

VILLAGE OF OAKWOOD

WORK SESSION

May 14th, 2024

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-02(Amended) AN ORDINANCE GRANTING A FIVE PERCENT (5%) PAY RAISE TO RETROACTIVE TO JANUARY 1, 2024, TO ALL NON-ELECTED EMPLOYEES OF THE VILLAGE OTHER THAN MEMBERS OF THE POLICE DEPARTMENT COLLECTIVE BARGAINING UNIT AND DECLARING AN EMERGENCY**
- 2024-WS-04(Amended) AN EMERGENCY ORDINANCE ADOPTING AN AMENDMENT TO THE EMPLOYEE HANDBOOK FOR PERSONNEL OF THE VILLAGE OF OAKWOOD OTHER THAN FIRE AND NON-AUXILIARY POLICE**
- 2024-WS-05(Substituted) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRCT WITH CREtelligent AND DECLARING AN EMERGENCY**
- 2024-WS-12 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDMENT OF PROFESSIONAL SERVICES AGREEMENT FOR BUILDING INSPECTION SERVICES WITH SAFEUILT OHIO, LLC, AND DECLARING AN EMERGENCY**
- 2024-WS-14 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,495,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF (i) IMPROVING STREETS AND ROADS IN THE VILLAGE BY RECONSTRUCTING, RESURFACING, GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING STORM SEWERS AND RELATED FACILITIES AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, (ii) ACQUIRING, REMODELING, RENOVATING, FURNISHING AND EQUIPPING A BUILDING TO HOUSE VILLAGE SERVICE DEPARTMENT FUNCTIONS AND IMPROVING ITS SITE, (iii) REMODELING, RENOVATING, INSTALLING LIGHTING AND OTHERWISE IMPROVING THE VILLAGE'S COMMUNITY CENTER, (iv) ACQUIRING REAL ESTATE FOR VILLAGE PURPOSES, (v) ACQUIRING SOLID WASTE AND RECYCLING CONTAINERS FOR USE IN REFUSE COLLECTION AND (vi) RESURFACING FORBES ROAD FROM NORTHFIELD ROAD TO BROADWAY AVENUE IN ACCORDANCE WITH PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.**
- 2024-WS-15 AN ORDINANCE AMENDING OAKWOOD CODIFIED ORDINANCE 111.01 (b) 140.07 TO PROVIDE GREATER FLEXIBILTY IN THE SCHEDULING AND RESCHEDULING OF REGULAR COUNCIL MEETINGS AND DECLARING AN EMERGENCY**
- 2024-WS-16 AN ORDINANCE TO PROVIDE AMENDMENTS TO THE CODIFIED ORDINANCES OF OAKWOOD GENERAL OFFENSES CODE, PART FIVE, SECTIONS 505.02 AND 505.03 CLARIFYING CIRCUMSTANCES UNDER WHICH ANIMALS ARE RUNNING AT LARGE IN VIOLATION OF THE ORDINANCES OF THE VILLAGE**

2024-WS-17	AN ORDINANCE REPEALING ORDINANCE NO. 2024-03 AND DECLARING AN EMERGENCY
2024-WS-18	A RESOLUTION FOR THE VILLAGE OF OAKWOOD POLICE AND FIRE DEPARTMENT SUBSTANTIALLY DEDICATED TO RESPONDING TO THE COVID-19 PUBLIC HEALTH EMERGENCY
2024-WS-19	A RESOLUTION ACCEPTING FUNDING AWARDS FROM CUYAHOGA COUNTY UNDER THE 2024 COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM AND THE 2024 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE FIRST PLACE PAVEMENT IMPROVEMENT PROJECT IN THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY
2024-WS-20	A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE EASEMENT DOCUMENTS FOR PUBLIC SIDEWALK FACILITIES OVER PRIVATE PROPERTIES ON BROADWAY AVENUE AND DECLARING AN EMERGENCY
2024-WS-21	AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT AWARD AGREEMENT WITH CUYAHOGA COUNTY AND DIRECTING THE FINANCE DIRECTOR TO ACCEPT AND DEPOSIT INTO THE LOCAL FISCAL RECOVERY FUND, FUNDING FROM THE DISTRICT 6 ARPA COMMUNITY GRANT FUND IN THE AMOUNT OF \$250,000 AND AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE OAK LEAF ROAD REHABILITATION PROJECT – PHASE 1; AND DECLARING AN EMERGENCY.

Municipal Complex Hardin
Disaster Recovery Plan Hardin
Human Resources Hardin
Five Year Plan Hardin

5. Matters Deemed Appropriate
6. Adjournment

**VILLAGE OF OAKWOOD
COUNCIL MEETING
May 14th, 2024
7:00 p.m.
AGENDA**



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

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

- 4. Minutes-** February 13th, 2024, Council Meeting Minutes (tabled)
February 13th, 2024, Work Session Minutes (tabled)
February 27th, 2024, Environmental Committee Minutes (tabled)
February 27th, 2024, Finance Minutes (tabled)

5. Clerk Correspondence

6. Departmental Reports

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

7. 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

2023-55

Introduced 12-22-23

By Mayor and

Council as a whole

1st read 12-22-23

2nd read 1-9-24

Tabled 1-23-24

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

2024-13

Introduced 3-26-24

By Mayor and

Council as a whole

1st read 3-26-24

2nd read 4-9-24

Tabled 4-23-24

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REFUSE COLLECTION
AND RECYCLE PROCESSING SERVICE AGREEMENT WITH WASTE MANAGEMENT OF
OHIO, INC., AND DECLARING AN EMERGENCY**

