of ~~the official's~~ *his* term, a petition demanding ~~his~~ removal may be filed with the Clerk of Council, who shall note thereon the name and address of the person filing the petition and the date of such filing. Such petition may be circulated in separate parts, but the separate parts shall be bound together and filed as one instrument. Each part shall contain the name and office of the person whose

removal is sought and a statement in not more than two hundred words of the grounds for the removal. Such petition in a case of a recall election for an officer elected at large shall be signed by at least that number of electors which equals twenty-five percent of the electors voting at the last preceding general election in the Municipality. In the case of a Ward Councilman such petition shall be signed by at least that number of electors which equals twenty-five percent of the electors voting at the last preceding general election in the ward represented. Within ten days after the day on which such petition shall have been filed, the Clerk shall determine whether or not it meets the requirements hereof. If the Clerk shall find the petition insufficient, ~~the Clerk he~~ shall promptly certify the particulars in which the petition is defective, deliver a copy of ~~the his~~ certificate to the person who filed the petition ~~with him~~, and make a record of such delivery. Such person shall be allowed a period of twenty days after the day on which such delivery was made in which to make the petition sufficient. If the Clerk shall find the petition sufficient, ~~the Clerk he~~ shall promptly so certify to the Council, shall deliver a copy of such certificate to the officer whose removal is sought, and shall make a record of such delivery. If such officer shall not resign within five days after the day on which such delivery shall have been made, the Council shall thereupon fix a day for holding a recall election, not less than sixty nor more than ~~ninety seventy-five~~ days after the date of such delivery. At such recall election this question shall be placed on the ballot: "Shall (officer's name) be allowed to continue as (name of office)?" with provision on the ballot for voting affirmatively or negatively on such question. Such election shall be held for the entire Municipality for recall of an at large officer and within the ward for recall of a Ward Councilman. If a majority of the votes cast at such election shall be voted affirmatively, such officer shall remain in office. If a majority of the votes cast shall be voted negatively, such officer shall be considered as removed, ~~the his~~ office shall be deemed vacant, and such vacancy shall be filled as provided in this Charter. The officer removed by such recall election shall not be eligible for appointment to the vacancy created thereby.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections for placement upon the ballot for the primary election to be held on May 5, 2026 in order to correct gender-specific language in the present Charter provision and to update deadlines for holding recall elections and, therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-26

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF REPEALING SECTION 6.04 OF THE VILLAGE CHARTER AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission, pursuant to the authority vested in it by Section 12.02 of the Oakwood Village Charter, has considered the proposed repeal of Section 6.04 of the said Charter providing for the initial election of Village Officers to occur on January 21, 1969; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said repeal by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether Section 6.04 of the Charter of the Village of Oakwood should be repealed.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 6.04 of the Oakwood Village Charter, which presently reads as follows:

Sec. 6.04. - Initial election of officers. Initially, the Mayor and members of the Council shall be elected at a special election to be held on Tuesday, January 21, 1969, for the term commencing March 1, 1969, and ending December 31, 1971. If at such election no candidate for mayor receives a majority of the total votes cast for that office, then there shall be held on Tuesday, February 18, 1969, a run-off election between the two candidates receiving the highest number of votes cast for that office.

be repealed?

YES - For Passage

NO - Against Passage

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections for placement upon the ballot for the regular election to be held on May 5, 2026 in order to eliminate unnecessary provisions in the Charter and, therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village .

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-27

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 9.06 OF THE VILLAGE CHARTER CONCERNING THE DIRECTOR OF FINANCE AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether the Section 9.06 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 9.06 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 9.06. Director of Finance.

The Director of Finance shall be the head of the Finance Department and fiscal officer of the Municipality. The Director of Finance shall have a minimum of a Bachelor's Degree in Business Administration. Preference for appointment shall be given to individuals who have a major in accounting and/or finance. The Finance Director shall have, at the time of appointment, a minimum of four years

of municipal finance experience as the Chief Financial Officer or Assistant Chief Financial Officer. ~~The Director~~ He/she shall serve the Mayor and the Council as financial advisor in connection with municipal affairs, and shall prepare and submit such reports regarding the finances of the Municipality as the Mayor or Council directs. ~~The Director~~ He/she shall keep the financial records of the Municipality, exhibiting accurate statements of all moneys received and expended, of all property owned by the Municipality, and of all taxes and assessments. The Director He/she shall be custodian of all public money of the Municipality, shall keep and preserve such money in the place or places authorized by ordinance, and shall disburse the same as may be required by law or ordinance. ~~The Director~~ He/she shall not allow the amount set aside for any appropriation to be overdrawn for any other purpose. The Director He/she may examine and audit the accounts of all officers, employees, and departments. ~~The Director~~ He/she may require evidence that the amount of any claim presented to ~~the Director~~ him/her is due. ~~The Director~~ He/she shall perform such other duties consistent with ~~the~~ his office as the Mayor or the Council may direct. ~~The Director~~ He/she may also serve as Clerk of the Council in the event of the vacancy, disability and/or absence of the Clerk and all assistants to the Clerk, if ~~it~~ Council so provides.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-28

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 9.09 OF THE CHARTER TO ELIMINATE GENDER-SPECIFIC LANGUAGE AND TO CLARIFY THAT A TWO THIRDS AFFIRMATIVE VOTE OF THE MEMBERS OF COUNCIL SHALL BE NECESSARY FOR THE APPOINTMENT OR REMOVAL OF THE POLICE CHIEF AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether the Section 9.09 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 9.09 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 9.09. Chief of Police.

The Chief of Police shall be appointed by the Mayor, subject to the approval of a majority of the members elected to Council. The Police Chief shall be appointed from the Police Department of the Municipality or shall have had not less than ten years of training and experience in law enforcement in a police organization of at least

comparable size to that of this Municipality and holds the rank of sergeant or above with that police organization at the time application for the position is made. The Police Chief shall hold office until retirement, resignation, or until removed by the Mayor with the approval of two-thirds ($\frac{2}{3}$) of the members ~~elected to~~ of Council. If so removed, ~~he or she~~ the former Chief shall be entitled, unless the removal shall have been for reasons which constitute grounds for termination, to be restored to the highest position in the Police Department held ~~by him or her~~ prior to appointment as Police Chief if the appointment came from the ranks of this Municipality's Police Department. This provision shall apply to persons appointed to the position of Chief of Police subsequent to the effective date of this provision.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-29

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 9.10 OF THE CHARTER TO ELIMINATE GENDER-SPECIFIC LANGUAGE AND TO CLARIFY THAT A TWO THIRDS AFFIRMATIVE VOTE OF THE MEMBERS OF COUNCIL SHALL BE NECESSARY FOR THE APPOINTMENT OR REMOVAL OF THE FIRE CHIEF AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether the Section 9.10 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 9.10 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 9.10. Fire Chief.

The Fire Chief shall be appointed by the Mayor, subject to the approval of a majority of the members ~~elected to~~ Council. The Fire Chief shall be appointed from the Fire Department of the Municipality or shall have had not less than ten years of training and experience in fire suppression in a fire suppression organization of at least

comparable size to that of this Municipality and holds the rank of sergeant or above with that fire suppression organization at the time application for the position is made. The Fire Chief shall hold office until retirement, resignation, or until removed by the Mayor with the approval of two-thirds (2/3) of the members elected to of Council. If so removed, the former chief or she shall be entitled, unless the removal shall have been for reasons which constitute grounds for termination, to be restored to the highest position in the Fire Department held by him or her prior to appointment as Fire Chief if the appointment came from the ranks of this Municipality's Fire Department. This provision shall apply to persons appointed to the position of Fire Chief subsequent to the effective date of this provision.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village .

Evan Garrett,
Assistant Clerk of Council

DATED: _____

ORDINANCE NO.: 2026-WS-30

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 10.11 OF THE CHARTER TO PROVIDE FOR LESS COSTLY MEANS OF ADVERTISING PROPOSED ZONING REFERENDUMS AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission and the Oakwood Village Council, pursuant to the authority vested in them by Sections 12.02 and 12.01 respectively of the Oakwood Village Charter, have considered proposed amendments to the Charter as set forth hereinafter; and

WHEREAS, the Oakwood Charter Review Commission and the Oakwood Village Council have recommended said amendments to the Charter Section by motion passed by the Charter Review Commission as reflected in its minutes of May 7, 2025 and/or the Oakwood Village Council by virtue of this Ordinance, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the primary election to be held on the 5th day of May, 2026, the question of whether the Section 10.11 of the Oakwood Village Charter should be amended.

Section 2: The question to be submitted on said ballot shall be in words as follows:

"Shall Section 10.11 of the Oakwood Village Charter be amended as follows and all previous versions of the Charter in conflict therewith be repealed?"

Sec. 10.11. Mandatory referral—Automatic zoning referendum.

A. Any legislation passed by Council or proposed by initiative petition which refers to a change in existing zoning or to a change in any use regulations controlling the use or development of land shall not become effective or binding upon the municipality unless and until the same be submitted to the electors of the municipality and approved by a fifty-five percent (55%) favorable vote of all votes cast for this

issue by the qualified electors of the Village and a fifty five percent (55%) favorable vote of all votes cast in each ward in which the change is applicable to property in the ward, at the next general election in the case of legislation proposed by initiative petition and for legislation adopted by Council at the next general, regular, or primary election held in the municipality, which shall occur not less than seventy five (75) days after its passage by Council or, in the case of legislation proposed by initiative petition, after its certification to the Board of Elections. The Clerk of Council shall advertise any proposed change by posting same in the lobby of the Village Hall and on the official website of the Municipality ~~and in a newspaper of general circulation, whose circulation is either the largest, or second to the largest within the limits of the Village for two consecutive times, with at least two weeks between notices and a third notice one week prior to the election~~ for at least four (4) weeks prior to the election.

B. Subsection A. above shall also apply to any attempt to amend or repeal changes in existing zoning or to a change in any use regulations controlling the use or development of land adopted by initiative petition.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections on a timely basis for placement upon the ballot for the primary election to be held on May 5, 2026.

PASSED: _____

Eloise Hardin, President of Council

Evan Garrett,
Assistant Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett,
Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - was duly posted on the _____ day _____ of _____, 2026 and will remain posted for a period of fifteen (15) days thereafter in the in the manner provided for by the Charter and Ordinances of the Village .

Evan Garrett,
Assistant Clerk of Council

DATED: _____

AMENDED RESOLUTION NO. 2025-37

INTROUDCED BY MAYOR AND COUNCIL AS A WHOLE

A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REPORT AND RECOMMENDATION A PROPOSED ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-08-028 and 795-08-029

WHEREAS, the Village of Oakwood, and J Wall Homes, LLC, c/o Johannah Wallace, individually (hereinafter referred to as "Purchaser") have reached an agreement in principle, as set forth in Exhibit "1" attached hereto and incorporated herein, for the sale of said Property to Purchaser; and

WHEREAS, Charter Sec. 10.02 (C) requires that, prior to passage, any Ordinance providing for the sale of public land be submitted to the Planning Commission for report and recommendation;

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

SECTION 1. Proposed amended Ordinance No. 2025-39, attached hereto and made a part hereof by reference and marked Exhibit "A", which provides for the sale to Purchaser of Village land designated on the records of the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795- 08-028 and 795-08-029 (a diagram of said property being attached as Exhibit 2 to said Proposed Ordinance) be and hereby is referred to the Planning Commission pursuant to Charter Sec. 10.02 (C) for report and recommendation.

SECTION 2. The Clerk of Council be and is hereby authorized and directed to refer the attached preposed amended Resolution No. 2025-37 to the planning Commission for report and recommendation pursuant to Charter Sec. 10.02 (C) and the Codified Ordinances of the Village.

SECTION 3. This Resolution shall take effect 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 amended Resolution No. 2025-37 was duly and regularly passed by this Council at the meeting held on _____ day of _____, 2025.

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 amended Resolution No. 2025-37 was duly posted on the _____ day of _____, 2025, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

ADDENDUM

This Addendum shall be attached to, shall become a part of and shall supersede any conflicting provisions contained in a certain contract executed by Johanna Wallace on behalf of himself and J Wall Homes, LLC (hereinafter "Purchasers") on or about April 16, 2025 by which Purchasers have agreed to purchase from the Village of Oakwood, Ohio (hereinafter "Seller") certain real property designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-028 consisting of approximately .155 acres and Permanent Parcel No. 795-08-029 consisting of approximately .138 acres (hereinafter the "Property").

As additional consideration to induce Seller to enter the foregoing contract, Purchasers agree that within three (3) months of closing and the issuance of all necessary permits, Purchasers shall commence and within one year of said date shall complete construction of a single-family dwelling of at least 1,900 square feet on the Property. In the event Purchasers fail to comply with this paragraph, the Property shall revert, to Seller without compensation to Purchasers.

SELLER:

VILLAGE OF OAKWOOD, OHIO

Date

By: _____
Gary V. Gottschalk, Mayor

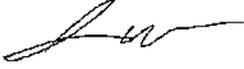
APPROVED AS TO LEGAL FORM

James A. Climer
Law Director, Village of Oakwood, Ohio

PURCHASER:
J Wall Homes, LLC

8/21/2025

Date

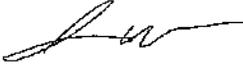
By: 

(Title)

PURCHASER:

8/21/2025

Date



Johannah Wallace

AMENDED RESOLUTION NO. 2025-38

INTROUDCED BY MAYOR AND COUNCIL AS A WHOLE

A RESOLUTION REFERRING TO THE PLANNING COMMISSON FOR REPORT AND RECOMMENDATION A PROPOSED ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-08-030 and 795-08-031.

WHEREAS, the Village of Oakwood, and J Wall Homes, LLC, c/o Johannah Wallace, individually (hereinafter referred to as "Purchaser") have reached an agreement in principle, as set forth in Exhibit "1" attached hereto and incorporated herein, for the sale of said Property to Purchaser; and

WHEREAS, Charter Sec. 10.02 (C) requires that, prior to passage, any Ordinance providing for the sale of public land be submitted to the Planning Commission for report and recommendation;

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

SECTION 1. Proposed amended Ordinance No. 2025-40, attached hereto and made a part hereof by reference and marked Exhibit "A", which provides for the sale to Purchaser of Village land designated on the records of the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-030 and 795-08-031 (a diagram of said property being attached as Exhibit 2 to said Proposed Ordinance) be and hereby is referred to the Planning Commission pursuant to Charter Sec. 10.02 (C) for report and recommendation.

SECTION 2. The Clerk of Council be and is hereby authorized and directed to refer the attached proposed amended Resolution No. 2025-38 to the planning Commission for report and recommendation pursuant to Charter Sec. I 0.02 (C) and the Codified Ordinances of the Village.

SECTION 3. This Resolution shall take effect 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 amended Resolution No. 2025-38 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2025.

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 amended Resolution No. 2025-38 was duly posted on the _____ day of _____, 2025, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

ADDENDUM

This Addendum shall be attached to, shall become a part of and shall supersede any conflicting provisions contained in a certain contract executed by Johanna Wallace on behalf of himself and J Wall Homes, LLC (hereinafter "Purchasers") on or about April 16, 2025 by which Purchasers have agreed to purchase from the Village of Oakwood, Ohio (hereinafter "Seller") certain real property designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-030 consisting of approximately .138 acres and Permanent Parcel No. 795-08-031 consisting of approximately .138 acres (hereinafter the "Property").

As additional consideration to induce Seller to enter the foregoing contract, Purchasers agree that within three (3) months of closing and the issuance of all necessary permits, Purchasers shall commence and within one year of said date shall complete construction of a single-family dwelling of at least 1,900 square feet on the Property. In the event Purchasers fail to comply with this paragraph, the Property shall revert, to Seller without compensation to Purchasers.

SELLER:

VILLAGE OF OAKWOOD, OHIO

Date

By: _____
Gary V. Gottschalk, Mayor

APPROVED AS TO LEGAL FORM

James A. Climer
Law Director, Village of Oakwood, Ohio

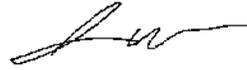
PURCHASER:

J Wall Homes, LLC

8/21/2025

Date

By: _____

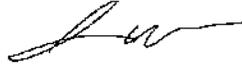


(Title)

PURCHASER:

8/21/2025

Date



Johannah Wallace

AMENDED ORDINANCE NO. 2025-39

INTROUDCED BY MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH J WALL HOMES, LLC, C/O JOHANNAH WALLACE, INDIVIDUALLY TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-08-028 AND 795-08-029

WHEREAS, the Village of Oakwood owns certain real property designated on the records of the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-028 and 795-08-029; and,

WHEREAS, the Village of Oakwood deems it advantageous to sell Permanent Parcel No. 795-08-028 and 795-08-029 (hereinafter "the Property a diagram of which is attached hereto as Exhibit 2) to J Wall Homes, LLC, c/o Johannah Wallace, individually (hereinafter "Purchaser") to be developed and maintained as a single-family residence property; and,

WHEREAS, the Village of Oakwood and Purchaser have reached an agreement in principle, as set forth in Exhibit "I" hereto and incorporated herein, for the sale of the Property to Purchaser;

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

SECTION 1. The Mayor be and is hereby authorized to enter into the Purchase Agreement with Purchaser, a copy of which is attached hereto and expressly made a part hereof by reference and marked Exhibit "I".

SECTION 2. This Ordinance shall take effect 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 amended Ordinance No. 2025-39 was duly and regularly passed by this Council at the meeting held on the ____ day of _____, 2025.

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 amended Ordinance No. 2025-39 was duly posted on the ____ day of _____, 2025, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

EXHIBIT "1"

PURCHASE AGREEMENT

THIS AGREEMENT is made and entered as of the last date of execution specified below, by and between The Village of Oakwood, Ohio hereinafter referred to as **SELLER**, and Joe Wallace, hereinafter referred to as **PURCHASER**.

1. **SELLER** agrees to sell and **PURCHASER** agrees to purchase the following described real estate with appurtenances, located in the Village of Oakwood, County of Cuyahoga and State of Ohio: one vacant parcel of property designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-028 consisting of approximately .155 acres total, and Permanent Parcel No. 795-08-029 consisting of approximately .138 acres total, (hereinafter the "Property"). The Property shall include the land, all appurtenant rights, privileges and easements in their present condition "as is".

2. **PURCHASER** agrees to pay for said Property the sum total of Thirteen Thousand and Five Hundred Dollars (\$13,500.00).