2024-21

Introduced 4-23-24

By Mayor and

Council as a whole

1st read 5-13-24

A RESOLUTION OF CONDOLENCES TO THE FAMILY OF LAQUAN NARVELL EVANS

11. Adjournment

AMENDED ORDINANCE NO. 2024-WS-02

INTRODUCED BY MAYOR

AN ORDINANCE GRANTING A FIVE PERCENT (5%) PAY RAISE TO RETROACTIVE TO JANUARY 1, 2024, TO ALL NON-ELECTED EMPLOYEES OF THE VILLAGE OTHER THAN MEMBERS OF THE POLICE DEPARTMENT COLLECTIVE BARGAINING UNIT AND DECLARING AN EMERGENCY

WHEREAS, the years 2022 and 2023 have experienced inflation not seen for many years;
and,

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

SECTION 1. All non-elected employees of the Village other than members of the Police Collective Bargaining Unit be and hereby are granted a pay raise of five percent (5%) retroactive to January 1, 2024, subject to the approval of the employee's supervisor.

SECTION 2. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that competition is increasing for qualified municipal employees and the continuation of uninterrupted services to the citizens of Oakwood is of paramount importance 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: _____

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: _____

ORDINANCE NO. 2024-WS-04

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN EMERGENCY ORDINANCE ADOPTING AN AMENDMENT TO
THE EMPLOYEE HANDBOOK FOR PERSONNEL OF THE VILLAGE
OF OAKWOOD OTHER THAN FIRE AND NON-AUXILIARY POLICE**

WHEREAS, Council has revised certain provisions in the Employee Handbook upon the recommendation of certain Department heads and further desires to provide for the specific procedures to be utilized in the dissemination of such handbooks to current and future employees of the Village; and,

WHEREAS, Council desires to provide for proper accounting and tracking of employee work hours;

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

SECTION 1. The Council hereby adopts the following Addendum to the Employee Handbook adopted in Ordinance No. amended Employee Handbook, substantially in the form attached hereto and incorporated herein as Exhibit "A".

SECTION 2. The Mayor be and he is hereby authorized and directed to issue sufficient copies of the applicable Addendum to each Director and Department Head in print and/or electronic format for dissemination to all employees working under their respective jurisdictions. All current employees shall sign a receipt acknowledging receipt of the Addendum and all receipts shall be kept on file in the office of the Director of Finance. The Director of Finance shall require new employees of the Village to execute a receipt acknowledging receipt of his or her handbook and this Addendum at the time of the commencement of employment with the Village. All such receipts shall likewise be kept in the Office of the Director of Finance.

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 daily operation of a municipal department and is necessary to provide for the continued good order of Village operations, therefore, provided it receives two-thirds (2/3) of the vote of all members of the 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-WS-04 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-WS-04 was duly posted on the ____ day of _____, 2024, and will remain posted for a period of fifteen (15) days thereafter as provided by the Village Charter and ordinances.

Tanya Joseph, Clerk of Council

DATED: _____

ADDENDUM 1

Time Clock

1. All non-elected full or part time employees who are subject to the provisions of this Handbook and assigned to report for work at Village Hall or any other Village building shall record their work hours on a time clock provided by the Village.
2. A report including the hours worked, paid time and gross pay for each employee shall be submitted by the Finance Director in the monthly financial packet to Council.
3. Intentionally falsifying time stamps or any unauthorized manipulation of time reporting will be grounds for immediate termination.
4. Any request to adjust or correct a time record shall be made in writing and any change must be approved in writing by the employee's manager or supervisor. Any change to a time record resulting in a payment adjustment over the amount of \$___ will require approval by the employee's manager or supervisor.
5. All timesheets shall be signed by the employee's manager or supervisor and the Finance Director shall be responsible to collect all timesheets from the managers or supervisors each pay period.

SUBSTITUTE ORDINANCE NO. 2024-WS-05

INTRODUCED BY MAYOR AND 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 ($\frac{2}{3}$) 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: _____

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 manner specified in the Oof Oakwood.

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.

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

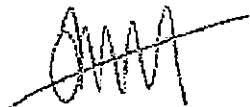
SCHEDULE

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. 2024-WS-12

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

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

WHEREAS, the Village of Oakwood deems it advantageous to enter into a professional services agreement (the "Agreement") for building inspection services for twelve (12) months, and which automatically renewed for twelve (12) month terms absent notice to the contrary; and

WHEREAS, the Village of Oakwood entered into the Agreement with SAFEuilt Ohio, LLC on August 25, 2021 in accordance with Ordinance No. 2021-52; and

WHEREAS, the Village of Oakwood and SAFEuilt Ohio, LLC desire to enter into the First Amendment to the Agreement in order to update the Fee Schedule, as more specifically described in Exhibit "A" to this Ordinance, which is attached hereto and incorporated by reference; and

WHEREAS, all other terms of the Agreement remain the same and are in full force; and

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 First Amendment to the Agreement with SAFEuilt Ohio, LLC, a copy of which is attached hereto and expressly made a part hereof by reference and marked 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 that the continuation of uninterrupted building inspection services is of paramount importance to the citizens of Oakwood, 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: _____

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. 2024-_____ was duly and regularly passed by this Council at the meeting held on _____ 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: _____

**FIRST AMENDMENT OF
PROFESSIONAL SERVICES AGREEMENT
BETWEEN VILLAGE OF OAKWOOD, OHIO
AND SAFEbuilt OHIO, LLC**

**EXHIBIT
"A"**

THIS FIRST AMENDMENT OF PROFESSIONAL SERVICES AGREEMENT is made effective as of the date of the last signature below by and between Village of Oakwood, Ohio (Municipality) and SAFEbuilt Ohio, LLC, a wholly owned subsidiary of SAFEbuilt, LLC (Consultant). Municipality and Consultant shall be jointly referred to as the "Parties".