3. **SELLER** shall furnish a Warranty Deed conveying to **PURCHASER**, or nominee, a marketable title to the Property, with dower rights, if any, released, free and clear of all liens and encumbrances whatsoever, except: (a) restrictions of record and any reservations and easements created in conjunction with such restrictions that do not materially adversely affect the use or value of the property; (b) zoning ordinances, if any; (c) taxes and assessments, both general and special, not yet due and payable, for the current half of the taxable year and thereafter. The foregoing Deed shall contain the following restrictions 1) the property shall not be used for any purposes other than a single family dwelling and 2) once consolidated, the property shall not be split absent the prior written

consent of the Village of Oakwood.

4. The closing of the sale and Seller's obligation to deliver title of the Property shall be subject to the following conditions:

a. Within ten days of the execution of this Purchase Agreement, Purchaser shall deliver the purchase price to the escrow agent.

b. Prior to closing, PURCHASER shall obtain approval for the following:

1) the consolidation of the Property into a single parcel designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-028 or other such Permanent Parcel No. as the Cuyahoga County Fiscal Officer sees fit.

5. SELLER shall furnish a Title Guaranty in the amount of the purchase price, as evidence of assurance that there has been conveyed to PURCHASER, or nominee, the title required to be conveyed hereunder at PURCHASER'S cost. Should PURCHASER desire, he may obtain a Fee Policy of Title Insurance, so long as it pays the increased premium for same.

6. All general and special taxes, and all annual maintenance charges, if any, shall be prorated as of the date of filing the deed for record, on the basis of the latest available tax duplicate, provided, however, that the full amount of all installments on any special assessments, whenever payable, shall be prorated and assumed by PURCHASER.

7. All documents and funds necessary to the completion of this transaction shall be placed in escrow with Ohio Real Title, 126 W. Streetsboro Rd., Suite 1, Hudson, Ohio 44246, on or before **May 1, 2025**, subject to their standard conditions of escrow acceptance. If a defect in title appears, SELLER shall have thirty (30) days after notice to

remove said defect.

8. The Escrow Agent shall charge to SELLER and pay out of the purchase price the following: (a) amount due to discharge any lien encumbering the property and the cost of recording the cancellation thereof; (b) any amount due PURCHASER by reason of prorations; and (c) the amount of any special assessments payable by SELLER. SELLER shall also pay directly all utility charges to the date of filing the deed for record. PURCHASER shall pay the following: (a) any real estate transfer tax; (b) attorney fees incurred to prepare the Warranty Deed; (c) the escrow fee; (d) all fees and costs incident to filing the deed; (e) costs of any inspections requested by PURCHASER; (f) all escrow and other fees associated with the closing; and (g) the premium cost for the Owner's Fee Title Insurance Policy, if desired;

9. SELLER shall deliver possession of the property to PURCHASER upon filing the deed for record.

10. The obligations of SELLER to consummate at the Closing of the transaction herein contemplated are subject to the following conditions:

(a) PURCHASER shall have performed all agreements on his part required to be performed under this Agreement and shall not be in default under any of the provisions of this Agreement; and

(b) PURCHASER shall have delivered the Purchase Price to the Escrow Agent as set forth in Paragraph 2 hereof.

11. SELLER agrees that PURCHASER shall be permitted access to the Property at all reasonable times to inspect same.

12. PURCHASER stipulates that there have been no express or implied representations, warranties or statements concerning the condition of said premises, the value of same, the improvements thereon, the use that can be made of said premises, or

anything concerning same other than what is included in this written Purchase Agreement.

13. Neither SELLER nor PURCHASER has retained any broker in connection with this transaction, and each party hereto agrees to defend, indemnify and hold the other harmless against any claim or claims of any broker or any other representative for commission, or finder's fee or expenses alleged by any third parties to be incurred by or on behalf of the indemnifying party.

14. This Agreement shall not be assigned by either party hereto without the express written consent of the other.

15. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

16. Any notices provided for herein to SELLER or PURCHASER shall be in writing and deemed to have been given when mailed, postage paid, by registered or certified mail, return receipt requested, as follows:

TO SELLER: Oakwood Village
c/o James A. Climer
Mazanec, Raskin & Ryder Co., LPA
34305 Solon Rd., Ste. 100
Cleveland, OH 44139
jclimer@mrrrlaw.com

TO PURCHASER: J Wall Homes, LLC
c/o Johannah Wallace
12918 Maplerow Ave.
Garfield Heights, Ohio 44105
hasanproperties@gmail.com

17. It is understood that this Agreement is subject to the approval of Oakwood Village Council and, after execution by PURCHASER, will not be executed by SELLER until such approval is obtained. Upon execution of this Agreement, it shall become binding upon and accrue to the benefit of SELLER and PURCHASER and their respective heirs,

executors, administrators and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the last date subscribed hereinbelow.

SELLER

VILLAGE OF OAKWOOD, OHIO

DATE

by: _____
Gary Gottschalk, Mayor

APPROVED AS TO LEGAL FORM

James A. Climer,
Law Director
Village of Oakwood, Ohio

PURCHASER

April 16 2025

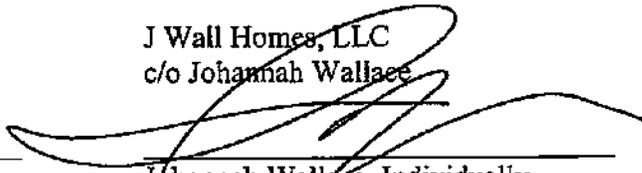
_____ 

DATE

April 16 2025

DATE

J Wall Homes, LLC
c/o Johannah Wallace

A handwritten signature in black ink, appearing to read 'Johannah Wallace', is written over a horizontal line. The signature is stylized and cursive.

Johannah Wallace, Individually



CUYAHOGA COUNTY, *Ohio* MyPlace

Exhibit 2

Search

City Entire County ▼

Search By Owner Parcel Address

79508028 | OAKWOOD VILLAGE LAND REUTILIZATION PROGRAM | 7258 LAMSON RD | OAKWOOD



Search Results

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Zoom in and click on a parcel for more information or click the banner to reset the map

Updated :05/09/2025 03:44:03 AM

Disclaimer: Cuyahoga County provides this geographic data and related analytical results as a free public service on an "as is" basis. Cuyahoga County makes no guarantee(s) or warranty(ies) as to the accuracy, completeness, or timeliness of the information contained herein, and said information is not intended to, nor does it, constitute an official public record of Cuyahoga County. While much of the data contained herein is compiled from public records, the official records of the public office or agency from which they were compiled remains the official record of any such public office or agency. **By accessing, viewing or using any part of the site, you expressly acknowledge you have read, agree to and consent to be bound by all of the terms and conditions listed on this site. Routine maintenance is performed on Fridays and disruptions may occur. We apologize for any inconvenience.**

WATER DEPARTMENT OFFICIALS: AS OF JANUARY 1, 2021 PLEASE UTILIZE THE TRANSFER TAB ON THE MYPLACE SITE TO DETERMINE OWNERSHIP FOR CREATING OR CLOSING ACCOUNTS. PARCEL DATA ON PROPERTY TRANSFERS ARE UPDATED DAILY. THEREFORE, YOU CAN NOW RELY ON THIS SITE FOR ACCURATE REAL PROPERTY OWNERSHIP. YOU ARE ALSO WELCOME TO ACCEPT COPIES OF RECORDED DEEDS FROM OUR OFFICE.

THANK YOU

ADDENDUM

This Addendum shall be attached to, shall become a part of and shall supersede any conflicting provisions contained in a certain contract executed by Johanna Wallace on behalf of himself and J Wall Homes, LLC (hereinafter "Purchasers") on or about April 16, 2025 by which Purchasers have agreed to purchase from the Village of Oakwood, Ohio (hereinafter "Seller") certain real property designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-028 consisting of approximately .155 acres and Permanent Parcel No. 795-08-029 consisting of approximately .138 acres (hereinafter the "Property").

As additional consideration to induce Seller to enter the foregoing contract, Purchasers agree that within three (3) months of closing and the issuance of all necessary permits, Purchasers shall commence and within one year of said date shall complete construction of a single-family dwelling of at least 1,900 square feet on the Property. In the event Purchasers fail to comply with this paragraph, the Property shall revert, to Seller without compensation to Purchasers.

SELLER:

VILLAGE OF OAKWOOD, OHIO

Date

By: _____
Gary V. Gottschalk, Mayor

APPROVED AS TO LEGAL FORM

James A. Climer
Law Director, Village of Oakwood, Ohio

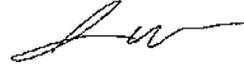
PURCHASER:

J Wall Homes, LLC

8/21/2025

Date

By: _____

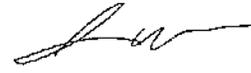


(Title)

PURCHASER:

8/21/2025

Date



Johannah Wallace

ORDINANCE NO. 2025-40

INTROUDCED BY MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH J WALL HOMES, LLC, C/O JOHANNAH WALLACE, INDIVIDUALLY TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-08-030 AND 795-08-031

WHEREAS, the Village of Oakwood owns certain real property designated on the records of the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-030 and 795-08-031; and,

WHEREAS, the Village of Oakwood deems it advantageous to sell Permanent Parcel No. 795-08-030 and 795-08-031 (hereinafter "the Property a diagram of which is attached hereto as Exhibit 2) to J Wall Homes, LLC, c/o Johannah Wallace, individually (hereinafter "Purchaser") to be developed and maintained as a single-family residence property; and,

WHEREAS, the Village of Oakwood and Purchaser have reached an agreement in principle, as set forth in Exhibit "1" hereto and incorporated herein, for the sale of the Property to Purchaser

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

SECTION 1. The Mayor be and is hereby authorized to enter into the Purchase Agreement with Purchaser, a copy of which is attached hereto and expressly made a part hereof by reference and marked Exhibit "1".

SECTION 2. This Ordinance shall take effect 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. 2025-40 was duly and regularly passed by this Council at the meeting held on the ____ day of _____, 2025.

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. 2025-40 was duly posted on the ____ day of _____, 2025, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

EXHIBIT "1"

PURCHASE AGREEMENT

THIS AGREEMENT is made and entered as of the last date of execution specified below, by and between The Village of Oakwood, Ohio hereinafter referred to as **SELLER**, and Joe Wallace, hereinafter referred to as **PURCHASER**.

1. **SELLER** agrees to sell and **PURCHASER** agrees to purchase the following described real estate with appurtenances, located in the Village of Oakwood, County of Cuyahoga and State of Ohio: one vacant parcel of property designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-030 consisting of approximately .138 acres total, and Permanent Parcel No. 795-08-031 consisting of approximately .138 acres total, (hereinafter the "Property"). The Property shall include the land, all appurtenant rights, privileges and easements in their present condition "as is".

2. **PURCHASER** agrees to pay for said Property the sum total of Thirteen Thousand and Five Hundred Dollars (\$13,500.00).

3. **SELLER** shall furnish a Warranty Deed conveying to **PURCHASER**, or nominee, a marketable title to the Property, with dower rights, if any, released, free and clear of all liens and encumbrances whatsoever, except: (a) restrictions of record and any reservations and easements created in conjunction with such restrictions that do not materially adversely affect the use or value of the property; (b) zoning ordinances, if any; (c) taxes and assessments, both general and special, not yet due and payable, for the current half of the taxable year and thereafter. The foregoing Deed shall contain the following restrictions 1) the property shall not be used for any purposes other than a single family dwelling and 2) once consolidated, the property shall not be split absent the prior written

consent of the Village of Oakwood.

4. The closing of the sale and Seller's obligation to deliver title of the Property shall be subject to the following conditions:

a. Within ten days of the execution of this Purchase Agreement, Purchaser shall deliver the purchase price to the escrow agent.

b. Prior to closing, PURCHASER shall obtain approval for the following:
1) the consolidation of the Property into a single parcel designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-030 or other such Permanent Parcel No. as the Cuyahoga County Fiscal Officer sees fit.

5. SELLER shall furnish a Title Guaranty in the amount of the purchase price, as evidence of assurance that there has been conveyed to PURCHASER, or nominee, the title required to be conveyed hereunder at PURCHASER'S cost. Should PURCHASER desire, he may obtain a Fee Policy of Title Insurance, so long as it pays the increased premium for same.

6. All general and special taxes, and all annual maintenance charges, if any, shall be prorated as of the date of filing the deed for record, on the basis of the latest available tax duplicate, provided, however, that the full amount of all installments on any special assessments, whenever payable, shall be prorated and assumed by PURCHASER.

7. All documents and funds necessary to the completion of this transaction shall be placed in escrow with Ohio Real Title, 126 W. Streetsboro Rd., Suite 1, Hudson, Ohio 44246, on or before **May 1, 2025**, subject to their standard conditions of escrow acceptance. If a defect in title appears, SELLER shall have thirty (30) days after notice to

remove said defect.

8. The Escrow Agent shall charge to SELLER and pay out of the purchase price the following: (a) amount due to discharge any lien encumbering the property and the cost of recording the cancellation thereof; (b) any amount due PURCHASER by reason of prorations; and (c) the amount of any special assessments payable by SELLER. SELLER shall also pay directly all utility charges to the date of filing the deed for record. PURCHASER shall pay the following: (a) any real estate transfer tax; (b) attorney fees incurred to prepare the Warranty Deed; (c) the escrow fee; (d) all fees and costs incident to filing the deed; (e) costs of any inspections requested by PURCHASER; (f) all escrow and other fees associated with the closing; and (g) the premium cost for the Owner's Fee Title Insurance Policy, if desired;

9. SELLER shall deliver possession of the property to PURCHASER upon filing the deed for record.

10. The obligations of SELLER to consummate at the Closing of the transaction herein contemplated are subject to the following conditions:

(a) PURCHASER shall have performed all agreements on his part required to be performed under this Agreement and shall not be in default under any of the provisions of this Agreement; and

(b) PURCHASER shall have delivered the Purchase Price to the Escrow Agent as set forth in Paragraph 2 hereof.

11. SELLER agrees that PURCHASER shall be permitted access to the Property at all reasonable times to inspect same.

12. PURCHASER stipulates that there have been no express or implied representations, warranties or statements concerning the condition of said premises, the value of same, the improvements thereon, the use that can be made of said premises, or

anything concerning same other than what is included in this written Purchase Agreement.

13. Neither SELLER nor PURCHASER has retained any broker in connection with this transaction, and each party hereto agrees to defend, indemnify and hold the other harmless against any claim or claims of any broker or any other representative for commission, or finder's fee or expenses alleged by any third parties to be incurred by or on behalf of the indemnifying party.

14. This Agreement shall not be assigned by either party hereto without the express written consent of the other.

15. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

16. Any notices provided for herein to SELLER or PURCHASER shall be in writing and deemed to have been given when mailed, postage paid, by registered or certified mail, return receipt requested, as follows:

TO SELLER: Oakwood Village
c/o James A. Climer
Mazanec, Raskin & Ryder Co., LPA
34305 Solon Rd., Ste. 100
Cleveland, OH 44139
jclimer@mrrlaw.com

TO PURCHASER: J Wall Homes, LLC
c/o Johannah Wallace
12918 Maplerow Ave.
Garfield Heights, Ohio 44105
hasanproperties@gmail.com

17. It is understood that this Agreement is subject to the approval of Oakwood Village Council and, after execution by PURCHASER, will not be executed by SELLER until such approval is obtained. Upon execution of this Agreement, it shall become binding upon and accrue to the benefit of SELLER and PURCHASER and their respective heirs,

executors, administrators and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the last date subscribed hereinbelow.

SELLER

VILLAGE OF OAKWOOD, OHIO

DATE

by: _____
Gary Gottschalk, Mayor

APPROVED AS TO LEGAL FORM

James A. Climer,
Law Director
Village of Oakwood, Ohio

PURCHASER

April 16 2025

DATE



J Wall Homes, LLC
c/o Johannah Wallace

April 16 2025



DATE

Johannah Wallace, Individually

🇺🇸 An official website of the Cuyahoga County government. Here's how you know



CUYAHOGA COUNTY, *Ohio* MyPlace

Exhibit 2

Search

City Entire County

Search By Owner Parcel Address

79508028 | OAKWOOD VILLAGE LAND REUTILIZATION PROGRAM | 7258 LAMSON RD | OAKWOOD



Search Results

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PROPERTY DATA

General Information

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Building Information

Building Sketch

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Permits

Property Summary Report

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Board of Revisions Cases





Zoom in and click on a parcel for more information or click the banner to reset the map

Updated :05/09/2025 03:44:03 AM

Disclaimer: Cuyahoga County provides this geographic data and related analytical results as a free public service on an "as is" basis. Cuyahoga County makes no guarantee(s) or warranty(ies) as to the accuracy, completeness, or timeliness of the information contained herein, and said information is not intended to, nor does it, constitute an official public record of Cuyahoga County. While much of the data contained herein is compiled from public records, the official records of the public office or agency from which they were compiled remains the official record of any such public office or agency. **By accessing, viewing or using any part of the site, you expressly acknowledge you have read, agree to and consent to be bound by all of the terms and conditions listed on this site. Routine maintenance is performed on Fridays and disruptions may occur. We apologize for any inconvenience.**

WATER DEPARTMENT OFFICIALS: AS OF JANUARY 1, 2021 PLEASE UTILIZE THE TRANSFER TAB ON THE MYPLACE SITE TO DETERMINE OWNERSHIP FOR CREATING OR CLOSING ACCOUNTS. PARCEL DATA ON PROPERTY TRANSFERS ARE UPDATED DAILY. THEREFORE, YOU CAN NOW RELY ON THIS SITE FOR ACCURATE REAL PROPERTY OWNERSHIP. YOU ARE ALSO WELCOME TO ACCEPT COPIES OF RECORDED DEEDS FROM OUR OFFICE.

THANK YOU

ADDENDUM

This Addendum shall be attached to, shall become a part of and shall supersede any conflicting provisions contained in a certain contract executed by Johanna Wallace on behalf of himself and J Wall Homes, LLC (hereinafter "Purchasers") on or about April 16, 2025 by which Purchasers have agreed to purchase from the Village of Oakwood, Ohio (hereinafter "Seller") certain real property designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-08-030 consisting of approximately .138 acres and Permanent Parcel No. 795-08-031 consisting of approximately .138 acres (hereinafter the "Property").

As additional consideration to induce Seller to enter the foregoing contract, Purchasers agree that within three (3) months of closing and the issuance of all necessary permits, Purchasers shall commence and within one year of said date shall complete construction of a single-family dwelling of at least 1,900 square feet on the Property. In the event Purchasers fail to comply with this paragraph, the Property shall revert, to Seller without compensation to Purchasers.

SELLER:

VILLAGE OF OAKWOOD, OHIO

Date

By: _____
Gary V. Gottschalk, Mayor

APPROVED AS TO LEGAL FORM

James A. Climer
Law Director, Village of Oakwood, Ohio

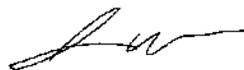
PURCHASER:

J Wall Homes, LLC

8/21/2025

Date

By: _____

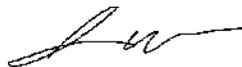


(Title)

PURCHASER:

8/21/2025

Date



Johannah Wallace

AMENDED RESOLUTION NO. 2025-41

INTROUDCED BY MAYOR AND COUNCIL AS A WHOLE

A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REPORT AND RECOMMENDATION A PROPOSED ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-09-043.

WHEREAS, the Village of Oakwood, and J Wall Homes, LLC, c/o Johannah Wallace, individually (hereinafter referred to as "Purchaser") have reached an agreement in principle, as set forth in Exhibit "I" attached hereto and incorporated herein, for the sale of said Property to Purchaser; and

WHEREAS, Charter Sec. 10.02 (C) requires that, prior to passage, any Ordinance providing for the sale of public land be submitted to the Planning Commission for report and recommendation;

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

SECTION 1. Proposed Ordinance No. 2025 - , attached hereto and made a part hereof by reference and marked Exhibit "A", which provides for the sale to Purchaser of Village land designated on the records of the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-09-043 (a diagram of said property being attached as Exhibit 2 to said Proposed Ordinance) be and hereby is referred to the Planning Commission pursuant to Charter Sec. 1 0.02 (C) for report and recommendation.

SECTION 2. The Clerk of Council be and is hereby authorized and directed to refer the attached proposed Resolution No. 2025 - to the planning Commission for report and recommendation pursuant to Charter Sec. 10.02 (C) and the Codified Ordinances of the Village.

SECTION 3. This Resolution shall take effect 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 Resolution No. 2025- 41 was duly and regularly passed by this Council at the meeting held on the ____ day of _____, 2025.

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 Resolution No. 2025-41 was duly posted on the ____ day of _____, 2025, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

ADDENDUM

This Addendum shall be attached to, shall become a part of and shall supersede any conflicting provisions contained in a certain contract executed by Johanna Wallace on behalf of himself and J Wall Homes, LLC (hereinafter "Purchasers") on or about April 16, 2025 by which Purchasers have agreed to purchase from the Village of Oakwood, Ohio (hereinafter "Seller") certain real property designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-09-043 consisting of approximately .115 acres (hereinafter the "Property").

As additional consideration to induce Seller to enter the foregoing contract, Purchasers agree that within three (3) months of closing and the issuance of all necessary permits, Purchasers shall commence and within one year of said date shall complete construction of a single-family dwelling of at least 2,000 square feet on the Property. In the event Purchasers fail to comply with this paragraph, the Property shall revert, to Seller without compensation to Purchasers.

SELLER:

VILLAGE OF OAKWOOD, OHIO

Date

By: _____

Gary V. Gottschalk, Mayor

APPROVED AS TO LEGAL FORM

James A. Climer

Law Director, Village of Oakwood, Ohio

PURCHASER:

J Wall Homes, LLC

8/21/2025

Date

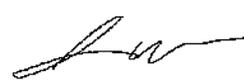
By: 

(Title)

PURCHASER:

8/21/2025

Date



Johannah Wallace

AMENDED ORDINANCE NO. 2025-42

INTROUDCED BY MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH J WALL HOMES, LLC, C/O JOHANNAH WALLACE, INDIVIDUALLY TO SELL VILLAGE LAND DESIGNATED ON THE RECORDS OF THE CUAHOGA COUNTY FISCAL OFFICER AS PERMANENT PARCEL NO. 795-09-043

WHEREAS, the Village of Oakwood owns certain real property designated on the records of the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-09-043; and,

WHEREAS, the Village of Oakwood deems it advantageous to sell Permanent Parcel No. 795-09-043 (hereinafter "the Property a diagram of which is attached hereto as Exhibit 2) to J Wall Homes, LLC, c/o Johannah Wallace, individually (hereinafter "Purchaser") to be developed and maintained as part of his driveway to his single-family residence property; and,

WHEREAS, the Village of Oakwood and Purchaser have reached an agreement in principle, as set forth in Exhibit "I" hereto and incorporated herein, for the sale of the Property to Purchaser;

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

SECTION 1. The Mayor be and is hereby authorized to enter into the Purchase Agreement with Purchaser, a copy of which is attached hereto and expressly made a part hereof by reference and marked Exhibit "1"

SECTION 2. This Ordinance shall take effect 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 amended Ordinance No. 2025-42 was duly and regularly passed by this Council at the meeting held on the ____ day of _____, 2025.

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 amended Ordinance No. 2025-42 was duly posted on the ____ day of _____, 2025, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

EXHIBIT "1"

PURCHASE AGREEMENT

THIS AGREEMENT is made and entered as of the last date of execution specified below, by and between The Village of Oakwood, Ohio hereinafter referred to as **SELLER**, and Joe Wallace, hereinafter referred to as **PURCHASER**.

1. **SELLER** agrees to sell and **PURCHASER** agrees to purchase the following described real estate with appurtenances, located in the Village of Oakwood, County of Cuyahoga and State of Ohio: one vacant parcel of property designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-09-043 consisting of approximately .115 acres total, (hereinafter the "Property"). The Property shall include the land, all appurtenant rights, privileges and easements in their present condition "as is".

2. **PURCHASER** agrees to pay for said Property the sum total of Fifteen Thousand Dollars (\$15,000.00).

3. **SELLER** shall furnish a Warranty Deed conveying to **PURCHASER**, or nominee, a marketable title to the Property, with dower rights, if any, released, free and clear of all liens and encumbrances whatsoever, except: (a) restrictions of record and any reservations and easements created in conjunction with such restrictions that do not materially adversely affect the use or value of the property; (b) zoning ordinances, if any; (c) taxes and assessments, both general and special, not yet due and payable, for the current half of the taxable year and thereafter. The foregoing Deed shall contain the following restrictions 1) the property shall not be used for any purposes other than a single family dwelling and 2) once consolidated, the property shall not be split absent the prior written consent of the Village of Oakwood.

4. The closing of the sale and Seller's obligation to deliver title of the Property shall be subject to the following conditions:

a. Within ten days of the execution of this Purchase Agreement, Purchaser shall deliver the purchase price to the escrow agent.

5. SELLER shall furnish a Title Guaranty in the amount of the purchase price, as evidence of assurance that there has been conveyed to PURCHASER, or nominee, the title required to be conveyed hereunder at PURCHASER'S cost. Should PURCHASER desire, he may obtain a Fee Policy of Title Insurance, so long as it pays the increased premium for same.

6. All general and special taxes, and all annual maintenance charges, if any, shall be prorated as of the date of filing the deed for record, on the basis of the latest available tax duplicate, provided, however, that the full amount of all installments on any special assessments, whenever payable, shall be prorated and assumed by PURCHASER.

7. All documents and funds necessary to the completion of this transaction shall be placed in escrow with Ohio Real Title, 126 W. Streetsboro Rd., Suite 1, Hudson, Ohio 44246, on or before May 1, 2025, subject to their standard conditions of escrow acceptance. If a defect in title appears, SELLER shall have thirty (30) days after notice to remove said defect.

8. The Escrow Agent shall charge to SELLER and pay out of the purchase price the following: (a) amount due to discharge any lien encumbering the property and the cost of recording the cancellation thereof; (b) any amount due PURCHASER by reason of prorations; and (c) the amount of any special assessments payable by SELLER. SELLER shall also pay directly all utility charges to the date of filing the deed for record.

PURCHASER shall pay the following: (a) any real estate transfer tax; (b) attorney fees incurred to prepare the Warranty Deed; (c) the escrow fee; (d) all fees and costs incident to filing the deed; (e) costs of any inspections requested by PURCHASER; (f) all escrow and other fees associated with the closing; and (g) the premium cost for the Owner's Fee Title Insurance Policy, if desired;

9. SELLER shall deliver possession of the property to PURCHASER upon filing the deed for record.

10. The obligations of SELLER to consummate at the Closing of the transaction herein contemplated are subject to the following conditions:

(a) PURCHASER shall have performed all agreements on his part required to be performed under this Agreement and shall not be in default under any of the provisions of this Agreement; and

(b) PURCHASER shall have delivered the Purchase Price to the Escrow Agent as set forth in Paragraph 2 hereof.

11. SELLER agrees that PURCHASER shall be permitted access to the Property at all reasonable times to inspect same.

12. PURCHASER stipulates that there have been no express or implied representations, warranties or statements concerning the condition of said premises, the value of same, the improvements thereon, the use that can be made of said premises, or anything concerning same other than what is included in this written Purchase Agreement.

13. Neither SELLER nor PURCHASER has retained any broker in connection with this transaction, and each party hereto agrees to defend, indemnify and hold the other harmless against any claim or claims of any broker or any other representative for commission, or finder's fee or expenses alleged by any third parties to be incurred by or on behalf of the indemnifying party.

14. This Agreement shall not be assigned by either party hereto without the

express written consent of the other.

15. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

16. Any notices provided for herein to SELLER or PURCHASER shall be in writing and deemed to have been given when mailed, postage paid, by registered or certified mail, return receipt requested, as follows:

TO SELLER: Oakwood Village
c/o James A. Climer
Mazanec, Raskin & Ryder Co., LPA
34305 Solon Rd., Ste. 100
Cleveland, OH 44139
jclimer@mrrlaw.com

TO PURCHASER: J Wall Homes, LLC
c/o Johannah Wallace
12918 Maplerow Ave.
Garfield Heights, Ohio 44105
hasanproperties@gmail.com

17. It is understood that this Agreement is subject to the approval of Oakwood Village Council and, after execution by PURCHASER, will not be executed by SELLER until such approval is obtained. Upon execution of this Agreement, it shall become binding upon and accrue to the benefit of SELLER and PURCHASER and their respective heirs, executors, administrators and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the last date subscribed hereinbelow.

SELLER

VILLAGE OF OAKWOOD, OHIO

DATE

by: _____
Gary Gottschalk, Mayor

APPROVED AS TO LEGAL FORM

James A. Climer,
Law Director
Village of Oakwood, Ohio

PURCHASER

April 24, 2025
DATE



J Wall Homes, LLC
c/o Johannah Wallace

April 24, 2025
DATE



Johannah Wallace, Individually

 An official website of the Cuyahoga County government. Here's how you know



CUYAHOGA COUNTY, *Ohio* MyPlace

Exhibit 2

Search

City ▼

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PROPERTY DATA

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[Land](#)

[Building Information](#)

[Building Sketch](#)

[Other Improvements](#)

[Permits](#)

[Property Summary Report](#)

TAXES

[Tax By Year](#)

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LEGAL RECORDINGS

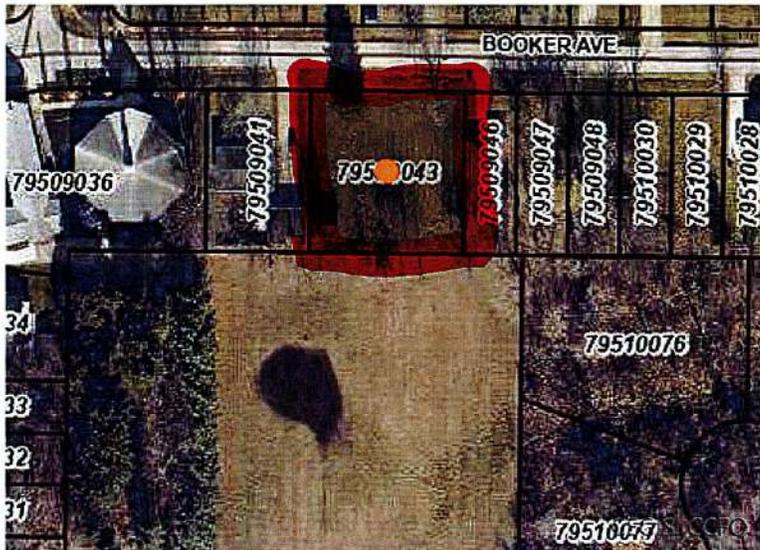
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Updated :05/09/2025 03:44:03 AM

Disclaimer: Cuyahoga County provides this geographic data and related analytical results as a free public service on an "as is" basis. Cuyahoga County makes no guarantee(s) or warranty(ies) as to the accuracy, completeness, or timeliness of the information contained herein, and said information is not intended to, nor does it, constitute an official public record of Cuyahoga County. While much of the data contained herein is compiled from public records, the official records of the public office or agency from which they were compiled remains the official record of any such public office or agency. **By accessing, viewing or using any part of the site, you expressly acknowledge you have read, agree to and consent to be bound by all of the terms and conditions listed on this site. Routine maintenance is performed on Fridays and disruptions may occur. We apologize for any inconvenience.**

WATER DEPARTMENT OFFICIALS: AS OF JANUARY 1, 2021 PLEASE UTILIZE THE TRANSFER TAB ON THE MYPLACE SITE TO DETERMINE OWNERSHIP FOR CREATING OR CLOSING ACCOUNTS. PARCEL DATA ON PROPERTY TRANSFERS ARE UPDATED DAILY. THEREFORE, YOU CAN NOW RELY ON THIS SITE FOR ACCURATE REAL PROPERTY OWNERSHIP. YOU ARE ALSO WELCOME TO ACCEPT COPIES OF RECORDED DEEDS FROM OUR OFFICE.

THANK YOU

ADDENDUM

This Addendum shall be attached to, shall become a part of and shall supersede any conflicting provisions contained in a certain contract executed by Johanna Wallace on behalf of himself and J Wall Homes, LLC (hereinafter "Purchasers") on or about April 16, 2025 by which Purchasers have agreed to purchase from the Village of Oakwood, Ohio (hereinafter "Seller") certain real property designated by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 795-09-043 consisting of approximately .115 acres (hereinafter the "Property").

As additional consideration to induce Seller to enter the foregoing contract, Purchasers agree that within three (3) months of closing and the issuance of all necessary permits, Purchasers shall commence and within one year of said date shall complete construction of a single-family dwelling of at least 2,000 square feet on the Property. In the event Purchasers fail to comply with this paragraph, the Property shall revert, to Seller without compensation to Purchasers.

SELLER:

VILLAGE OF OAKWOOD, OHIO

By: _____

Gary V. Gottschalk, Mayor

Date

APPROVED AS TO LEGAL FORM

James A. Climer

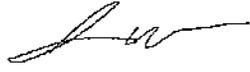
Law Director, Village of Oakwood, Ohio

PURCHASER:

J Wall Homes, LLC

8/21/2025

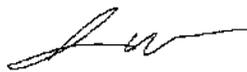
Date

By:  _____
(Title)

PURCHASER:

8/21/2025

Date



Johannah Wallace

ORDINANCE NO.: 2026-04

INTRODUCED BY COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF ADOPTING A PROPOSED AMENDED CHARTER FOR THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission, pursuant to the authority vested in it by Section 12.02 of the Oakwood Village Charter, has considered proposed amendments and repeal of multiple sections of the said Charter as set forth in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the Oakwood Charter Review Commission has recommended said revisions to the Charter by motion passed by the Charter Review Commission as reflected in its minutes of May 7th, 2025, and,

WHEREAS, pursuant to Section 12.01 of the Village Charter and the Ohio Constitution, the Village Council has determined to authorize and direct the submission to the electors of the Village the proposed amendments to the Village Charter set forth in the foregoing Exhibit "A" at the next regular election or at a special election on a date designated by Council after consideration by Council of the proposed Charter Amendment(s);

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the regular election to be held on the 5th day of May, 2026, the question of whether the Amended Charter as set forth in the attached Exhibit "A" should be adopted.

Section 2: The ballot of said election shall at the top thereof be entitled:

"Proposed Charter Amendment a majority affirmative vote is necessary for passage" and the question to be submitted on said ballot shall be in words as follows:

"Shall the proposed Amended Charter of the Village of Oakwood as reported by the Council of the Village Oakwood be adopted?"

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice

of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary meet the deadline to submit the proposed revisions to the Board of Elections for placement upon the ballot for the regular election to be held on May 5th, 2026 and, therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: _____

Eloise Hardin, President of Council

Tanya Joseph, Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

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. 2026-04 duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

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. 2026-04 was duly posted on the _____ day of _____, 2026, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

EXHIBIT “A” CHARTER¹

PREAMBLE

We, the people of the Village of Oakwood, in the County of Cuyahoga and State of Ohio, in order to secure for ourselves the benefits of Municipal home rule and to exercise all the powers of local self-government under the Constitution and the laws of Ohio, do hereby adopt this Charter for our Municipality.

ARTICLE I. NAME

Sec. 1.01. Existing village.

The Municipality now existing in the County of Cuyahoga, State of Ohio, and known as Oakwood, shall continue to be a body politic and corporate under the name of the Village of Oakwood. If and when the Municipality shall, under the Constitution and general laws of Ohio, become a city, it shall be known as the City of Oakwood, unless the Municipality has changed its name. The provisions of this Charter, where competent, shall apply whether the Municipality is a village or a city.

Sec. 1.02. Change of name.

The name of this Municipality may be changed as provided by the general laws of Ohio.

ARTICLE II. BOUNDARIES

Sec. 2.01. Present boundaries.

The Municipality shall have the same boundaries as now exist and with the power and authority to change its boundaries and in the manner authorized by the general laws of Ohio.

Sec. 2.02. Change of boundaries.

No territory shall be detached from or annexed to the Municipality, nor shall the Municipality be annexed to, or merged with any other body politic, nor shall the corporate existence of the Municipality be terminated without the assent of a majority of the electors of the Municipality voting on such proposal, or the assent of the majority of the Council, subject to approval by a favorable vote of a majority of electors of the Municipality voting on such proposal. Any such proposal shall be submitted to the electors only at a general election in such manner as provided in the general laws of Ohio, or where competent, in such manner as the Council shall, by resolution or ordinance, prescribe.

¹Editor's note(s)—The Oakwood Charter was adopted at the general election held on November 5, 1968.

ARTICLE III. FORM OF GOVERNMENT

Sec. 3.01. Elected officers.

The representative branch of the government shall consist of the Mayor and the Council, who shall be elected by the electors of the Municipality and shall possess respectively administrative and legislative powers as set forth in this Charter.

Sec. 3.02. General.

The Municipality shall have such other officers as are provided in this Charter or in ordinances duly enacted by the Council. Such officers shall perform the duties and functions as may be provided in this Charter, or in the ordinances creating the offices.