This Amendment shall be effective on the latest date fully executed by both Parties.

RECITALS AND REPRESENTATIONS

WHEREAS, Parties entered into a Professional Services Agreement (Agreement), by which both Parties established the terms and conditions for service delivery on October 11, 2021; and

Parties hereto now desire to amend the Agreement as set forth herein; and

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, and other good and valuable consideration, the receipt and adequacy of which are acknowledged, the Parties agree as follows:

1. The above recitals are acknowledged as true and correct and are incorporated herein.
2. Agreement, Exhibit A, 4. Fee Schedule shall be updated to include the below:

Service Fee Schedule:	STANDARD HOURLY RATE*
Inspection Services • Building, Mechanical, Plumbing, Electrical	\$90.00 per hour – one (1) hour minimum
After Hours/Emergency Inspection Services	\$100.00 per hours – two (2) hour minimum
Hourly inspection time tracked includes roundtrip travel time between Consultant's location and Municipality or first inspection site. Time tracked will end when the inspector completes the last scheduled inspection or leaves Municipal office. Time tracked will include travel time between inspection sites and all administrative work related to inspection support.	

3. All other conditions and terms of the original Agreement not specifically amended herein, shall remain in full force and effect.

IN WITNESS HEREOF, the undersigned have caused this Amendment to be executed in their respective names on the dates hereinafter enumerated.

SAFEbuilt Ohio, LLC

Village of Oakwood, Ohio

By: _____

By: _____

Name: Matthew K. Causley

Name: _____

Title: Chief Operating Officer

Title: _____

Date: _____

Date: _____

2021 EXHIBIT A – LIST OF SERVICES AND FEE SCHEDULE

1. LIST OF SERVICES

Building, Electrical, Plumbing, and Mechanical Inspection Services

- ✓ Consultant utilizes an educational, informative approach to improve the customer's experience.
- ✓ Perform code compliant inspections to determine that construction complies with approved plans
- ✓ Meet or exceed agreed upon performance metrics regarding inspections
- ✓ Provide onsite inspection consultations to citizens and contractors while performing inspections
- ✓ Return calls and emails from permit holders in reference to code and inspection concerns
- ✓ Identify and document any areas of non-compliance
- ✓ Leave a copy of the inspection ticket and discuss inspection results with site personnel

Reporting Services

- ✓ Consultant will work with Municipality to develop a mutually agreeable reporting schedule and format

2. MUNICIPAL OBLIGATIONS

- ✓ Municipality will issue permits and collect all fees
- ✓ Municipality will provide Consultant with a list of requested inspections and supporting documents

3. TIME OF PERFORMANCE

- ✓ Consultant will perform Services during normal business hours excluding Municipal holidays
- ✓ Services will be performed on an as-requested basis
- ✓ Consultants representative(s) will be available by cell phone and email

Deliverables	
INSPECTION SERVICES	Perform inspections received from the Municipality prior to 4:00 pm next business day

4. FEE SCHEDULE

- ✓ Beginning January 01, 2022 and annually thereafter, the hourly rates listed shall be increased based upon the annual increase in the Department of Labor, Bureau of Labor Statistics or successor thereof, Consumer Price Index (United States City Average, All Items (CPI-U), Not Seasonally adjusted, All Urban Consumers, referred to herein as the "CPI") for the Municipality or, if not reported for the Municipality the CPI for cities of a similar size within the applicable region from the previous calendar year, such increase, however, not to exceed 4% per annum. The increase will become effective upon publication of the applicable CPI data. If the index decreases, the rates listed shall remain unchanged.
- ✓ Consultant fees for Services provided pursuant to this Agreement will be as follows:

Service Fee Schedule:	
Inspection Services	
• Building, Mechanical, Plumbing, Electrical	\$81.00 per hour – one (1) hour minimum
After Hours/Emergency Inspection Services	\$100.00 per hour – two (2) hour minimum
Time tracked will start when Consultant checks in at Municipality or first inspection site.	

ORDINANCE NO. 2024-WS-14

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,495,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF (i) IMPROVING STREETS AND ROADS IN THE VILLAGE BY RECONSTRUCTING, RESURFACING, GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING STORM SEWERS AND RELATED FACILITIES AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, (ii) ACQUIRING, REMODELING, RENOVATING, FURNISHING AND EQUIPPING A BUILDING TO HOUSE VILLAGE SERVICE DEPARTMENT FUNCTIONS AND IMPROVING ITS SITE, (iii) REMODELING, RENOVATING, INSTALLING LIGHTING AND OTHERWISE IMPROVING THE VILLAGE'S COMMUNITY CENTER, (iv) ACQUIRING REAL ESTATE FOR VILLAGE PURPOSES, (v) ACQUIRING SOLID WASTE AND RECYCLING CONTAINERS FOR USE IN REFUSE COLLECTION AND (vi) RESURFACING FORBES ROAD FROM NORTHFIELD ROAD TO BROADWAY AVENUE IN ACCORDANCE WITH PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance Nos. 2009-40, 2009-41, 2009-42, 2009-43, 2009-44, 2009-45 and 2009-46, each passed on September 8, 2009, there were issued \$3,839,000 Various Purpose Notes, Series 2009 (the Series 2009 Notes), in anticipation of bonds of which \$481,500 was for the purpose stated in clause (i) of Section 1 and \$343,500 for the purpose stated in clause (ii) of Section 1, which Series 2009 Notes matured on October 7, 2010; and