ARTICLE IV. POWERS

Sec. 4.01. General powers.

The Municipality shall have, possess and exercise all powers, general or special, governmental or proprietary, which may now or hereafter be granted to municipal corporations by the Constitution and general laws of Ohio.

Sec. 4.02. Reservation of powers.

There is reserved to the electors of the Municipality the initiative and referendum powers; the nomination and election of a Mayor and Council and their recall; the adoption of amendments to this Charter; and there is reserved to the people the right to petition for redress of grievances.

Sec. 4.03. Manner of exercise.

Unless otherwise provided in the grant or in this Charter, all such powers, whether expressed or implied, shall be exercised in such manner as shall be provided by the Council created by this Charter.

ARTICLE V. INITIATIVE AND REFERENDUM

Sec. 5.01. Reserved to the electors.

The initiative and referendum powers are hereby reserved to the electors of the Municipality on all questions which the Municipality may now or hereafter be authorized to control by legislative action.

Sec. 5.02. Proceedings.

The initiative and referendum powers shall be exercised in the manner now or hereafter provided by general laws of Ohio.

Sec. 5.03. Recall.

The electors shall have the power to remove from office by a recall election any elected officer of the Municipality. If an elected officer shall have served for six months of ~~the official's~~ term, a petition demanding ~~his~~ removal may be filed with the Clerk of Council, who shall note thereon the name and address of the person filing the petition and the date of such filing. Such petition may be circulated in separate parts, but the separate parts shall be bound together and filed as one instrument. Each part shall contain the name and office of the person whose removal is sought and a statement in not more than two hundred words of the grounds for the removal. Such petition in a case of a recall election for an officer elected at large shall be signed by at least that number of electors which equals twenty-five percent of the electors voting at the last preceding general election in the Municipality. In the case of a Ward Councilman such petition shall be signed by at least that number of electors which equals twenty-five percent of the electors voting at the last preceding general election in the ward represented. Within ten days after the day on which such petition shall have been filed, the Clerk shall determine whether or not it meets the requirements hereof. If the Clerk shall find the petition insufficient, ~~the Clerk~~ shall promptly certify the particulars in which the petition is defective, deliver a copy of ~~the~~ certificate to the person who filed the petition ~~with him~~, and make a record of such delivery. Such person shall be allowed a period of twenty days after the day on which such delivery was made in which to make the petition sufficient. If the Clerk shall find the petition sufficient, ~~the Clerk~~ shall promptly so certify to the Council, shall deliver a copy of such certificate to the officer whose removal is sought, and shall make a record of such delivery. If such officer shall not resign within five days after the day on which such delivery shall have been made, the Council shall thereupon fix a day for holding a recall election, not less than sixty nor more than ~~ninetyseveny-five~~ days after the date of such delivery. At such recall election this question shall be placed on the ballot: "Shall (officer's name) be allowed to continue as (name of office)?" with provision on the ballot for voting affirmatively or negatively on such question. Such election shall be held for the entire Municipality for recall of an at large officer and within the ward for recall of a Ward Councilman. If a majority of the votes cast at such election shall be voted affirmatively, such officer shall remain in office. If a majority of the votes cast shall be voted negatively, such officer shall be considered as removed, ~~the~~ office shall be deemed vacant, and such vacancy shall be filled as provided in this Charter. The officer removed by such recall election shall not be eligible for appointment to the vacancy created thereby.

ARTICLE VI. NOMINATION, ELECTION AND QUALIFICATIONS

Sec. 6.01. Regular and primary elections.

Regular and primary Municipal elections shall be held on the dates specified in Section 3501.01 of the Ohio Revised Code or as otherwise provided in the Ohio Constitution or Ohio Revised Code.

(Passed 11-5-1985; Ord. No. 2020-45, § 1, 6-9-2020, passed 11-3-2020)

Sec. 6.02. Special elections.

Special elections shall be held for amendments to this Charter, as provided in the Constitution of Ohio, and such other special elections shall be held as provided for in this Charter.

Sec. 6.03. General provisions.

All Municipal elections including, but not in limitation, the nominations therefor, canvass and certification of the votes, recount and contest of elections shall be conducted and determined by the election authorities and in the manner, except as provided in this Charter, as prescribed by the general laws of Ohio. The ballot used in the election of officers, under this Charter, shall be without party mark or designation. The names of all candidates for

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(Supp. No. 1)

any office, under this Charter, shall be placed upon the same ballot and shall be rotated in the manner provided by the laws of Ohio. No additional registration shall be required to vote in Municipal elections. Except as otherwise provided in this Charter, the laws of Ohio shall govern the nomination and election of the elective officers of the Municipality.

Sec. 6.04. Initial election of officers.

~~Initially, the Mayor and members of the Council shall be elected at a special election to be held on Tuesday, January 21, 1969, for the term commencing March 1, 1969, and ending December 31, 1971. If at such election no candidate for mayor receives a majority of the total votes cast for that office, then there shall be held on Tuesday, February 18, 1969, a run-off election between the two candidates receiving the highest number of votes cast for that office.~~

Sec. 6.05. Nominations.

Nominations for elective offices, under this Charter, shall be made only by petition, which shall be filed with the Board of Elections not less than 90 days prior to the primary election. Each candidate for Mayor shall file a petition signed by not less than 75 registered voters of the Municipality and by not more than 150 registered voters. Each candidate for member of Council-at-large shall file a petition signed by not less than 50 registered voters of municipality and by not more than 100 registered voters. Each candidate for Ward Councilman shall file a petition signed by not less than 25 registered voters of the respective ward and by not more than 50 such registered voters. Each petition shall be accompanied by the written acceptance of the nominee. The nomination of each candidate shall be made by a separate petition, but such petition may be circulated in separate parts which shall be filed, however, as one instrument. A candidate for office is not eligible to file a nominating petition with the Board of Election if ~~he or she~~the candidate holds a different elective office of the Village at the time of filing said petition.

(Amended 11-6-2012; Ord. No. 2020-46 , § 1, 6-9-2020, passed 11-3-2020)

Sec. 6.06. Primary and run-off elections.

When there are more than two candidates for Mayor or a Ward Council seat, or more than four candidates for Council-at-large, there shall be a primary election for that particular office, with two candidates receiving the highest votes for Mayor and Ward Councilman, and the four highest votes for Council-at-large, appearing in the ballot at the following regular municipal election in November. In the event a tie vote occurs in any regular municipal election for any elected office of the municipality, there shall be a run-off election between the two candidates, to be held on the first Tuesday in the following December.

(Enacted 5-6-1997)

Sec. 6.07. Qualifications.

Each ~~at-large officer~~lected official of the Municipality shall be a registered elector of the Municipality and shall have resided continuously therein, or in a territory annexed thereto, for a period of one year immediately preceding the date of ~~his~~ election. ~~He or she~~The elected official shall continue to be a bona fide resident of the Municipality during ~~his or her~~the elected official's term. Each Ward Councilman shall be a registered elector in ~~his or her~~the ward the official is elected represent and shall have resided continuously in ~~his or her~~that ward for a one year immediately preceding ~~his or her~~ election to office. ~~He or she~~The Councilperson shall continue to be a bona fide resident of ~~his or her~~that ward during ~~the~~his or her term. ~~A Ward Councilperson or an at-large Councilperson~~Elected officials of the Municipality shall have had no felony convictions prior to ~~his or her~~the

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~~official's term, and shall hold no other public office, other than notary public, or such offices as may be held in an ex-officio capacity. He or she. No elected official shall not, directly, or indirectly, solicit, contract for, receive, or be interested in any profit or emolument from or on account of any contract, job, work, or service with or for the Municipality.~~

(Amended November 2, 2010)

Sec. 6.08. Oath required.

Every officer of this Municipality shall, within ten days after the commencement of ~~the~~his term and before assuming office, take and subscribe ~~an~~his oath or affirmation to support the Constitution of the United States, the Constitution of the State of Ohio, the Charter, ordinances and resolutions of this Municipality, and to faithfully, honestly and impartially discharge the duties of ~~their~~his office. ~~The officer~~He shall give such bond as is required by ordinance of Council, the premium to be paid by the Municipality.

Sec. 6.09. Reserved.

Editor's note(s)—Former § 6.09, which pertained to removal of officers, was repealed by the voters on November 2, 2010.

Sec. 6.10. Continuity of office.

A person holding an office, or public trust, of the Municipality shall continue therein until ~~an~~his successor is elected or appointed and qualified, unless otherwise provided in the Constitution of Ohio, or this Charter.

ARTICLE VII. COUNCIL

Sec. 7.01. Number and term.

Except as reserved to the people by this Charter, the legislative power of the Municipality shall be vested in a Council of seven members, five of whom shall be elected by the several wards, provided for in this Charter, and two of whom shall be elected at large. All members shall be elected for a term of four years to commence on the first day of January next after their election, except for the election in November, 1991. The council member from Ward No. 1 and the two council members at large shall be elected to a four year term in November, 1991, and each four years thereafter. The council members from Ward Nos. 2, 3, 4 and 5 shall be elected to a four year term in November, 1993, and each four years thereafter.

(Amended 5-8-1990)

Sec. 7.02. Wards.

The Municipality shall, by this Charter, be divided into five wards. Each ward shall elect one member of Council.

~~Sec. 7.03. Boundaries.~~

~~The five wards are hereby established and bounded as follows:~~

A. Ward No. 1 shall comprise that section of the Municipality bounded as follows:

Beginning at the intersection of the center line of Columbus Road and the center line of Richmond Road;

thence southerly, along said center line of Richmond Road, to its intersection with the center line of Tryon Road;

thence westerly, along said center line of Tryon Road, to its intersection with the southerly prolongation of the westerly line of Selker's Oakwood Park Subdivision as recorded in Volume 176, Page 5 of the Cuyahoga County Map Records;

thence northerly, along said southerly prolongation and along the westerly line of said Selker's Oakwood Park Subdivision, to its intersection with the northerly line thereof;

thence easterly, along said northerly line, to its intersection with the center line of Glenshire Road in the Marsol Park Inc. Cape Code Estates as recorded in Volume 192, Pages 37 and 38 of the Cuyahoga County Map Records;

thence northerly, along said center line of Glenshire Road, to its intersection with the center line of Forbes Road;

thence easterly, along said center line of Forbes Road, to its intersection with a westerly Corporate Limit of the Village of Oakwood;

thence northerly, along said westerly Corporate Limit of the Village of Oakwood, to its intersection with the center line of Columbus Road;

thence easterly, along said center line of Columbus Road, to its intersection with the center line of Richmond Road and the place of beginning.

B. Ward No. 2 shall comprise that section of the Municipality bounded as follows:

Beginning on the center line of Forbes Road at its intersection with the center line of Glenshire Road as shown in the Marsol Park Inc. Cape Code Estates as recorded in Volume 192, Pages 37 and 38 of the Cuyahoga County Map Records;

thence southerly, along said center line of Glenshire Road, to its intersection with the northerly line of Selker's Oakwood Park Subdivision as recorded in Volume 176, Page 5 of the Cuyahoga County Map Records;

thence westerly, along said northerly line of Selker's Oakwood Park Subdivision, to the westerly line thereof;

thence southerly, along said westerly line and along a southerly prolongation thereof, to its intersection with the center line of Tryon Road;

thence easterly, along said center line of Tryon Road, to its intersection with the center line of Richmond Road;

thence southerly, along said center line of Richmond Road, to its intersection with the center line of Pettibone Road;

thence westerly, along said center line of Pettibone Road, to its intersection with the center line of Macedonia Road;

thence northerly, along said center line of Macedonia Road and crossing Broadway, to its intersection with the center line of Tryon Road;

~~thence easterly, along said center line of Tryon Road, to its intersection with the center line of Lamson Road;~~

~~thence northerly, along said center line of Lamson Road, to its intersection with the center line of Forbes Road;~~

~~thence easterly, along said center line of Forbes Road, to its intersection with the center line of Glenshire Road and the place of beginning.~~

~~C. Ward No. 3 shall comprise that section of the Municipality bounded as follows:~~

~~Beginning at the intersection of the center line of Pettibone Road and the center line of Richmond Road;~~

~~thence southerly, along said center line of Richmond Road, to its intersection with the southerly Corporate Limits of the Village of Oakwood which is also the southerly line of Cuyahoga County;~~

~~thence westerly, along said southerly Corporate Limit of the Village of Oakwood and the southerly County line, to its intersection with the center line of Macedonia Road;~~

~~thence northerly, along said center line of Macedonia Road, to its intersection with the center line of Pettibone Road;~~

~~thence easterly, along said center line of Pettibone Road, to its intersection with the center line of Richmond Road and the place of beginning.~~

~~D. Ward No. 4 shall comprise that section of the Municipality bounded as follows:~~

~~Beginning at the intersection of the center line of Forbes Road and the center line of Lamson Road;~~

~~thence southerly, along said center line of Lamson Road, to its intersection with the center line of Tryon Road;~~

~~thence westerly, along said center line of Tryon Road and crossing Broadway, to its intersection with the center line of Macedonia Road;~~

~~thence southerly, along said center line of Macedonia Road, to its intersection with the center line of Drake Road;~~

~~thence westerly, along said center line of Drake Road, to its intersection with the easterly line of Interstate Route I-80;~~

~~thence northerly, along said easterly line of Interstate Route I-80, to its intersection with the center line of Broadway;~~

~~thence northwesterly, along said center line of Broadway, to its intersection with the center line of Forbes Road;~~

~~thence easterly, along said center line of Forbes Road, to its intersection with a westerly Corporate Limit of the Village of Oakwood;~~

~~thence northerly, along said westerly Corporate Limit of the Village of Oakwood, to its intersection with a northerly corporate limit thereof;~~

~~thence easterly, along said northerly corporate limit, to its intersection with an easterly corporate limit thereof, which line is also the easterly line of Original Bedford Township Lot No. 68;~~

~~thence southerly, along said easterly Corporate Limit of the Village of Oakwood and along said easterly line of Original Bedford Township Lot No. 68, to its intersection with the center line of Forbes Road;~~

thence easterly, along said center line of Forbes Road, to its intersection with the center line of Lamson Road and the place of beginning.

E. Ward No. 5 shall comprise that section of the Municipality bounded as follows:

Beginning at the intersection of the center line of Drake Road and the center line of Macedonia Road;

thence southerly, along said center line of Macedonia Road, to the southerly Corporate Limit of the Village of Oakwood which is also the southerly line of Cuyahoga County;

thence westerly, along said southerly Corporate Limit of the Village of Oakwood and the southerly County line, to its intersection with the southwesterly Corporate Limit of the Village of Oakwood;

thence northwesterly, along said southwesterly Corporate Limit of the Village of Oakwood, to its intersection with the most westerly Corporate Limit of the Village of Oakwood;

thence northerly, along said most westerly Corporate Limit of the Village of Oakwood, to its intersection with the center line of Forbes Road, which is the northerly Corporate Limit of the Village of Oakwood;

thence easterly, along said center line of Forbes Road and the northerly Corporate Limit of the Village of Oakwood, to its first intersection with a westerly Corporate Limit of the City of Bedford;

thence southerly, along said westerly Corporate Limit of the City of Bedford, to its intersection with a southerly Corporate Limit of the City of Bedford;

thence easterly, along said southerly Corporate Limit of the City of Bedford, to its intersection with an easterly Corporate Limit of the City of Bedford, which is also the westerly line of Free Avenue;

thence northerly, along said easterly Corporate Limit of the City of Bedford and along the westerly line of Free Avenue, to its intersection with the center line of Forbes Road;

thence easterly, along said center line of Forbes Road, to its second intersection with a westerly Corporate Limit of the City of Bedford;

thence southerly, along said westerly Corporate Limit of the City of Bedford, to its intersection with a southerly Corporate Limit of the City of Bedford;

thence easterly, along said southerly Corporate Limit of the City of Bedford, to its intersection with an easterly Corporate Limit of the City of Bedford;

thence northerly, along said easterly Corporate Limit of the City of Bedford, to its intersection with the center line of Forbes Road;

thence easterly, along said center line of Forbes Road, to its third intersection with a westerly Corporate Limit of the City of Bedford;

thence southerly, along said westerly Corporate Limit of the City of Bedford, to its intersection with a southerly Corporate Limit of the City of Bedford;

thence easterly, along said southerly Corporate Limit of the City of Bedford, to its intersection with the center line of Broadway;

thence southeasterly, along said center line of Broadway, to its intersection with the easterly line of Interstate Route I-80;

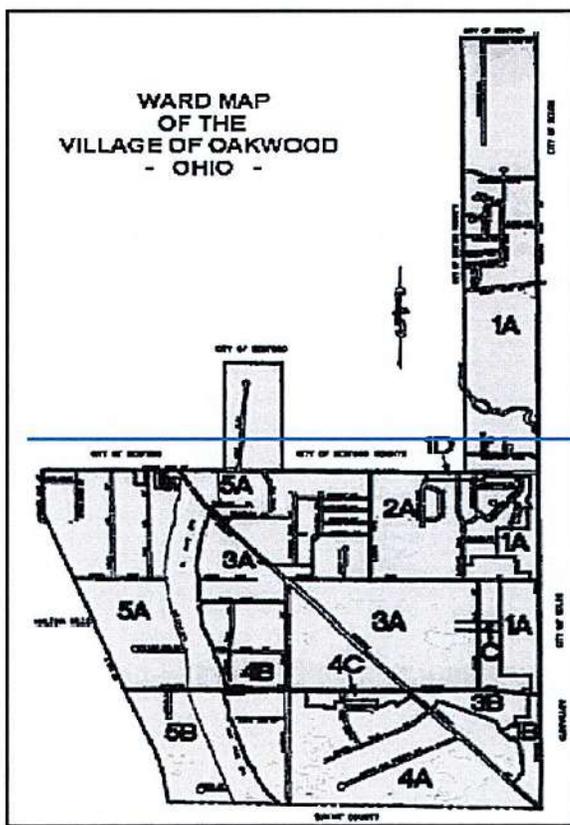
thence southerly, along said easterly line of Interstate Route I-80, to its intersection with the center line of Drake Road;

thence easterly, along said center line of Drake Road, to its intersection with the center line of Macedonia Road and the place of beginning.

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The Council may change the boundary of any or all wards during the even-numbered years, but such change shall not be effective before the first day of January of the next even-numbered year, excepting for purposes of election of members of the Council. The change shall be deemed effective to permit the filing of nominating petitions and electing a member of the Council for each separate ward.

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Sec. 7.04. Division after Federal census.

No later than September 1, 1970, based on the Federal census of 1970, and thereafter, within sixty days after the proclamation by the Secretary of State of Ohio announcing the population of municipalities in Ohio, as determined by each recurring Federal census, the Council shall redivide the Municipality into five wards which shall be as nearly equal in number of persons as is possible.

Any change shall be made by ordinance. All wards shall be bounded, as far as practicable, by county lines, streets, alleys, public grounds, subdivision lines, corporation lines, center lines of streets, railroads or natural

boundaries and each ward shall be composed of adjacent and compact territory so that the wards shall be as nearly equal in number of persons as is possible, regardless of the land area of each ward.

Upon failure of the Council to act to redivide the Municipality within the period provided, the President of the Council shall redivide it as herein provided and ~~he~~ shall file such plan with the Clerk of the Council within 120 days after the proclamation of the Secretary of State of Ohio. The plan shall thereupon become the new division by wards of the Municipality.

Council may direct such officials, departments, or employees of the municipality, or may appropriate such funds and contract with a third party, as Council may determine is necessary and desirable to effectuate this section.

The Village Engineer shall keep, maintain, and make available for public inspection a map of the Municipality delineating its ward boundaries, and shall update such map within 30 days of passage of an ordinance redividing the Municipality or the President of Council's submission of a plan to the Clerk of Council as provided in this section.

Sec. 7.05. Qualifications; quorum.

The Council shall be the judge of the election and qualifications of its members.

A majority of all members ~~elected to~~of the Council shall constitute a quorum for the transaction of business, but a lesser number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be provided by rules of the Council.

Sec. 7.06. Removal.

Elected officials and any Director of any Department of the Municipality shall be removed for cause as provided in this Section of the Charter.

As used in this section of the Charter, the "charging official" shall mean: The Mayor or 2/3 of the Council.

The charging official, if there exists reason to believe there is probable cause (as such causes are defined in this section) for removal of an official, shall give notice of the alleged cause for removal and the time, date, and place of the commencement of a hearing for removal, which shall not be earlier than ten (10) days after the service of the notice, to the accused person by personal service, certified mail or by leaving a copy of such notice at the person's last known place of residence in the Municipality. At such time, date, and place and at any adjourned meetings of such hearing, the Council shall hear the cause for removal; shall provide an opportunity for the accused person to be heard and present defenses and shall determine whether the accused person shall be removed from office. The Council may remove an official for any of the following causes by a three-fourths (3/4) vote of the members of Council. Such person shall not vote on any matter during the removal procedure and shall not be counted in determining required majorities. The following are grounds for removal of elected officials and directors of departments of the Municipality.

- A. Failure to possess the qualifications of office required pursuant to the provisions of this Charter.
- B. Conviction of a felony or other crime involving moral turpitude.
- C. Failure to take the required oath, or to give any require bond within twenty (20) days after effective date of election or appointment, or obligation to give a new or additional bond.
- D. Being adjudicated legally incompetent.
- E. Conduct which is determined by Council to be gross misconduct or gross neglect of duty with respect to the official's powers or duties.

F. Violation of the oath of office.

G. Gross failure of an elected official or director to abide by the rules of Council or the ordinances of the Municipality, as appropriate; or absence from three (3) consecutive regular meetings of the Council without being excused by Council.

Upon the removal of an official from office pursuant to this Section, the office of the offending person shall be declared vacant, subject to any appeal to and review by an appropriate court, and the vacancy shall be filled as provided in this Charter.

The removal of an official or the occurrence of any of the causes permitting the removal shall not invalidate any action of the official or anybody, including Council, in which the member participated. The subsequent removal of a person who fills a vacancy created pursuant to this section by reinstatement by a court of a person previously removed by Council, shall not invalidate any action of the person who filled the vacancy or anybody, including Council, in which such person who filled the vacancy participated.

Council shall be the judge of the qualifications of and of the grounds for removal from office and shall conduct the proceedings relative to removal. Council shall have the power to subpoena witnesses, administer oaths, and require the production of evidence, either on its own motion or through the process of any appropriate court or officer thereof. A person charged with conduct constituting grounds for removal from office shall receive a public hearing, and a record of the proceedings shall be made and preserved. A notice of such hearing shall be published in at least any one (1) newspaper of general circulation in the Municipality at least one (1) week in advance of the hearing, and in such event, the President of Council, or other presiding officer of Council, may reschedule the time, date, and place of the hearing to accommodate the publication of the notice. If the hearing is rescheduled, the President of Council, or other presiding officer, shall notify the accused person of such fact. Decisions made by Council under this Section shall be subject to review by the Courts on matters of law and whether Council acted arbitrarily and without probative evidence to support the grounds for removal.

The Director of Law or special counsel engaged by the Director of Law shall prosecute the removal proceedings before Council and any review thereof by the courts. In the event the person sought to be removed from office is the Director of Law, a special counsel engaged by the Mayor, with the approval of a majority of Council, shall prosecute the removal proceedings before Council and any review thereof by the courts. If a person accused is not finally removed, the Municipality shall pay the reasonable costs of the defense of such person and any compensation withheld pending the appeal of the action of Council.

The Council shall be the judge of the election and qualifications of its own members. It may expel or remove any member for gross misconduct or malfeasance or nonfeasance in or disqualification for office, or upon conviction while in office of a felony or other crime involving moral turpitude, or for a violation of his oath of office, or persistent failure to abide by the rules of Council, or absence without justifiable excuse from three (3) consecutive regular meetings of Council, provided, however, that such expulsion or removal shall be upon the concurrence of two-thirds (2/3) of the members of Council after public hearing upon the charge or charges brought; and provided further, that the accused member shall have been notified in writing of the charge or charges against him at least fifteen (15) days in advance of such public hearing; and provided further, that he or his counsel shall have been given an opportunity to be heard, present evidence, and examine witnesses appearing in support of such charge or charges.

The decision of Council in expelling or removing a member of Council after compliance with this section shall be final and thereupon the office of any such removed or expelled member of Council shall be vacant.

~~(Enacted 11-2-2010)~~

Sec. 7.07. Vacancy.

Whenever the office of a member of Council shall become vacant for any reason, the vacancy shall be filled by a majority vote of all the remaining members of the Council. If the Council shall not so fill such vacancy within

thirty (30) days after the date the vacancy has occurred, the power of Council to do so shall lapse and the Mayor shall make an appointment to fill such vacancy. Such appointee shall hold office for the unexpired term of the member in whose office the vacancy has occurred or until the beginning of the term of a successor elected as hereinafter provided. A successor shall be elected to serve the remainder of the unexpired term of the member in whose office the vacancy occurs at the next regular or primary municipal election if (a) such election shall occur more than one year prior to the expiration of the unexpired term, and (b) the vacancy shall have occurred not less than 120 days prior to such election. There shall be no primary contest for the election held under this Section and the candidate receiving the highest number of votes shall be elected to serve the remainder of the term in which the vacancy has occurred. A candidate for office under this Section shall file with the Board of Elections, not less than 60 days before the election, a petition signed by the number of voters specified for the office by Section 6.05 of this Charter. A candidate for office under this Section is ineligible if he or she holds a different elective office of the Village at the time of filing his or her nominating petition for said office and his or her office as member of Council shall thereby become vacant.

(Amended 11-2-1999; Ord. No. 2020-47 , § 1, 6-23-2020, passed 11-3-2020)

Sec. 7.08. President of Council.

The member running at large and receiving the highest number of votes in the election shall become President of the Council. The other member elected at large shall become the President Pro Tempore of the Council, and shall be Acting President of the Council in the absence or disability of the president, and perform such other duties as may be required by the Council.

The President of Council shall be vested with all of the rights and perform all duties and functions of any other member of Council, and in addition shall preside at all meetings of Council and sign all resolutions and ordinances, which are duly adopted, and the journal of the Council. The President of Council ~~He~~ shall perform such other duties in connection with the ~~is~~ office as Council may impose ~~on him~~, or as required by this Charter.

In event of the death, resignation, recall or removal of the President of Council, or if the President of Council ~~he~~ becomes Mayor, as provided in Section 8.03 of this Charter, the President Pro Tempore of Council shall become President of Council and the office of the President Pro Tempore of Council shall be vacant.

Sec. 7.09. Meetings.

In each calendar month, the Council shall hold at least two regular meetings, excepting in July and August, when it shall hold at least one regular meeting. The time of regular meetings shall be prescribed by ordinance. The Mayor or any three members of the Council may call special meetings upon at least twelve hours written notice to each member, sent by email, served personally on each member, or left at their ~~his~~ usual place of residence. Such notice shall state the subject or subjects to be considered at the meeting and no other subject shall be there considered. The notice shall be signed by the Clerk, or the Clerk's ~~his~~ deputy, who shall see that it is properly served. All meetings of Council called for the purpose of transacting public business, where a majority of the members elected are present, shall be open to the public unless a private executive session is called pursuant to the Ohio Revised Code.

(Passed 11-8-1988)

Sec. 7.10. Organization of Council.

Within seven ~~five~~ days after the commencement of their term, at the call of the Mayor, or otherwise at its first regular meeting after the commencement of a new term of any of its members, the members of the Council

Commented [JC1]: 1) We need to make sure the 60-day filing deadline is acceptable to the BOE (it is in the case of Mayoral vacancy elections under Charter Sec. 8.03)
2) I have left in the resignation requirement for officeholders seeking to fill a vacant seat for purposes of consistency but it sounds as though the sense of Council is that it should be eliminated altogether so some discussion needs to be had on that issue.

shall meet in the Council Chamber and organize. At such meeting, the Council shall elect a Clerk and such other officers and employees of the Council as it may deem necessary, to serve at the pleasure of the Council.

The Clerk shall keep the records of the Council and its committees and an accurate and complete journal of the proceedings of the Council. The Clerk shall perform such other duties as may be required by this Charter, the Council or by law. The Clerk shall, with the President of Council, authenticate all ordinances and resolutions and any official act of the Council. When called on, the Clerk shall certify copies of ordinances, resolutions and minutes of the Council. As soon as an ordinance, resolution or bylaw is passed and authenticated, and signed by the Mayor, it shall be recorded by the Clerk in a book furnished by the Council for that purpose.

Sec. 7.11. Rules and journal.

The Council shall determine its own rules and keep a journal of its proceedings. Its journal shall at all reasonable times be open to public inspection.

Sec. 7.12. Action by the council.

The action of the Council shall be by ordinance or resolution, except that action by Council not required by this Charter or law to be by ordinance or resolution, may be taken by motion approved by at least four (4) members of Council, and on the passage of each ordinance or resolution the vote shall be taken by "yes" and "no" and entered upon the journal, but this shall not apply to the ordering of an election, or direction by the Council to any board or officer to furnish it with information as to the affairs of any department or office. An affirmative vote of at least four (4) members of Council shall be required for the passage or enactment of every ordinance or resolution. No bylaw, ordinance, or resolution, of a general and permanent nature, or granting a franchise, or creating a right, or involving the expenditure of money, or the levying of a tax, or for the purchase, lease, sale, or transfer of property, shall be passed, unless it has been fully and distinctly read on three different days, and with respect to such bylaw, ordinance, or resolution, there shall be no authority to dispense with this rule, except by three-fourths vote of all members ~~elected to~~ the Council, taken by "yes" and "no", on each bylaw, resolution, or ordinance, and entered on the journal.

(Amended 11-7-1995)

Sec. 7.13. Effective date of ordinances and resolutions.

Each ordinance or resolution providing for (a) the appropriation of money, (b) an annual[!] real or personal property tax levy, and (c) improvements petitioned for by the owners of a majority of the foot frontage of the property benefited and to be specially assessed therefor, and (d) any emergency ordinance or resolution necessary for the immediate preservation of the public peace, health or safety, shall take effect, unless a later time be specified therein, upon its signature by the Mayor, or upon the expiration of the time within which it may be disapproved by the Mayor, or upon its passage after disapproval by the Mayor, as the case may be. No other ordinance or resolution shall go into effect until thirty days after its passage or adoption by the Council. Each emergency measure shall contain a statement of the necessity for such emergency action and shall require the affirmative vote of two-thirds of the members of the Council for its enactment. No action of the Council (a) relating to any changes in the boundaries or the zoning ordinances of the Municipality, (b) providing for the surrender or joint exercise of any of its powers, (c) granting any franchise, or (d) contracting for the supply to the Municipality or its inhabitants of the product or service of any utility, whether Municipally owned or not, or (e) levying an income or excise tax shall be taken as an emergency measure. Council may, by a vote of three-fourths (3/4) of its members, dispense with three readings of any such ordinance(s).

(Ord. No. 2020-48 , § 1, 6-9-2020, passed 11-3-2020)

Sec. 7.14. Publication.

All ordinances and resolutions shall be published by posting copies thereof in the lobby of the Village Hall and on the official Village website ~~plus one other public place in the Municipality to be identified on the Village website~~ for a period of not less than fifteen days prior to the taking effect thereof, excepting emergency measures which shall take effect as hereinabove provided. The Council may provide for additional publication of an ordinance or resolution in a newspaper of general circulation within the Municipality, and in such case the effective date of such ordinance or resolution shall be as provided in this Charter.

The Clerk shall make and sign a certificate as to such posting and as to the times when ~~and the places where~~ such posting was done, and such certificate shall be prima-facie evidence that the copies were posted as required. Such certificate as authenticated by the Clerk shall be entered in the record of ordinances and resolutions ~~on a blank for such purpose.~~

(Ord. No. 2020-49 , § 1, 6-9-2020, passed 11-3-2020)

Sec. 7.15. Codification.

Ordinances may be revised, codified, rearranged and published in book form under appropriate titles, chapters and sections and such revisions and codification may be made in one ordinance comprising one or more subjects. The publication of such revision and codification in book form as aforesaid shall be held sufficient publication of the ordinance or ordinances contained in such revision and codification. Any such publication of a revision or codification of ordinances in book form shall contain a certification by the President of Council and Clerk of the correctness of such revision, codification and publication, and the book so published shall be received in evidence in any court for the purpose of proving the ordinance or ordinances therein contained, in the same manner and for the same purpose as the original book, ordinances, minutes or journals would be received.

The Council may adopt standards and codes promulgated by a public body, agency or agencies, or private organization, which publishes a model or standard code, and may incorporate such code or regulations by reference. The ordinance shall clearly identify such code or standard, shall state the purpose thereof and shall state that a complete copy of such code or standard is on file with the Clerk of the Council for inspection by the public. If the Council amends or deletes any provision of such code or standards, the ordinance shall contain a brief summary of such deletion or amendment.

Ordinances or codes adopted by the Council under the provisions of this section shall be deemed to be a full and complete compliance with the provisions of this Charter with respect to publication, and no other publication is necessary than as herein set forth.

Sec. 7.16. Compensation of officers and employees.

The salary or compensation of all officers, including members of boards and commissions, and employees of the Municipality, shall be fixed by ordinance. The Council may, however, establish by ordinance schedules of compensation of employees, or pay ranges, to be fixed by the appointing authority in accordance with ability, fitness and seniority, within limits set forth in the Council's salary or compensation schedules.

The compensation of elected officers for the terms, beginning on the next succeeding first day of January following a regular Municipal election, shall be fixed at least 30 days prior to the last day for filing nominating petitions by candidates for election for such terms and shall not thereafter be changed in respect of any such terms, or any part thereof. Such compensation for the terms beginning March 1, 1969, shall be fixed by the Council prior to November 26, 1968, and shall not thereafter be changed in respect to such terms, or any part thereof.

In providing for the wages, terms and conditions of employment for all full-time employees and regular part-time employees with a minimum of two (02) years of prior service within the Village, Council shall adhere to the provisions set forth in Section 4117 of the Ohio Revised Code regarding Collective bargaining. The Village hereby waives any exemptions granted to municipalities of its type in Section 4117 of the Ohio Revised Code.

Notwithstanding any provisions of the Ohio Revised Code to the contrary, the Village of Oakwood agrees to abide by all provisions contained in Section 4117 of the Ohio Revised Code, and permit said employees:

- A. The right of form, join, or participate in any employee organization of their choosing.
- B. To bargain collectively with their public employers to determine wages, hours, terms and other conditions of employment, and to enter into collective bargaining agreements.
- C. To engage in other lawful concerted activities for the purpose of Collective Bargaining.

(Amended November 7, 1995)

Sec. 7.17 Finances.

Except as limited by the laws of Ohio relating generally to budgets, appropriations, deposits, expenditures, debts, bonds, contracts, and other fiscal matters of a Municipality, or as otherwise provided in this Charter, the Council shall have the power and authority to provide by ordinance for the exercise of any fiscal power of the Municipality.

Sec. 7.18. Acceptance of gifts.

Elected and appointed officials or employees of the Village may only accept gifts, or grants of property, real or personal, and/or money, on behalf of and for the benefit of the Village.

(Amended November 2, 1993; November 2, 2010)

Sec. 7.19. Income tax credit.

When the taxable income of a resident of the Municipality is subject to a municipal income tax in another municipality on the same income taxable under the laws of this Municipality, such resident shall be allowed a credit of the amount of income tax paid on such taxable income to such other municipality, equal to one hundred percent (100%) of the amount obtained by multiplying the lower of the tax rate of such other municipality or of this Municipality by the taxable income earned in or attributable to the municipality of employment or business activity but, in any event, such credit shall not be applied to a rate in excess of two percent (2%) of the taxable income earned in or attributable to the municipality of employment or business activity. For the purpose of this section, taxable income shall include the distributive share of net profits of a resident partner or owner of an unincorporated business entity.

The amount of tax credit provided in this section may be altered by ordinance of Council provided such ordinance is submitted to the electors of the Municipality and approved by a majority favorable vote of all votes cast for this issue by qualified electors of the Municipality at any general, regular, primary or special election held not less than seventy-five (75) days after passage of the proposed change in tax credit by Council. The Clerk of Council shall advertise any proposed change in a newspaper of general circulation within the Municipality for two consecutive times, with at least two weeks between notices, and a third notice one week prior to the election.

(Enacted 5-6-1997)

ARTICLE VIII. THE MAYOR

Sec. 8.01. Qualifications and term of office.

The Mayor shall be a registered elector of the Municipality and shall have resided continuously therein for a period of two years immediately preceding the date of ~~his or her~~ election. The Mayor shall continue to be a bona fide resident of the Municipality during ~~the his or her~~ term. The chief executive power shall be vested in the Mayor. The Mayor shall be elected for a term of four years, to commence on the first day of January next after the election beginning with the election in November, 1991.

(Amended 11-8-2017)

Sec. 8.02. Powers of the Mayor.