WHEREAS, pursuant to Ordinance Nos. 2010-42, 2010-43, 2010-44, 2010-45, 2010-46, 2010-47, 2010-48, 2010-49 and 2010-50, each passed on September 14, 2010, there were issued \$4,845,000 Various Purpose Notes, Series 2010 (the Series 2010 Notes), in anticipation of bonds of which \$1,441,000 was for the purpose stated in clause (i) of Section 1 and \$350,500 for the purpose stated in clause (ii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2009 Notes, which Series 2010 Notes matured on October 6, 2011; and

WHEREAS, pursuant to Ordinance Nos. 2011-34, 2011-35, 2011-36, 2011-37, 2011-38, 2011-39, 2011-40 and 2011-42, each passed on August 23, 2011, and Ordinance Nos. 2011-41 and 2011-45, each passed on September 13, 2011, there were issued \$5,345,000 Various Purpose Notes, Series 2011 (the Series 2011 Notes), in anticipation of bonds of which \$1,971,000 was for the purpose stated in clause (i) of Section 1 and \$350,500 for the purpose stated in clause (ii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2010 Notes, which Series 2011 Notes matured on October 4, 2012; and

WHEREAS, pursuant to Ordinance Nos. 2012-63, 2012-64, 2012-65, 2012-66, 2012-67, 2012-68 and 2012-69, each passed on September 25, 2012, there were issued \$2,809,500 Various Purpose Notes, Series 2012-2 (the Series 2012-2 Notes), in anticipation of bonds of which \$1,971,000 was for the purpose stated in clause (i) of Section 1 and \$350,500 for the purpose stated in clause (ii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2011 Notes, which Series 2012-2 Notes matured on October 2, 2013; and

WHEREAS, pursuant to Ordinance Nos. 2013-33, 2013-34, 2013-35, 2013-36, 2013-37, 2013-38 and 2013-39, each passed on September 10, 2013, there were issued \$2,766,500 Various Purpose Notes, Series 2013 (the Series 2013 Notes), in anticipation of bonds of which \$1,971,000 was for the purpose stated in clause (i) of Section 1 and \$350,500 for the purpose stated in clause (ii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2012-2 Notes, which Series 2013 Notes matured on September 30, 2014; and

WHEREAS, pursuant to Ordinance Nos. 2014-43, 2014-44, 2014-45, 2014-46, 2014-47, 2014-48 and 2014-49, each passed on September 9, 2014, there were issued \$2,686,500 Various Purpose Notes, Series 2014 (the Series 2014 Notes), in anticipation of bonds of which \$1,951,000 was for the purpose stated in clause (i) of Section 1 and \$340,500 for the purpose stated in clause (ii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2013 Notes, which Series 2014 Notes matured on September 24, 2015; and

WHEREAS, pursuant to Ordinance Nos. 2015-44 and 2015-45, each passed on August 25, 2015, there were issued \$2,621,500 Various Purpose Notes, Series 2015 (the Series 2015 Notes), in anticipation of bonds of which \$1,916,000 was for the purpose stated in clause (i) of Section 1, \$325,500 for the purpose stated in clause (ii) and \$55,000 was for the purpose stated in clause (iii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2015 Notes, which Series 2015 Notes matured on September 22, 2016; and

WHEREAS, pursuant to Ordinance No. 2016-46, passed on September 14, 2016, there were issued \$2,491,500 Various Purpose Notes, Series 2016 (the Series 2016 Notes), in anticipation of bonds of which \$1,871,000 was for the purpose stated in clause (i) of Section 1, \$310,500 for the purpose stated in clause (ii) and \$55,000 was for the purpose stated in clause (iii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2015 Notes, which Series 2016 Notes matured on September 21, 2017; and

WHEREAS, pursuant to Ordinance No. 2017-31, passed on August 22, 2017, there were issued \$2,346,500 Various Purpose Notes, Series 2017 (the Series 2017 Notes), in anticipation of bonds of which \$1,831,000 was for the purpose stated in clause (i) of Section 1, \$295,500 for the purpose stated in clause (ii) and \$55,000 was for the purpose stated in clause (iii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2016 Notes, which Series 2017 Notes matured on September 20, 2018; and

WHEREAS, pursuant to Ordinance No. 2018-44, passed on August 28, 2018, and Ordinance Nos. 2018-49, 2018-50, 2018-51 and 2018-52, each passed on September 4, 2018, there were issued \$2,335,000 Various Purpose Notes, Series 2018 (the Series 2018 Notes), in anticipation of bonds of which \$1,861,000 was for the purpose stated in clause (i) of Section 1, \$280,000 for the purpose stated

in clause (ii), \$55,000 was for the purpose stated in clause (iii), \$40,000 was for the purpose stated in clause (iv), \$35,000 was for the purpose stated in clause (v) and \$30,000 was for the purpose stated in clause (vi) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2017 Notes, which Series 2018 Notes matured on September 19, 2019; and