- A. *Judicial powers.* The Mayor shall have all the judicial powers granted to mayors of municipalities by the laws of Ohio.
- B. *Mayor's right in Council.* The Mayor, ~~his~~ directors, and department heads shall attend all meetings of the Council. The Mayor may introduce ordinances and resolutions in the Council and take part in the discussion of all matters coming before it. ~~The Mayor~~ ~~He~~ shall make such recommendations to the Council for the welfare of the Municipality as ~~the Mayor~~ ~~he~~ deems wise.
- C. *Veto.* Every ordinance or resolution passed by Council shall be signed by the President and Clerk of Council and shall be presented to the Mayor by the Clerk of Council. If the Mayor approves such ordinance or resolution, ~~the Mayor~~ ~~he~~ shall sign it and file it with the Clerk of Council. If the Mayor disapproves any emergency ordinance or resolution, ~~the Mayor~~ ~~he~~ shall return it to the Clerk of Council within twenty-four (24) hours after its passage, and in case the Mayor disapproves any other ordinance or resolution, ~~the Mayor~~ ~~he~~ shall return it to the Clerk of Council within ten (10) days after its passage, together in each instance with ~~the Mayor's~~ ~~his~~ objections in writing. ~~The Mayor's~~ ~~His~~ objections shall be entered in full on the journal of Council. The Mayor shall have no power to veto an ordinance submitting to the electors an amendment to this Charter. The Mayor may approve or disapprove the whole or any part of any ordinance appropriating money, but otherwise ~~such~~ ~~his~~ approval or disapproval shall be addressed to the entire ordinance or resolution.

If the Mayor, within the time specified after its passage, does not sign or disapprove an ordinance or resolution so presented ~~to him~~, such ordinance or resolution shall take effect in the same manner as if ~~the Mayor~~ ~~he~~ had signed it within the time specified. When the Mayor has disapproved an ordinance or resolution, or an item of it as herein provided, the Council may, but not later than its next regular meeting, reconsider the ordinance or resolution or part thereof disapproved by the Mayor and if, upon such reconsideration, the ordinance, resolution or item is approved by an affirmative vote of two-thirds (2/3), or more, of the members of Council, such ordinance, resolution or item shall take effect, notwithstanding the disapproval of the Mayor.

- D. *General powers and duties.* The Mayor shall exercise supervision and control of all the executive departments and divisions of the Municipality. ~~He or she~~ ~~The Mayor~~ shall be the chief conservator of the peace within the Municipality and see that all laws, ordinances and resolutions are faithfully obeyed and enforced. ~~He or she~~ ~~The Mayor~~ shall have the power to appoint, promote, transfer, reduce, or remove any officer, not elected, or employee of the Municipality, but such power shall be subject to the other provisions of this Charter, or to the laws of Ohio where it is beyond the competence of this Charter to provide; and such

power of removal shall be exercised over a member of a board or commission, after complaint and hearing, only for neglect of duty, incapacity, incompetency, or malfeasance in office.

The Mayor shall submit to the Council an annual estimate of revenues and expenditures, and ~~he or she~~ shall advise the Council as to the financial condition and needs of the Municipality, including necessary appropriation measures. ~~He or she~~ The Mayor shall see that the terms and conditions of any franchise or contract to which the Municipality is a party are faithfully kept and performed. Unless otherwise provided by ordinance, ~~he or she~~ the Mayor shall execute all contracts to which the Municipality is a party. Together with the Director of Finance, ~~he or she~~ the Mayor shall execute on behalf of the Municipality all conveyances and evidences of indebtedness. At the first regular meeting in March of each year, and at such other times as the Council shall direct, ~~he or she~~ the Mayor shall report to the Council concerning the affairs of the Municipality and present a three year capital improvement plan for the Municipality.

- E. *Official and ceremonial head.* The Mayor shall be the official and ceremonial head of the Municipality and shall be recognized by the Governor of Ohio for military and other public purposes and by the courts for the purpose of serving civil process in any action wherein the Municipality is a party.
- F. *Custodian of seal.* The Mayor shall have custody of the seal of the Municipality and may affix it to all contracts, conveyances, evidences of indebtedness and all other instruments, but the absence of the seal shall not affect the validity of any instrument.

(Amended 11-2-2010)

Sec. 8.03. Vacancy.

During such period when the Mayor is absent from the Municipality, or is otherwise not accessible, or is temporarily unable for any cause to perform his or her duties, the order of succession as Acting Mayor shall be as follows: President of Council and President Pro Tem of Council. In case of death, resignation, recall or removal of the Mayor, the President of Council shall become Mayor until elected or replaced as provided hereinafter. Upon the death, resignation, recall or removal of the Mayor, there shall be conducted a special election, but no primary election, in which the candidate receiving the highest number of votes shall be elected to serve the remainder of the Mayor's term. Said election shall take place within 120 days of said vacancy in the office of Mayor unless a general or primary election is scheduled not less than 90 nor more than 120 days from the date of said vacancy in which case said election shall take place at the next general or primary election. A candidate for office under this section shall file with the Board of Elections, not less than 60 days before the election, a petition signed by not less than 75 registered voters of the Municipality and by not more than one hundred and 150 registered voters. A candidate for the office of Mayor under this Section is ineligible if he or she holds a different elective office of the Village at the time of filing his or her nominating petition for said office and his or her office as member of Council shall thereby become vacant.

Sec. 8.04. Reserved.

Editor's note(s)—Former § 8.04, which pertained to hearings and appeals, was repealed by Ord. No. 2020-51 , § 1, adopted June 9, 2020, passed by voters in the November 3, 2020 election.

ARTICLE IX. ADMINISTRATIVE DEPARTMENTS

Sec. 9.01. General provisions.

Initially, the Municipality shall have a Department of Law, Department of Finance, Department of Public Safety and Department of Public Service and Properties. The Council shall by ordinance provide for the organization and duties thereof not provided for by this Charter.

Sec. 9.02. Council authority.

The Council may by ordinance establish additional departments, boards or commissions or divisions thereof, and provide for them as it may deem necessary. With the exception of the departments, boards or commissions established by this Charter, and not authorized to be combined, the Council may combine or abolish any department, division, board, commission, nonelective office or job classification and may authorize one person to serve in any capacity in two or more departments, divisions, boards or commissions, when such positions are not incompatible.

Sec. 9.03. Appointment of Directors.

The Mayor shall appoint a director as head of each department who shall be subject to confirmation by a majority of the members of Council. The Council shall act on any appointment within thirty (30) days next following the meeting at which notice of the appointment was received. Each director shall serve at the pleasure of the Mayor. The Mayor may make an interim appointment pending action by the Council and such appointee shall be acting head of the department. In the event of a vacancy in the office of director of any department, or of any disability or absence of a director, excepting the Director of Law, the Mayor shall serve as such acting director and head of the department unless provision has been made by ordinance for an assistant or deputy director, who shall be the acting director. All Directors and their assistants shall be electors of the Village except the Law Director and the Finance Director. In the event of a vacancy in the office of Finance Director, the Mayor shall fill such vacancy within sixty (60) days next following such vacancy or denial of confirmation by the Council. Preference shall be given to candidates for the position of Finance Director who are electors of the Village and who meet the requirements of Section 9.06. Should the Mayor be unable to fill said Finance Director position from candidates who are electors of the Village within a thirty day period, the Mayor may then fill such vacancy for the position of Finance Director from candidates who reside within a twenty mile radius of the Village of Oakwood. Upon the failure of the Mayor to fill a vacancy in the position of Finance Director within sixty (60) days next following such vacancy or denial of confirmation by the Council, the Council may appoint, by a majority vote, and fill such vacancy. Upon the failure of the Mayor to fill all other vacancies as heads of Departments within thirty (30) days next following such vacancy or denial of confirmation by the Council, the Council may appoint, by majority vote, and fill such vacancy.

(Amended 3-19-1996)

Sec. 9.04. Department of Public Safety.

The Mayor shall be in charge of the Department of Public Safety as executive head of each division thereof, which shall include the Police Department, Fire Department, and Building Department, together with such other divisions thereof as Council may provide. The Mayor shall serve as Director of Public Safety. The Council may by ordinance provide for a separate Director of Public Safety who shall be in charge of such department and be the head of the department, and of each division thereof. Council shall provide for the composition of the Police and Fire Departments. It may also provide for special and auxiliary police officers, or firemen, subject to general regulations which the Council may prescribe or authorize.

Sec. 9.05. Department of Public Service and Properties.

The Director of Public Service and Properties shall be the head of the Department of Public Service and Properties. Such Director shall manage and supervise public works, public construction and all other matters as may be provided by the Council or directed by the Mayor. The DirectorHe shall have charge of the maintenance of public buildings or other property as the Mayor may direct. The DirectorHe shall be the purchasing agent of the Municipality unless the Council shall otherwise provide, and all such purchases shall be made in the manner provided by general laws or, when competent, as provided by ordinance of the Council. As purchasing agent, the Directorhe shall be bound by the awards of the Board of Control hereinafter provided unless the amount of any purchase is less than the requirement of general law or ordinance.

Sec. 9.06. Director of Finance.

The Director of Finance shall be the head of the Finance Department and fiscal officer of the Municipality. The Director of Finance shall have a minimum of a Bachelor's Degree in Business Administration. Preference for appointment shall be given to individuals who have a major in accounting and/or finance. The ~~Finance~~ Director shall have, at the time of appointment, a minimum of four years of municipal finance experience as the Chief Financial Officer or Assistant Chief Financial Officer. The Director He/she shall serve the Mayor and the Council as financial advisor in connection with municipal affairs, and shall prepare and submit such reports regarding the finances of the Municipality as the Mayor or Council directs. The Director He/she shall keep the financial records of the Municipality, exhibiting accurate statements of all moneys received and expended, of all property owned by the Municipality, and of all taxes and assessments. The Director He/she shall be custodian of all public money of the Municipality, shall keep and preserve such money in the place or places authorized by ordinance, and shall disburse the same as may be required by law or ordinance. The Director He/she shall not allow the amount set aside for any appropriation to be overdrawn for any other purpose. The Director He/she may examine and audit the accounts of all officers, employees, and departments. The Director He/she may require evidence that the amount of any claim presented to the Director Him/her is due. The Director He/she shall perform such other duties consistent with the his office as the Mayor or the Council may direct. The Director He/she may also serve as Clerk of the Council in the event of the vacancy, disability and/or absence of the Clerk and all assistants to the Clerk, if # Council so provides.

(Amended 3-19-1996)

Sec. 9.07. Director of Law.

The Director of Law shall serve the Mayor, the Council, the administrative departments, and the officers, boards and commissions of the Municipality, as legal counsel in connection with Municipal affairs, and, subject to the direction of Council, shall represent the Municipality in all proceedings in court or before any administrative board. The DirectorHe shall perform all other duties now or hereafter imposed upon city solicitors under the laws of Ohio, unless otherwise provided by ordinance of the Council, and the Directorhe shall perform such other duties consistent with the his office as the Mayor or the Council may request. No person shall act as Director of Law unless duly admitted to practice law in the State of Ohio. The Director of Law shall have such assistants and other employees as the Council may provide.

(Passed 11-5-1985)

Sec. 9.08. Board of Control.

The Mayor and the director of the several departments, established either by this Charter or ordinance, shall constitute a Board of Control. The Mayor shall be ex-officio president. The Director of Finance shall be secretary.

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(Supp. No. 1)

The Board shall keep a journal of its proceedings. The voting shall be taken by "Yes" and "No" and entered in the journal and the vote of a majority of all of the members of the Board shall be necessary to adopt any question, motion or order. All meetings of the Board shall be open to the public. The Board shall approve any purchase, or contract, in excess of the minimum amount fixed by the general law or, where competent, by ordinance of the Council. It shall award any contract or purchase, which has been authorized by the Council, to the lowest and best bidder. The Board shall have such further powers and perform such other duties as shall be prescribed by ordinance. It shall adopt rules governing its meetings and business, and the exercise of its powers.

Sec. 9.09. Chief of Police.

The Chief of Police shall be appointed by the Mayor, subject to the approval of a majority of the members ~~elected to~~ Council. The Police Chief shall be appointed from the Police Department of the Municipality or shall have had not less than ten years of training and experience in law enforcement in a police organization of at least comparable size to that of this Municipality and holds the rank of sergeant or above with that police organization at the time application for the position is made. The Police Chief shall hold office until retirement, resignation, or until removed by the Mayor with the approval of two-thirds (2/3) of the members ~~elected to~~ Council. If so removed, ~~he or she the former Chief~~ shall be entitled, unless the removal shall have been for reasons which constitute grounds for termination, to be restored to the highest position in the Police Department held ~~by him or her~~ prior to appointment as Police Chief if the appointment came from the ranks of this Municipality's Police Department. This provision shall apply to persons appointed to the position of Chief of Police subsequent to the effective date of this provision.

(Enacted 11-5-2002)

Sec. 9.10. Fire Chief.

The Fire Chief shall be appointed by the Mayor, subject to the approval of a majority of the members ~~elected to~~ Council. The Fire Chief shall be appointed from the Fire Department of the Municipality or shall have had not less than ten years of training and experience in fire suppression in a fire suppression organization of at least comparable size to that of this Municipality and holds the rank of sergeant or above with that fire suppression organization at the time application for the position is made. The Fire Chief shall hold office until retirement, resignation, or until removed by the Mayor with the approval of two-thirds (2/3) of the members ~~elected to~~ Council. If so removed, ~~the former chief or she~~ shall be entitled, unless the removal shall have been for reasons which constitute grounds for termination, to be restored to the highest position in the Fire Department held ~~by him or her~~ prior to appointment as Fire Chief if the appointment came from the ranks of this Municipality's Fire Department. This provision shall apply to persons appointed to the position of Fire Chief subsequent to the effective date of this provision.

(Enacted 11-5-2002)

ARTICLE X. BOARDS AND COMMISSIONS

Sec. 10.01. Planning Commission.

- A. The Municipality shall have a planning commission of five members to be known as the Oakwood Planning Commission, or such other name as the Council may provide. The members shall be electors of the Municipality not holding other Municipal office. They shall be Two members shall be appointed by the Mayor, and three members shall be appointed majority vote of Council, each for a term of six years. Such members shall be appointed in accordance with Article 10.09 hereof., excepting that of the five appointed for the

terms beginning March 1, 1969, two shall be appointed for terms expiring December 31, 1971, two for terms expiring December 31, 1973, and one for a term expiring December 31, 1975. A vacancy occurring during the term of any member shall be filled by the Mayor for the unexpired term.

- B. **Chairman.** The Chairman of the Planning Commission shall be appointed annually by the Mayor from its members and may be removed as chairman at [the Mayor's](#) his pleasure. The Commission shall elect a Vice-Chairman and a Secretary who may or may not be a member. The Commission shall appoint such other employees and staff members as shall be provided by ordinance of the Council.
- C. **Rules and by-laws.** The Commission shall adopt rules and by-laws governing the holding of meetings, both regular and special, the transaction of its business, the filing of papers and applications, the conducting of hearings and the manner of the exercise of its powers. Where Council by ordinance has provided for the manner of the exercise of such powers, the provisions of the ordinance shall be followed. All meetings of the Commission shall be public. [Members of the Commission shall possess a professional or academic background in one or more of the following: urban planning, urban studies, architecture, law, zoning and land use, economic development, landscaping/landscape architecture, design, construction, or public policy. In lieu of possessing such educational or professional background, members of the Commission may complete a training or educational program or course prior to or after appointment to the Commission. Such training or course shall be approved by the Council and paid for by the Municipality.](#)
- D. **Quorum.** A majority of its members shall constitute a quorum and no action of the Commission shall be taken unless concurred in by a majority of its members. The Council shall make provisions for the necessary appropriations for the functioning of the Commission.

Sec. 10.02. Functions of Planning Commission.

- A. **General functions.** It shall be the function and duty of the Planning Commission to make and adopt a general plan for the development and improvement of the Municipality. No general plan or portions thereof or amendments thereto shall be adopted by the Commission until after a public hearing thereon. So much of the general plan as may be established, or from time to time amended, by ordinance of Council shall constitute the official plan and map of the Municipality.
- B. **Powers and duties.** The Planning Commission shall have the power or recommendation concerning the plan, design, location, removal, relocation and alteration of any building or structure belonging to the Municipality or located in or on public streets or public property; the location, widening, extension and vacation of streets, parks, parkways, playgrounds, recreation areas and other public places; the approval of plats for the subdivision of lands, the zoning of the Municipality for the purpose of regulating the location of trades, industries, multiple dwelling districts or other uses of the property, the height and design of buildings, the percentage of area of the lot which may be occupied by building, the area of lot per family of occupation, the provision of yard spaces, the fixing of building lines and the preparation of plans or maps for the future physical development and harmonious improvement of the Municipality; and such other powers as are now or hereafter may be conferred by ordinance of the Council.
- C. **Mandatory referral.** No public building, street, boulevard, parkway, park, public land, playground, dock, wharf, aviation field, utility, bridge, tunnel, or part thereof shall be constructed or authorized to be constructed in the Municipality, or purchased, or sold, or shall any street, avenue, parkway, boulevard or alley be opened for any purpose whatsoever, or shall any street, avenue, parkway, boulevard or alley be widened, narrowed, relocated, vacated, or its use changed or any ordinance referring to zoning or other regulations controlling the use or development of lands be passed, or become effective or binding upon the Municipality unless and until Council shall have first submitted the same to the Planning Commission for report and recommendation. Any matter so referred to the Planning Commission shall first be considered by the Planning Commission at a public hearing, to be held not earlier than fifteen (15) days after publication of notice thereof in a newspaper of general circulation in the Municipality, and thereafter shall be acted upon

by it within sixty (60) days from the date of referral unless a longer time be allowed by Council. If the Planning Commission shall fail to act within the time allotted, Council may act thereon as if it has received a recommendation of approval in such matter. Any provision of any ordinance, resolution or order disapproved by formal action of the Planning Commission shall require a concurrence of three-fourths (¾) of the members of Council for adoption or authorization.

When the Planning Commission shall make a recommendation to the Council for a change in, or addition to any zoning ordinance or building code, Council shall study each recommendation and take action within sixty (60) days by placing on its first reading an ordinance properly covering such recommendation. Final action by Council on such ordinance shall be taken by placing said ordinance on its third and final reading no later than sixty (60) days after its first reading.

(Amended 11-2-2010)

Sec. 10.03. Board of Zoning Appeals.