WHEREAS, pursuant to Ordinance No. 2019-53, passed on August 27, 2019, there were issued \$2,200,000 Various Purpose Notes, Series 2019 (the Series 2019 Notes), in anticipation of bonds of which \$1,725,000 was for the purpose stated in clause (i) of Section 1, \$265,000 for the purpose stated in clause (ii), \$55,000 was for the purpose stated in clause (iii), \$40,000 was for the purpose stated in clause (iv), \$35,000 was for the purpose stated in clause (v) and \$30,000 was for the purpose stated in clause (vi) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2018 Notes, which Series 2019 Notes matured on September 17, 2020; and

WHEREAS, pursuant to Ordinance No. 2020-69, passed on August 25, 2020, and Ordinance No. 2020-73, passed on August 27, 2020, there were issued \$2,130,000 Various Purpose Notes, Series 2020 (the Series 2020 Notes), in anticipation of bonds of which \$1,655,000 was for the purpose stated in clause (i) of Section 1, \$250,000 for the purpose stated in clause (ii), \$45,000 was for the purpose stated in clause (iii), \$40,000 was for the purpose stated in clause (iv), \$35,000 was for the purpose stated in clause (v), \$30,000 was for the purpose stated in clause (vi) and \$50,000 was for the purpose stated in clause (vii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2019 Notes, which Series 2020 Notes matured on September 16, 2021; and

WHEREAS, pursuant to Ordinance No. 2021-55, passed on August 24, 2021, there were issued \$1,975,000 Various Purpose Notes, Series 2021 (the Series 2021 Notes), in anticipation of bonds of which \$1,560,000 was for the purpose stated in clause (i) of Section 1, \$225,000 for the purpose stated in clause (ii), \$35,000 was for the purpose stated in clause (iii), \$40,000 was for the purpose stated in clause (iv), \$35,000 was for the purpose stated in clause (v), \$30,000 was for the purpose stated in clause (vi) and \$50,000 was for the purpose stated in clause (vii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2020 Notes, which Outstanding Notes mature on September 15, 2022; and

WHEREAS, pursuant to Ordinance No. 2022-42, passed on July 12, 2022, there were issued \$1,815,000 Various Purpose Notes, Series 2022 in anticipation of bonds of which \$1,440,000 was for the purpose stated in clause (i) of Section 1, \$200,000 for the purpose stated in clause (ii), \$20,000 was for the purpose stated in clause (iii), \$40,000 was for the purpose stated in clause (iv), \$35,000 was for the purpose stated in clause (v), \$30,000 was for the purpose stated in clause (vi) and \$50,000 was for the purpose stated in clause (vii) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2021 Notes, which Outstanding Notes mature on September 14, 2023; and

WHEREAS, pursuant to Ordinance No. 2023-28, passed on August 29, 2023, there were issued \$1,655,000 Various Purpose Notes, Series 2023 (the Outstanding Notes), in anticipation of bonds of which \$1,335,000 was for the purpose stated in clause (i) of Section 1, \$175,000 for the purpose stated in clause (ii), \$35,000 was for the purpose stated in clause (iii), \$30,000 was for the purpose stated in clause (iv), \$25,000 was for the purpose stated in clause (v) and \$45,000 was for the

purpose stated in clause (vi) of Section 1 and, together with other funds available to the Village, was used to retire the Series 2022 Notes, which Outstanding Notes mature on June 13, 2024; and

WHEREAS, this Council finds and determines that the Village should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the Village; and

WHEREAS, the Director of Finance, as fiscal officer of the Village, has certified to this Council that the estimated life or period of usefulness of the improvements described in Section 1 is at least five years, the estimated maximum maturity of \$215,000 of the Bonds described in clause (i) of Section 1 is nine years, \$645,000 of the Bonds described in clause (i) of Section 1 is 10 years, \$350,000 of the Bonds described in clause (i) of Section 1 is 11 years and \$20,000 of the Bonds described in clause (i) of Section 1 is 13 years, the Bonds described in clause (ii) of Section 1 is 14 years, the Bonds described in clause (iii) of Section 1 is 18 years, the Bonds described in clause (iv) of Section 1 is 28 years, the Bonds described in clause (v) of Section 1 is three years and the Bonds described in clause (vi) of Section 1 is 15 years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of \$215,000 of the Bonds described in clause (i) of Section 1 and the Bonds described in clause (ii) of Section 1 is October 7, 2029, in anticipation of \$645,000 of the Bonds described in clause (i) of Section 1 is October 6, 2030, in anticipation of \$350,000 of the Bonds described in clause (i) of Section 1 is October 5, 2031, in anticipation of \$20,000 of the Bonds described in clause (i) and the Bonds described in clauses (iii) and (iv) of Section 1 is September 19, 2038, in anticipation of the Bonds described in clause (v) of Section 1 is September 19, 2028, and in anticipation of the Bonds described in clause (vi) of Section 1 is September 16, 2040;

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

Section 1. Authorized Principal Amount of Anticipated Bonds: Purpose. It is necessary to issue bonds of the Village in the aggregate principal amount of \$1,495,000 (the Bonds) for the purpose of paying costs of (i) improving streets and roads in the Village by reconstructing, resurfacing, grading, draining, curbing, paving, constructing storm sewers and related facilities and making other improvements as designated in the plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto (\$1,230,000), (ii) acquiring, remodeling, renovating, furnishing and equipping a building to house Village Service Department functions and improving its site (\$150,000), (iii) remodeling, renovating, installing lighting and otherwise improving the Village's Community Center (\$30,000), (iv) acquiring real estate for Village purposes (\$25,000), (v) acquiring solid waste and recycling containers for use in refuse collection (\$20,000) and (vi) resurfacing Forbes Road from Northfield Road to Broadway Avenue in accordance with plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto (\$40,000).