- A. *Board established.* There is established a Board of Zoning Appeals, which shall consist of five members. ~~Members shall be appointed to a term of, who shall be appointed by the Mayor for terms of three years. The Mayor shall appoint two members, and the Council, by majority vote, shall appoint the other three members. Such appointments shall be made in accordance with Section 10.09 hereof. Initially, one member shall be appointed for a term expiring December 31, 1970, two members for terms expiring December 31, 1971, and two members for terms expiring December 31, 1972.~~ The Council, by vote of two-thirds (⅔) of its members, may combine the Board of Zoning Appeals with the Planning Commission and provide for the powers and jurisdiction of such Board to be exercised by the Planning Commission. By similar majority, the Council may likewise provide for a separation of such Board and Commission. A vacancy shall be filled by the Mayor for the unexpired term.
- B. *Rules and by-laws.* The Board shall adopt rules and by-laws governing its business, the transaction of its business and the exercise of its powers. No rule or by-law shall conflict with the provision of any ordinance and the Board shall adhere to all provisions of ordinances with respect to the exercise of its powers. It shall elect a Chairman, Vice-Chairman and a Secretary, who may or may not be a member. All meetings shall be open to the public. It shall keep a journal of its proceedings which shall be public and which shall show the vote of each member upon any question or matter presented to the Board. A majority of its members shall constitute a quorum and the concurrence of the majority of its members shall be necessary to determine any question or matter before the Board.
- C. *Jurisdiction of Board of Zoning Appeals.* It shall be the duty of the Board of Zoning Appeals to hear and decide appeals made for exceptions to and variations in the application of ordinances governing zoning in the Municipality in conformity with the purpose and intent thereof and to hear and decide all appeals made for exceptions to and variations in the application of ordinances, or orders or regulations of administrative officials or agencies. The Board shall hear and decide all appeals from decisions of the Building Commissioner or Inspector concerning permits and appeals from decisions of the officers enforcing zoning regulations or issuing zoning or use permits. The Council by ordinance may provide for affirmance, reversal or modification by it of any decisions of the Board and a hearing by the Council before any decision becomes effective. In such case, the Council by ordinance shall provide the procedure for such hearing and determination. Failure of the Council to act within thirty (30) days after such hearing shall constitute an affirmance of the decision of the Board. The Board shall perform such other functions and shall have such other power as Council may provide by ordinance.

Sec. 10.04. Zoning.

The Council shall by ordinance provide regulations and restrictions governing the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the density of population, the size of yards, courts and open spaces, and the location and use of buildings, structures and land for trade, industry, residence and other purposes, shall prescribe standards for the granting of variances, exceptions and conditional use permits and for the manner of the exercise of the zoning powers and such other matters pertinent thereto as may be competent for this Charter to authorize. Before any zoning ordinance, measure or regulation may be passed, the Council shall hold a public hearing thereon and shall give thirty (30) days notice of the time and place thereof in a newspaper of general circulation in the Municipality and on the official website of the Municipality, and during such 30 days the text of such ordinance, measure or regulation, together with the maps or plans, or copies thereof, forming part of or referred to in such ordinance, measure or regulation and the maps, plans and reports submitted by the Planning Commission, shall be on file for public examination, in the office of the Clerk of the Council.

Sec. 10.05. The Recreation Commission.

There is established a Recreation Commission of ~~seven~~ four members, ~~four~~ five of whom shall be appointed by the Mayor. The members appointed by the Mayor and Council shall serve for terms of five years, but initially the members shall be appointed for such terms that the term of one member shall expire annually thereafter. ~~Of the remaining three members, one shall be an elector of the Municipality appointed by the Council President. Council shall collectively appoint an elector of the Municipality, and shall also appoint one member of Council to serve on the Commission, of the members shall be a member of Council who shall be appointed by the President of Council and who shall serve for a term of one year, ending December 31st of the year appointed. The~~ With the exception of the member of the Commission that is also a member of Council, the other members shall be electors of the Municipality holding no other public office. The Mayor's appointments shall consist of residents from each of the Village's five Wards. The members of the Commission shall be appointed in accordance with Article 10.09 hereof. The Commission shall select one of its members as Chairman and a Secretary, who may or may not be a member. The Commission may adopt rules and regulations for the conduct of its business and meetings. A vacancy occurring during the term of any member of the Recreation Commission shall be filled for the unexpired term in the manner authorized for an original appointment. The powers and duties of the Recreation Commission, including the removal of members for non-attendance at meetings, shall be as provided by ordinance of Council.

(Amended 5-6-2003)

Sec. 10.06. Civil Service Commission.

- A. *Commission established.* If and when the municipality becomes a City as provided by the applicable laws of the State of Ohio, there is established a Civil Service Commission of three members who shall be electors of the Municipality not holding other Municipal office or employment. They shall be appointed by the Mayor and approved by a majority of Council for terms of six (6) years, excepting that initially one member shall be appointed for a term of four (4) years, and one for a term of six (6) years. Any vacancy shall be filled by the Mayor for the unexpired term and approved by Council.
- B. *Officers.* In January of each year the Commission shall elect one of its members as Chairman and elect a Secretary who may or may not be a member. Two members shall constitute a quorum and the concurrence of two members shall be necessary for any decision or action of the Commission.
- C. *Commission to provide by rule.* In all matters dealing with the civil service of the Municipality, the Civil Service Commission shall provide by rule for the ascertainment of merit and fitness, as far as practicable, as a basis for appointment and promotion in the classified service of the Municipality, as required by the

Constitution of the State of Ohio, for conducting examinations and maintaining eligible lists for the appointing authority, for the classification of offices and positions, for maintenance of a complete roster of all persons in the classified service, which shall be public, for hearing appeals to it, for making an annual report to the Mayor and Council, for grading applicants, for a test of manual skills where required, for reasonable credit for seniority in a promotional examination, for the basis and method for determination of eligibility, certification, appointment and promotion of candidates for positions in the classified service; for the conduct of the affairs of the Commission; and for appeals in case of transfer, reduction, suspension or removal. The action of the Commission on any appeal shall be final except as otherwise provided by the general laws of Ohio.

- D. *Service classification.* Except as herein provided, the Commission shall determine the practicability of competitive examinations for any nonelective office or job classification in the service of the Municipality. The Civil Service is hereby divided into unclassified and classified service. The unclassified service shall include:
1. All officers elected by the people;
 2. Any member of a board or commission, or any head of a department, subdepartment or division thereof, including the Police and Fire Departments;
 3. Secretaries, and assistants to the Mayor, and one secretary and assistants to each department or division head;
 4. Any deputy of an elected or appointed officer who holds fiduciary relationship to ~~his~~ principal;
 5. Any office or position requiring peculiar or exceptional qualifications;
 6. Plumbing, heating, building, electrical, health, sanitary, zoning or sewer inspectors;
 7. Temporary or provisional employees, whose employment, unless extended by the Commission, shall not exceed one hundred twenty (120) days;
 8. Unskilled labor;
 9. The Clerk of Council, ~~the Clerk's~~ assistants and one secretary;
 10. Two secretaries, assistants or clerks for each board or commission, if provided by Council; and
 11. Part-time employees.

The classified service shall include:

1. Members of the Police and Fire Departments, except for the Police and Fire Chiefs;
 2. All other positions and employments, not enumerated above, for which it is practicable to determine merit and fitness of applicants by competitive examinations.
- E. *Village employees.* Any person who is serving the municipality in a full time or regular part-time position shall be included in classified service and shall be retained in the same or similar position. Those employees will be certified by the Commission and shall be deemed in the classified service.

Those employees in classified positions shall be entitled to hearings and appeals to the Commission under Paragraph C, and shall not be additionally entitled to hearings and appeals under Article VIII, Section 8.04 of the Charter.

Editor's note(s)—This subsection was interpreted and modified by the Cuyahoga County Court of Common Pleas.

- F. *Action by Council.* The Council may by ordinance implement the provisions of this article and shall provide funds and assistance for the functioning of the Commission.

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- G. *Commission employees.* The Commission may appoint or employ professional services and may appoint a secretary, clerks, draftsmen and other subordinates as it finds necessary in connection with the performance of its functions and duties. Expenditures for such service and employment shall be within the amount appropriated for such purpose by the Council.
 - H. *Credit for military services.* Any honorably discharged member of the armed forces of the United States shall, in any examination for original appointment, be entitled to receive an additional credit of ten percent of the total grade given in the regular examination in which [the person/he/she](#) receives a passing grade.
 - I. *Credit for citizens.* A current resident of the Municipality shall receive an additional credit of five percent of the total grade given in the examination for original appointment in which [the person/he/she](#) receives a passing grade, provided the resident has resided in the Municipality for a minimum of two years.
 - J. *Credit for part time service.* Regular part-time employees who have at least one year of continuous service with the municipality in the department for which a full time position is sought shall receive an additional credit of fifteen percent of the total grade given in the examination for original appointment to a full time position in their respective departments in which [the person-he/she](#) received a passing grade.

(Amended 11-7-1995; 11-2-1999; 11-5-2002; 11-2-2011)

Sec. 10.07. Records Commission.

Council may provide for a records commission, to be composed of the Mayor, the President of the Council, the Director of Law, the Director of Finance and the Clerk of Council and make provision for the destruction of any record, document, paper or instrument in writing, which has been preserved by means of any photostatic, photographic, film or microfilm process, which accurately copies or reproduces the record, document, paper or instrument in writing, or provides a medium for accurately reproducing it. The Mayor shall be chairman of such Commission which shall be known as the Oakwood Records Commission, or as may be designated by the Council.

Commented [JC2]: These are being held for further consideration aimed at a submission by Council at the November election

Sec. 10.08. Meetings of Boards and Commissions.

All meetings of any board or commission of the Municipality are declared to be public meetings open to the public at all times. No resolution, rule, regulation or formal action of any kind shall be adopted at any executive session of any board or commission of the Municipality. The minutes of a regular or special session or meeting of any such board or commission shall be promptly recorded and such records shall be open to public inspection. All papers, reports, documents, written instruments or correspondence in any way connected with, or relied on in any decision by a board or commission, shall be open to public inspection [except as provided by Ohio law](#).

Sec. 10.09. Ward representation on Boards and Commissions.

Beginning on December 31, 1993, as terms expire and as vacancies otherwise occur on the Planning Commission, Board of Zoning Appeals [the Recreation Commission](#), and Architectural Board of Review, the Mayor ~~shall~~ [or Council](#) fill any such vacancy on said Board or Commission with an elector from a ward not represented on said Board or Commission until all wards are represented by a member on each such Board or Commission. Thereafter, each such Board or Commission shall be represented by a member, who is an elector, from each of the five wards of the Village.

(Enacted 11-2-1993)

Sec. 10.10. Architectural Board of Review.

- A. There is established an Architectural Board of Review, which shall consist of five members. Members shall be appointed to a term of three years. The Mayor shall appoint two members, and the Council, by majority vote, shall appoint the other three members. Such appointments shall be made in accordance with Article 10.09 hereof. Effective January 1, 1994, there is hereby created an Architectural Board of Review for the Village, to be appointed by the Mayor with confirmation by Council, to consist of three members, to serve three-year terms, and two members to serve one-year terms, for a total of five members on the Board. All present members of the Architectural Board of Review shall serve the balance of their terms as previously established pursuant to Section 1140.01 of the Codified Ordinances of the Village of Oakwood. One such member shall be appointed by the Mayor, with confirmation of Council, to serve a one-year term beginning on January 1, of each year, such member having background, education and/or experience in the landscaping profession. One member will be selected by a majority vote of the Planning Commission to serve a one-year term, subject to the requirement that said member shall be an elector of a ward not already represented on said Board.
- B. A vacancy occurring during the term of any member of the Architectural Board of Review shall be filled for the unexpired term in the manner authorized for an original appointment subject to the requirement that said vacancy shall be filled by an elector of a ward not already represented on said Board.
- C. The Board shall establish and adopt its own rules of procedure not inconsistent with the Charter and ordinances of the Village, except that all meetings shall be held at the Village Hall and shall be open to the public and further that a record of its resolutions, findings and determinations shall be maintained. A copy of all decisions shall be forwarded to Council. If the Board fails to establish a regular schedule of meetings, then meetings shall be called by the Chairman or Secretary and written notice of such meeting shall be given not less than twenty-four hours prior thereto, by delivering such notice at the regular place of residence of each member.
- D. The duties of the Architectural Board of Review shall be to examine all plans, drawings and specifications submitted to the Building Inspector for the construction, exterior alteration, moving or demolishing any building, structure, and to determine whether such proposed work is of such design, material or location that it will result in a substantial impairment or destruction of value in neighboring real estate, and whether the use of such proposed design, material and location, or substantially similar ones, are reasonably necessary to the development of the property involved, and to approve, disapprove or recommend modification of plans, drawings and specifications accordingly. The concurrence of the majority of the members of the Board shall be necessary for any decision by such Board.
- E. Whenever, in considering any application for a permit for the construction, exterior alteration, moving or demolishing any building, structure, except decks, patios, sheds, fences or replacement garages, or permanent signs within the Village, the Board finds that such proposed construction, exterior alteration, or other proposed work would be of such design, material or location that it would result in substantial impairment or destruction in value in neighboring real property in the Village, or would not be in conformity to the established development of the area in which the same is proposed to be constructed or performed, or would be detrimental to the future growth and development of such area, or detrimental to the general welfare of the Village and the inhabitants thereof, and further finds that the use of the particular design, material or location proposed, or substantially similar ones, is not reasonably essential to the development of the property upon which such construction, erection, alteration, addition or other work is proposed to be performed, the Board shall disapprove such plans and specifications unless said plans and specifications have been modified or amended so as to remove such objections.

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- F. The Architectural Board of Review shall consider any application approved by the Planning Commission requesting outside storage and shall determine if such application meets the screening criteria established by ordinance before final approval is granted by the Board.
 - G. All applications, plans and specifications received by the Building Inspector shall be considered by the Architectural Board of Review as soon as practical thereafter and within thirty days of their review, shall report to the Building Inspector its approval, disapproval or recommendation for change by the Board. The Building Inspector shall issue no permit except on plans and specifications which have been approved as provided herein by the Architectural Board of Review.
 - H. Any applicant to whom a permit has been refused by the Architectural Board of Review may appeal from such refusal to Council by written notice to the Clerk. Council shall consider the appeal and may approve, reverse or modify any decision of the Architectural Board of Review and authorize the permit with such modifications as they may impose.
 - I. When an applicant makes application to appear before the Architectural Board of Review and the subject matter of the application requires the services of the Engineer, Law Director, Village Architect, a landscape consultant or other professional, for the Board to properly consider the applicant's plans, the applicant shall, upon notification by the Board, deposit a sum as provided by ordinance of Council, to defer the expenses incurred by the use of the aforesaid professionals by the Board. Such expenses incurred in connection with the application shall be approved for payment by the Chairman of the Architectural Board of Review or the Mayor.
 - J. The Council may, by ordinance approved by 2/3 vote, provide for the consolidation of the Architectural Board of Review with the Planning Commission. The membership of the combined Architectural Board of Review and Planning Commission shall be as provided for in Article 10.1 hereof, and it shall have such duties and perform such functions, pursuant to the rules and procedures as provided by this Charter and Council. The Council likewise, may by ordinance approved by 2/3 vote, provide for the separation of the Architectural Board of Review and the Planning Commission, with the membership, duties and functions of the separate Board and Commission being as provided herein and by the ordinances of the Municipality.

(Enacted 11-2-1993; Amended 11-2-2011)

Commented [JC3]: These are also being held for further consideration for submission at the November election

Sec. 10.11. Mandatory referral—Automatic zoning referendum.

- A. Any legislation passed by Council or proposed by initiative petition which refers to a change in existing zoning or to a change in any use regulations controlling the use or development of land shall not become effective or binding upon the municipality unless and until the same be submitted to the electors of the municipality and approved by a fifty-five percent (55%) favorable vote of all votes cast for this issue by the qualified electors of the Village and a fifty five percent (55%) favorable vote of all votes cast in each ward in which the change is applicable to property in the ward, at the next general election in the case of legislation proposed by initiative petition and for legislation adopted by Council at the next general, regular, or primary election held in the municipality, which shall occur not less than seventy five (75) days after its passage by Council or, in the case of legislation proposed by initiative petition, after its certification to the Board of Elections. The Clerk of Council shall advertise any proposed change by posting same in the lobby of the Village Hall and on the official website of the Municipality and in a newspaper of general circulation, whose circulation is either the largest, or second to the largest within the limits of the Village for two consecutive times, with at least two weeks between notices and a third notice one week prior to the election for at least four (4) weeks prior to the election.
- B. Subsection A. above shall also apply to any attempt to amend or repeal changes in existing zoning or to a change in any use regulations controlling the use or development of land adopted by initiative petition.

(Amended 5-2-1995)

Sec. 10.12. Drive-thru windows.

Village Council may permit drive-thru windows at any restaurant establishment located in a General Business District on Broadway Avenue, subject to compliance with standards and requirements to be established by ordinance of Council.

(Enacted 11-7-2017)

Sec. 10.13. Audio and video recording, production and editing facilities, passive parks and nature preserves.

Notwithstanding any provisions of Sections 10.01 through 10.12 of the Oakwood Village Charter and provisions of the current Codified Ordinances to the contrary, Village Council by a 2/3rds affirmative vote of its members is hereby authorized to permit the construction and operation of video and audio recording, production and editing facilities, helicopter landing and take-off pads accessory to such uses, and passive parks and nature preserves in the area contained within the following boundaries which area is presently zoned R1F Residential: Solon Road on the North, Richmond Road on the East, Hawthorne Parkway on the South and the Oakwood Village border with the City of Bedford Heights on the West, subject to such standards and requirements as are to be established by ordinance of Council.

(Enacted 5-7-2019)

ARTICLE XI. FRANCHISES

The Council may by ordinance grant a nonexclusive franchise to any person, firm, or corporation to construct or operate a public utility on, across, under, over, or above any public street or real estate within the Municipality; and it may prescribe in the ordinance the kind or quality of service or product to be furnished, the just and reasonable rate, or rates, to be charged therefor, and such other terms as it shall deem conducive to the public interest. In the case of any public utility, excepting a telephone or telegraph company, there is reserved to the Council the right, privilege and authority to approve all rates, charges or tolls for services, and no rate schedule shall be agreed to, or effective, for a longer period than five years. Such franchise may be amended subject to the provisions established herein for original grants. No consent of the owner of property abutting on any public street or real estate shall be necessary to the effectiveness of any such grant, amendment, or renewal. All such grants, amendments, and renewals shall be subject to the continuing right of the Council to provide reasonable regulations for the operation of such utilities with reference to such streets and real estate, including the right to require such reconstruction, relocation, alteration, or removal of structures and equipment used in such streets or public grounds as shall, in the opinion of the Council, be necessary in the public interest.