Section 2. Estimated Bond Terms. The Bonds shall be dated approximately June 1, 2025, shall bear interest at the now estimated rate of 6% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 11 annual principal installments on August 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable are substantially equal. The first interest payment on the Bonds is

estimated to be February 1, 2026, and the first principal payment of the Bonds is estimated to be August 1, 2027.

Section 3. Authorized Principal Amount of Notes; Dating; Interest Rate. It is necessary to issue and this Council determines that notes in the aggregate principal amount of \$1,495,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to retire, together with other funds available to the Village, the Outstanding Notes. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date not later than one year from the date of issuance by setting forth that maturity date in the certificate awarding the Notes and signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 7% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity or at any date of earlier prepayment as provided for in Section 4 and until the principal amount is paid or payment is provided for, subject to the paragraph immediately following. The rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

If requested by the Original Purchaser (as defined in Section 6) and if the Director of Finance has determined it to be in the best interests of and financially advantageous to the Village to participate in the Treasurer of State's Ohio Market Access Program (as described in Section 6(c)), the Notes may provide that, in the event that the Village does not pay or make provision for payment at maturity of the debt charges on the Notes, the principal amount of the Notes shall bear interest at a different rate not to exceed the After Maturity Rate (as defined in the Standby Note Purchase Agreement defined and provided for in Section 6(c)) from the maturity date until the Village pays or makes provision to pay that principal amount.

Section 4. Payment of Debt Charges; Paying Agent; Prepayment. The debt charges on the Notes shall be payable in lawful money of the United States of America or in Federal Reserve funds of the United States of America, as determined by the Director of Finance in the Certificate of Award, and shall be payable, without deduction for services of the Village's paying agent, at the designated corporate trust office of U.S. Bank Trust Company, National Association, or at the designated corporate trust office or other office of a bank or trust company designated by the Director of Finance, after determining that the payment at that bank or trust company will not endanger the funds or securities of the Village and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent). If agreed to by the Original Purchaser, the Notes shall be prepayable without penalty or premium at the option of the Village on or after a date to be determined by the Director of Finance in the Certificate of Award as provided in this Ordinance. Prepayment prior to maturity shall be made by deposit with the Paying Agent of the principal amount of the Notes together with interest accrued thereon to the Prepayment Date. The Village's right of prepayment shall be exercised by mailing a notice of prepayment, stating the Prepayment Date and the name and address of the Paying Agent, by certified or registered mail to the Original Purchaser and to the Paying Agent not less than seven days prior to the Prepayment Date. If money for prepayment is on deposit with the Paying Agent on the Prepayment Date following the giving of that notice, interest on the principal amount prepaid shall cease to accrue on the Prepayment Date, and upon the request of the Director of Finance, the Original Purchaser to use its best efforts to

arrange for the delivery of the Notes at the designated office of the Paying Agent for prepayment, surrender and cancellation.

Section 5. Execution of Notes: Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the Village and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, provided that no Note shall be issued in a denomination less than \$100,000. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the Village and payable only to a Depository or its nominee, with such Notes deposited and maintained in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the Village is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and deposited and maintained in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Village.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry

relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Village action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the Village.

Section 6. Award and Sale of the Notes.

(a) To the Original Purchaser. The Notes shall be sold at not less than par plus accrued interest to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other Village officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements, paying agent agreement, note purchase agreement, placement agent agreement, term sheet and other commitments, documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the Village, to combine the issue of Notes with one or more other note issues of the Village into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

(b) Application for Rating; Financing Costs. The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

(c) Ohio Market Access Program. If the Director of Finance determines in the Certificate of Award for it to be in the best interest of and financially advantageous to the Village, the Village shall participate in the Treasurer of State's Ohio Market Access Program.

The Standby Note Purchase Agreement (Standby Note Purchase Agreement) and Paying Agent Agreement (Paying Agent Agreement) are hereby authorized in the forms presented to this Council with such changes not materially adverse to the Village as may be approved by the officers

of the Village executing the Standby Note Purchase Agreement and Paying Agent Agreement. The Village acknowledges the agreement of the Treasurer of State in the Standby Note Purchase Agreement that, in the event the Village is unable to repay the principal amount and accrued and unpaid interest of the Notes at their maturity, whether through its own funds or through the issuance of other obligations of the Village, the Treasurer of State agrees (A) to purchase the Notes from the holders or beneficial owners thereof upon their presentation to the Treasurer of State for such purchase at a price of par plus accrued interest to maturity or (B) to purchase renewal notes of the Village in a principal amount not greater than the principal amount of the Notes plus interest due at maturity, with such renewal notes bearing interest at the Renewal Note Rate (as defined in the Standby Note Purchase Agreement), maturing not more than one year after the date of their issuance, and being prepayable at any time with 30 days' notice, provided that in connection with the Treasurer of State's purchase of such renewal notes the Village shall deliver to the Treasurer of State an unqualified opinion of nationally recognized bond counsel that (i) such renewal notes are the legal, valid and binding general obligations of the Village, and the principal of and interest on such renewal notes, unless paid from other sources, are to be paid from the proceeds of the levy of ad valorem taxes, within the ten-mill limitation imposed by law, on all property subject to ad valorem taxes levied by the Village and (ii) interest on the renewal notes is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code, as amended, to the same extent that interest on the Notes is so excluded.