ARTICLE XII. AMENDMENTS TO THE CHARTER

Sec. 12.01. Submission by Council or petition.

The Council may, by affirmative vote of at least two-thirds of its members, submit any proposed amendment to the Charter to the electors and, upon receipt of petitions signed by ten percent of the electors of the Municipality setting forth any proposed amendment to the Charter, it shall submit such proposed amendment to the electors. The Council shall determine the manner of the submission of any proposed amendment to the

(Supp. No. 1)

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electors to the extent that such submission is not governed by the Constitution and the laws of Ohio. If any such proposed amendment shall be approved by a majority of the electors voting thereon, it shall become a part of this Charter; except that if two or more inconsistent proposed amendments on the same subject shall be submitted at the same election, only the one of such amendments receiving the largest affirmative vote, not less than a majority, shall become a part of the Charter.

Sec. 12.02. Charter Review Commission.

Within one month after the regular general election to be held in the year 2014, and within one month after the regular general election to be held each fifth year thereafter, a Charter Review Commission consisting of nine members shall be selected as provided herein. Each ward Councilperson shall select one qualified elector from ~~that Councilperson's~~his/her ward. The at-large Councilpersons shall each select one qualified elector of the Village of Oakwood. The Mayor shall select two qualified electors of the Village of Oakwood. The Council shall provide a budget to the Charter Review Commission adequate to provide Village residents with regular mail notice of its public meetings as well as mail notice of any amendments to the Charter proposed by the Charter Review Commission. The Council shall also appoint a Secretary for the Commission who shall attend Charter Review Commission meetings and who shall prepare the minutes of said meetings so as to insure a public record of said proceedings. The Charter Review Commission Secretary shall be compensated on the same basis and at the same rate of compensation in effect at the time of ~~his/her~~ appointment as the secretaries of all other Village boards and commissions. Charter Review Commission members will be compensated on the same basis and at the same rate of compensation in effect at the time of their appointment as the members of all other Village boards and commissions. Such Commission shall review and recommend to the Council of the Municipality any alterations, revisions, and amendments to this Charter as in the judgment of the Charter Review Commission seem desirable. The Council shall submit to the electors any such proposed alterations, revisions, or amendment to the Charter, in the manner provided in Section 12.01.

(Amended 11-2-1993; 11-2-2010)

ARTICLE XIII. MISCELLANEOUS

Sec. 13.01. When Charter takes effect.

For the purpose of nominating and electing officers of this Municipality, and fixing the compensation of the officers to be elected, this Charter shall be in effect from and after its approval by the electors of the Municipality; and for all other purposes this Charter shall be in effect on and after the first day of March, 1969.

Sec. 13.02. Effect of partial invalidity.

A determination that any part of this Charter is invalid shall not invalidate or impair the force or effect of any other part hereof, except to the extent that such other part is dependent for its operation upon the part declared invalid.

Sec. 13.03. Effect of existing laws and rights.

This Charter shall not affect any vested rights or accrued liabilities of the Municipality, or any right or liability in any pending suit or prosecution either on behalf of or against the Municipality, or any contract heretofore entered into by the Municipality, or any franchise heretofore granted by the Municipality, or any prior, or pending, proceeding for the authorization of public improvements or the levy of assessments therefor. Except as a contrary

intent appears herein, all acts of the Council of the Municipality in effect on February 28, 1969, shall continue thereafter in effect until lawfully amended or repealed.

Sec. 13.04. Interpretation of the Charter.

The article and section headings herein have been inserted for convenience in reference and are not intended to define or limit the scope of, or otherwise affect, any provision of this Charter.

Sec. 13.05. Continuity of government.

The Council is authorized to make provision for the continuity of the government of the Municipality in case of emergency or attack by an enemy of the United States, causing substantial damage or injury to civilian property, or persons in the Municipality, by sabotage or by the use of bombs, missiles or atomic or other means, weapons or processes.

Sec. 13.06 Gender neutral designations.

All legislation, amendments to the Codified Ordinances, and any amendments made to this Charter shall henceforth contain gender neutral language.

(Enacted 11-5-2002)

Sec. 13.07 Charter corrections.

Council shall be authorized to make typographical corrections to or changes or deletions in, as well as changes in the form of, the Charter; however, the changes shall relate to matters of form; or, to make the Charter consistent with Ohio law, upon advice of the Director of Law. Any such modification, change, or correction shall, in all cases, be approved by resolution of Council, prior to going into effect. No modification, change or correction shall affect the construction, meaning, substance, or intent of the Charter as adopted and amended by the people, except where the change corrects the Charter to comply with Ohio law. The specific powers granted by this Section include:

- A. Council may correct obvious misspellings and typographical errors.
- B. Council may divide the text of any section or paragraph into shorter paragraphs or subparagraphs and letter or number the same to improve clarity and ease of reference.
- C. Council may renumber the sections and rearrange their order to provide:
 1. More coherent grouping of sections related in subject matter; and
 2. Continuous, consecutive numbering of sections.
- D. Council may remove inconsistent language and correct language that violates Ohio law to ensure that the Charter complies with Ohio law.

Upon the adoption of any amendment that creates or abolishes an office or offices or changes the powers or duties of any officer or department of the Village, the Council shall make necessary correlative changes in existing sections that refer to such offices, officers, or agencies by deleting therefrom, as the case may be, the name of the office created or the title of the officer or agency then having such powers or duties.

13.08 Ethical Conduct and Conflict of Interest

The standards of ethical conduct and avoidance of conflicts of interest for all elected and appointed officers, officials, and employees of the Municipality shall be those established by the general laws of the State of Ohio.

The civil and criminal penalties imposable for violations of such standards shall be in accordance with the general laws of the State of Ohio.

AMENDED ORDINANCE NO. 2026 – 09

INTRODUCED BY COUNCILPERSON EVANS-WARREN

**AN EMERGENCY ORDINANCE ESTABLISHING THE
OAKWOOD SCHOLARSHIP AWARDS COMMITTEE AND
PRESCRIBING RULES THEREFOR**

WHEREAS, Council has determined that it is in the interest of the public health, safety and general welfare of the citizens of the Village to provide financial assistance to encourage youthful residents of the Village to pursue educational opportunities;

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

SECTION 1. There is hereby established a Committee to be known as the Oakwood Scholarship Awards Committee consisting of five (5) members to be selected by majority vote of Council. One member shall be appointed from each Ward of the Village and shall be a bona fide resident from such Ward. The Committee shall be governed in accordance with the rules established therefor, as the same may be amended by Village Council from time to time, a copy of which is attached hereto, expressly made a part hereof by reference and marked Exhibit "A".

SECTION 2. The funds necessary to award the scholarships described in said Exhibit "A" as well as the compensation operating expenses of the Committee be and hereby are appropriated.

SECTION 3. 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 urgent need to provide assistance to Village residents seeking higher education 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: _____

Eloise Hardin, President of Council

Evan Garrett, Assistant Clerk of Council

Presented to the
Mayor _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - 09 was duly and regularly passed by this Council at the meeting held on the ____ day of _____, 2026.

Evan Garrett, Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - 09 was duly posted on the ____ day of _____, 2026, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers in the locations and manner provided in the Village Charter.

Evan Garrett, Assistant Clerk of Council

DATED: _____

EXHIBIT A

RULES FOR THE OPERATION OF THE COMMITTEE

1. Council, by majority vote, shall appoint five (5) individuals, one from each Ward of the Village, and not holding any other municipal office or appointment, to serve on the Scholarship Awards Committee. This Appointment shall occur no later than May 1 of each year. An individual selected for the Committee shall serve a term of one (1) year from the date of appointment and all terms shall end on the April 30th of the year following said appointment. Unexpired terms shall be filled in the same manner as original appointments.
2. To qualify as a member of the Committee the person must be an Oakwood resident and have continuously resided in Ward from which the appointment is being made for at least two years immediately preceding their appointment.
3. Members of the Committee shall receive the same compensation as members of the Planning Commission.
4. The Committee shall convene within ten (10) days of its creation for the purpose of organizing and selecting a Chairperson, Vice-Chairperson and Recording Secretary. These officers shall serve until their successors are duly elected or upon the end of their term, whichever event occurs first.
5. An agenda shall be prepared in advance of each meeting held by the Committee. Notice of the time, date and location all meetings and the agenda of the Committee shall be posted and distributed in the same fashion as notices relating to meetings of other Boards and Commissions of the Village and shall further shall be given to the Mayor and each member of Village Council. All meetings of the Committee shall be open to the public at all times. Detailed minutes of each meeting shall be promptly prepared and distributed to each member of the Committee and to the Mayor and each Member of Village Council.
6. Proposed rules for awarding the scholarships shall be promulgated by the Committee and approved by Village Council. The rules shall include the following qualifications for receipt of a scholarship:
 - *Proof of Oakwood Village residency and duration of residency
 - *Bedford High School senior or private or home-schooled Oakwood resident eligible to graduate at the end of the current school year
 - * Submission of a completed, signed, and verified scholarship application.
 - * Completion of a personal interview with the Scholarship Committee.

The rules shall further provide that the applicants will be rated on criteria to include the following:

- *Completion of application
- *Extracurricular activities, Community Service, Awards
- *Grade Point Average
- *Written essay which the applicant may be asked to read orally to the Committee
- *Interview in-person with the Scholarship Committee

7. No scholarship shall be awarded to any individual who is a member of a Committee Member's immediate family. Scholarships shall be in the amount of \$2,000.00 per student. Scholarships may only be awarded for the payment of tuition for full-time attendance consisting of 12 semester hours or more at accredited colleges, universities or skilled trade schools and shall be paid in two increments of \$1,000.00 each. The first payment of \$1,000.00 shall be made upon receipt of proof acceptable to the Committee of the student's enrollment and class schedule at a qualifying institution of learning. The second payment shall be made upon receipt of proof acceptable to the Committee of the student's continued enrollment and class schedule after the last day classes can be dropped for the applicable academic term. Copies of all substantiating records shall be kept by the Committee with copies being provided to the Finance Director of the Village of Oakwood. In the event that an individual who has received a tuition scholarship from the Committee, fails to attend or drops out of school, such student shall reimburse the Committee any refund of tuition received by the student.

8. The Committee shall perform such other duties and be further regulated as Village Council may, from time to time, prescribe.

ORDINANCE NO. 2026-09

INTRODUCED BY COUNCILPERSON EVANS-WARREN

**AN EMERGENCY ORDINANCE ESTABLISHING THE
OAKWOOD SCHOLARSHIP AWARDS COMMITTEE AND
PRESCRIBING RULES THEREFORE**

WHEREAS, Council has determined that it is in the interest of the public health, safety, and general welfare of the citizens of the Village to provide financial assistance to encourage youthful residents of the Village to pursue educational opportunities;

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

SECTION 1. There is hereby established a Committee to be known as the Oakwood Scholarship Awards Committee consisting of five (5) members to be selected by majority vote of Council. One member shall be appointed from each Ward of the Village and shall be a bona fide resident from such Ward. The Committee shall be governed in accordance with the rules established therefor, as the same may be amended by Village Council from time to time, a copy of which is attached hereto, expressly made a part hereof by reference and marked Exhibit "A".

SECTION 2. The funds necessary to award the scholarships described in said Exhibit "A" as well as the compensation operating expenses of the Committee be and hereby are appropriated.

SECTION 3. 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 urgent need to provide assistance to Village residents seeking higher education 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: _____

Eloise Hardin, President of Council

Tanya Joseph, Clerk of Council

Presented to the
Mayor _____

Approved: _____

Mayor, Erica Nikolic

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. 2026-09 was duly and regularly passed by this Council at the meeting held on the ____ day of _____, 2026.

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. 2026-____ was duly posted on the ____ day of _____, 2026, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council

DATED: _____

EXHIBIT A

RULES FOR THE OPERATION OF THE COMMITTEE

1. Council, by majority vote, shall appoint five (5) individuals, one from each Ward of the Village, and not holding any other municipal office or appointment, to serve on the Scholarship Awards Committee. This Appointment shall occur no later than May 1 of each year. An individual selected for the Committee shall serve a term of one (1) year from the date of appointment and all terms shall end on the April 30th of the year following said appointment. Unexpired terms shall be filled in the same manner as original appointments.
2. To qualify as a member of the Committee the person must be an Oakwood resident and have continuously resided in Ward from which the appointment is being made for at least two years immediately preceding their appointment.
3. Members of the Committee shall receive the same compensation as members of the Planning Commission.
4. The Committee shall convene within ten (10) days of its creation for the purpose of organizing and selecting a Chairperson, Vice-Chairperson and Recording Secretary. These officers shall serve until their successors are duly elected or upon the end of their term, whichever event occurs first.
5. An agenda shall be prepared in advance of each meeting held by the Committee. Notice of the time, date, and location all meetings and the agenda of the Committee shall be posted and distributed in the same fashion as notices relating to meetings of other Boards and Commissions of the Village and shall further be given to the Mayor and each member of Village Council. All meetings of the Committee shall be open to the public at all times. Detailed minutes of each meeting shall be promptly prepared and distributed to each member of the Committee and to the Mayor and each Member of Village Council.
6. Proposed rules for awarding the scholarships shall be promulgated by the Committee and approved by Village Council. The rules shall include the following qualifications for receipt of a scholarship:
 - *Proof of Oakwood Village residency and duration of residency
 - *Bedford High School senior or home-schooled Oakwood resident eligible to graduate at the end of the current school year
 - * Submission of a completed, signed, and verified scholarship application.
 - * Completion of a personal interview with the Scholarship Committee.

The rules shall further provide that the applicants will be rated on criteria to include the following:

- *Completion of application
- *Extracurricular activities, Community Service, Awards
- *Grade Point Average
- * Written essay which the applicant may be asked to read orally to the Committee
- *Interview in-person with the Scholarship Committee

7. No scholarship shall be awarded to any individual who is a member of a Committee Member's immediate family. Scholarships shall be in the amount of \$2,000.00 per student. Scholarships may only be awarded for the payment of tuition for attendance at accredited colleges, universities or skilled trade schools and shall be paid in two increments of \$1,000.00 each. The first payment of \$1,000.00 shall be made upon receipt of proof acceptable to the Committee of the student's enrollment and class schedule at a qualifying institution of learning. The second payment shall be made upon receipt of proof acceptable to the Committee of the student's continued enrollment and class schedule after the last day classes can be dropped for the applicable academic term. Copies of all substantiating records shall be kept by the Committee with copies being provided to the Finance Director of the Village of Oakwood. In the event that an individual who has received a tuition scholarship from the Committee fails to attend or drops out of school, such student shall reimburse the Committee any refund of tuition received by the student.

8. The Committee shall perform such other duties and be further regulated as Village Council

ORDINANCE NO. 2026-10

INTRODUCED BY COUNCILPERSON SCRUGGS

AN ORDINANCE ESTABLISHING A NEW RENTAL FEE SCHEDULE FOR THE OAKWOOD COMMUNITY CENTER AND DECLARING AN EMERGENCY

WHEREAS, the fee schedule for rentals of the Oakwood Community Center have not been updated for a number of years; and,

WHEREAS, Council finds that the present schedule of rental fees is not in line with fees charged by other communities for similar facilities in the area and results in the inability of the Village to recoup its costs for renting the facility;

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

SECTION 1. That the fees for rental of the Oakwood Community Center are hereby amended as follows on and after the effective date of this Ordinance:

	<u>Current</u>	<u>2026</u>
Non-Refundable Rental Fee	\$175.00	\$475.00
Refundable Cleaning / Damage Deposit	\$150.00	\$250.00
Employee Non-Refundable Rental Fee	\$150.00	\$250.00
Repass - Oakwood Resident	\$100.00	\$200.00

SECTION 2. Ordinance 2008-15 and all other legislation inconsistent with this Ordinance be and hereby are repealed from and after the effective date of this Ordinance.

SECTION 3. 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 numerous requests to rent the Oakwood Community Center are pending and it is necessary to establish the new rental fee schedule at the earliest possible date in order to accommodate those requests, 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: _____

Eloise Hardin, President of Council

Evan Garrett, Assistant Clerk of Council

Presented to the
Mayor _____

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026 - 10 was duly and regularly passed by this Council at the meeting held on the ____ day of _____, 2026.

Evan Garrett, Assistant Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Assistant Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026 - ____ was duly posted on the ____ day of _____, 2026, and will remain posted in accordance with the Oakwood Village Charter.

Evan Garrett, Assistant Clerk of Council

DATED: _____

ORDINANCE NO. 2026-15

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. 2024-03, concerning the compensation of the Village Engineer on or about April 9, 2024; 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. 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, 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: _____

Eloise Hardin, President of Council

Evan Garrett, Acting Clerk of Council

Presented to the
Mayor _____

Approved: _____

Mayor, Erica L. Nikolic

I, Evan Garrett, Acting Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026-15 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2026.

Evan Garrett, Acting Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett, Acting Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026-15 was duly posted on the _____ day of _____, 2026, and will remain posted in accordance with the Oakwood Village Charter.

Evan Garrett, Acting Clerk of Council

DATED: _____

**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 is 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.

Municipal Engineer	\$118.00 per hour
Partner / Senior Professional Engineer	\$118.00 per hour
Engineer	\$107.00 per hour
Professional Traffic Engineer	\$156.00 per hour
Environmental Scientist	\$97.00 per hour
Landscape Architect	\$107.00 per hour
CAD Designer	\$94.00 per hour
Geo. Info. Sys. (GIS) Tech.	\$98.00 per hour
Clerical	\$49.00 per hour
Surveyor	\$107.00 per hour
1 Man Survey Field Crew w/GPS	\$135.00 per hour
2 Man Survey Field Crew	\$151.00 per hour
3 Man Survey Field Crew	\$166.00 per hour
Stormwater Specialist	\$97.00 per hour
Contract Administrator	\$88.00 per hour
Inspector*	\$68.00 per hour

*Inspector 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., Date
Chagrin Valley Engineering, Ltd.

Donald Sheehy, P.E., President Date
Chagrin Valley Engineering, Ltd.

VILLAGE OF OAKWOOD

Accepted this _____ day of _____, 2026 by the Village of Oakwood, Ohio, pursuant to Ordinance
of Council No. 2026-XX adopted on _____, 2026.

BY: _____
Erica L. Nikolic, Mayor
Village of Oakwood, Ohio

Attest:

Evan Garrett, Acting Clerk of Council

The legal form of the within instrument is hereby approved.

James A. Climer, Director of Law

Date