The officers signing the Notes are authorized to take all actions that may in their judgment reasonably be necessary to provide for the Standby Note Purchase Agreement, including but not limited to the inclusion of a notation on the form of the Notes providing notice to the holders or beneficial owners of the existence of the Standby Note Purchase Agreement and providing instructions to such holders or beneficial owners regarding the presentation of the Note for purchase by the Treasurer of State at stated maturity.

Section 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the Village, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be

placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year to the extent other funds are available for the payment of debt charges on the Notes and Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of other funds so available and appropriated.

Section 10. Federal Tax Considerations. The Village covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The Village further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the Village having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation or treatment of the Notes as "qualified tax-exempt obligations" if such designation or treatment is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the Village with respect to the Notes as the Village is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Village, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the Village, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the Village regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Each covenant made in this Section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Notes.

Section 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

Section 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the Village or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Village have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the Village are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 13. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the Village in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the Village or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized to provide for the payment of those fees and any reimbursements from the proceeds of the Notes to the extent available and otherwise is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 14. Retention of Municipal Advisor. The services of MAS Financial Advisory Services LLC, as municipal advisor, be and are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Notes. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the Village in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the Village or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. The Director of Finance is authorized to provide for the payment of those fees and any reimbursements from the proceeds of the Notes to the extent available and otherwise is authorized and directed to

make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 15. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or of any of its committees, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 16. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 17. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village, and for the further reason that this Ordinance is required to be immediately effective so that the Notes can be sold and issued at an early date to make their proceeds available to enable the Village to retire the Outstanding Notes and therefor preserve its credit; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

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. 2024- was duly and regularly passed by this Council at the meeting held on _____ 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: _____

FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE VILLAGE OF OAKWOOD, OHIO:

As fiscal officer of the Village of Oakwood, Ohio, I certify in connection with your proposed issue of \$1,495,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of (i) improving streets and roads in the Village by reconstructing, resurfacing, grading, draining, curbing, paving, constructing storm sewers and related facilities and making other improvements as designated in the plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto (the 2009 Street improvement) (\$215,000 of the Notes), (ii) acquiring, remodeling, renovating, furnishing and equipping a building to house Village Service Department functions and improving its site (the 2009 Service Department improvement) (\$150,000 of the Notes), (iii) improving streets and roads in the Village by reconstructing, resurfacing, grading, draining, curbing, paving, constructing storm sewers and related facilities and making other improvements as designated in the plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto (the 2010 Street improvement) (\$645,000 of the Notes), (iv) improving streets and roads in the Village by reconstructing, resurfacing, grading, draining, curbing, paving, constructing storm sewers and related facilities and making other improvements as designated in the plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto (the 2011 Street improvement) (\$350,000 of the Notes), (v) remodeling, renovating, installing lighting and otherwise improving the Village's Community Center (the 2018 Community Center improvement) (\$30,000 of the Notes), (vi) acquiring real estate for Village purposes (the 2018 Real Estate improvement) (\$25,000 of the Notes), (vii) resurfacing streets and roads in the Village with asphalt as designated in the plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto (the 2018 Street improvement) (\$20,000 of the Notes), (viii) acquiring solid waste and recycling containers for use in refuse collection (the 2018 Recycling Container improvement) (\$20,000 of the Notes) and (ix) resurfacing Forbes Road from Northfield Road to Broadway Avenue in accordance with plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto (the 2020 Forbes Road improvement, and, collectively with the 2009 Street improvement, the 2009 Service Department improvement, the 2010 Street improvement, the 2011 Street improvement, the 2018 Community Center improvement, the 2018 Real Estate improvement, the 2018 Street improvement and the 2018 Recycling Container improvement, the improvements) (\$40,000 of the Notes), that:

1. The estimated life or period of usefulness of the improvements is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is (i) 20 years as to the portions of the Bonds related to the 2009 Street improvement, the 2010 Street improvement, the 2011 Street improvement and the 2018 Community Center improvement, (ii) 25 years as to the portion of the Bonds related to the 2009 Service Department improvement, (iii) five years as to the portions of the Bonds related to the 2018 Recycling Container improvement, (iv) 30 years as to the portion of the Bonds related to the 2018 Real Estate

improvement and (v) 15 years as to the portion of the Bonds related to the 2018 Street improvement and the 2020 Forbes Road improvement. If notes in anticipation of the related Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the related Bonds. Thus, the maximum maturity of the Bonds related to the (A) 2009 Street improvement is nine years, (B) 2009 Service Department improvement is 14 years, (C) 2010 Street improvement is 10 years, (D) 2011 Street improvement is 11 years, (E) 2018 Community Center improvement is 18 years, (F) 2018 Real Estate improvement is 28 years, (G) 2018 Street improvement is 13 years and (H) 2018 Recycling Container improvement is three years.

3. The maximum maturity of the Notes is (i) October 7, 2029, as to the portions of the Notes related to the 2009 Street improvement and the 2009 Service Department improvement, which date is 20 years from October 7, 2009, the date of issuance of the original notes issued for those purposes, (ii) October 6, 2030, as to the portion of the Notes related to the 2010 Street improvement, which date is 20 years from October 6, 2010, the date of issuance of the original notes issued for that purpose, (iii) October 5, 2031, as to the portion of the Notes related to the 2011 Street improvement, which date is 20 years from October 5, 2011, the date of issuance of the original notes issued for that purpose, (iv) September 19, 2038, as to the portion of the Notes related to the 2018 Community Center improvement, the 2018 Real Estate improvement and the 2018 Street improvement, which date is 20 years from September 19, 2018, the date of issuance of the original notes issued for those purposes, (v) September 19, 2028, as to the portion of the Notes related to the 2018 Recycling Container improvement, which date is 10 years from September 19, 2018, the date of issuance of the original notes issued for that purpose, and (vi) September 16, 2040, as to the portion of the Notes related to the 2020 Forbes Road improvement, which date is 20 years from September 16, 2020, the date of issuance of the original notes issued for that purpose.

Dated: April 9, 2024

Director of Finance
Village of Oakwood, Ohio

ORDINANCE NO. 2024 -WS-15

INTRODUCED BY

AN ORDINANCE AMENDING OAKWOOD CODIFIED ORDINANCE 111.01 (b) 140.07 TO PROVIDE GREATER FLEXIBILITY IN THE SCHEDULING AND RESCHEDULING OF REGULAR COUNCIL MEETINGS AND DECLARING AN EMERGENCY

WHEREAS, Oakwood Charter Section 7.09 provides that Council shall hold at least two regular Council meetings per month during most months of the year at times to be prescribed by ordinance; and,

WHEREAS, Oakwood Charter Section 7.09 clearly provides that Council may hold an additional regular Council meetings; and,

WHEREAS, Oakwood Codified Ordinance 111.01(b) provides for the rescheduling of regular Council meetings only when such meeting falls on a holiday and makes no provision for the scheduling of additional regular meetings of Council; and,

WHEREAS, Council has found it necessary to reschedule regular meetings for reasons other than holidays and to schedule additional regular meetings beyond the monthly minimum;

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

SECTION 1: That Oakwood Codified Ordinance 111.01, which presently reads as follows:

111.01 - Meetings; notification.

- (a) The regular public meetings of the Council of the Village of Oakwood will take place at the Village Hall, at 7:00 p.m. on the second and fourth Tuesday of every month with Council work sessions to be held immediately thereafter, except the months of July and August, wherein only one public meeting and work session will be held in each of the said two months, the date, times and locations of such meetings and work sessions to be determined by Council and made known to the public in a public meeting prior to said months, or as provided for hereinafter. The dates and times of Council work sessions may be changed by motion approved by a majority vote of Council at any regular meeting. The Clerk of Council shall provide proper legal notice of all work sessions of Village Council.
- (b) If any of the foregoing dates upon which a public meeting or a work session of Council has been scheduled is a holiday, as determined by the majority of

Council, said majority of Council shall establish an alternate date and time for said meeting. All re-scheduling of said meetings shall be by an agreement of the majority of Council, and made known to the public as provided for in this chapter.

- (c) The Clerk of Council is hereby authorized and directed to post a copy of this chapter on the bulletin board within Village Hall, and cause same to remain there throughout the effective period of this chapter. The Clerk of Council be and is further authorized and directed to attach any and all future amendments to this chapter as Council adopts same hereinafter, and cause said amendments to remain posted in the Village Hall throughout their entire effective period. Additionally, the Clerk of Council is hereby authorized and directed to transmit a copy of this chapter, and any un-codified amendments made thereto, to each Councilperson-elect or appointed within seven days of the certification of the election results by the Board of Elections or effective date of the legislation of appointment.
- (d) Upon the calling of a special meeting as provided in the Charter of the Village of Oakwood, either by the Mayor or three Members of Council, the Clerk of Council be and she is hereby authorized and directed to post a notification of said meeting, giving the time, place and purpose of the meeting, at least 12 hours in advance of said meeting, upon the bulletin board in the Village Hall Council Chambers. Furthermore, upon being advised that Council will hold a special meeting as indicated herein, the Clerk of Council shall give at least 24 hours advance notice of the time, place and purpose of the meeting to the news media that have requested notification. In the event an emergency exists requiring immediate official action, then notification to the news media shall be immediate.
- (e) Any person who requests, in writing, notification of all meetings at which any specific type of public business will be discussed will be notified by the Clerk of Council as to the time, place and purpose of such meeting provided said person has provided the Clerk of Council a sufficient number of self-addressed, stamped envelopes, a current telephone number, and \$30.00 per year for the defrayal of administrative costs.

be and hereby is amended to read as follows:

111.01 - Meetings; notification.

- (a) The regular public meetings of the Council of the Village of Oakwood will take place at the Village Hall, at 7:00 p.m. on the second and fourth Tuesday of every month with Council work sessions to be held immediately thereafter, except the months of July and August, wherein only one public meeting and work session will be held in each of the said two months, the date, times and locations of such meetings and work sessions to be determined by Council and made known to

the public in a public meeting prior to said months, or as provided for hereinafter. The dates and times of Council work sessions may be changed by motion approved by a majority vote of Council at any regular meeting. The Clerk of Council shall provide proper legal notice of all work sessions of Village Council.

- (b) If additional regular meetings of Council are advisable or if a regular meeting or a work session of Council falls upon a holiday or otherwise requires re-scheduling, as determined by the majority of Council, said majority of Council shall establish a new date and time for said meeting. All scheduling of said meetings shall be by an agreement of the majority of Council, and made known to the public as provided for in this chapter.
- (c) The Clerk of Council is hereby authorized and directed to post a copy of this chapter on the bulletin board within Village Hall, and cause same to remain there throughout the effective period of this chapter. The Clerk of Council be and is further authorized and directed to attach any and all future amendments to this chapter as Council adopts same hereinafter, and cause said amendments to remain posted in the Village Hall throughout their entire effective period. Additionally, the Clerk of Council is hereby authorized and directed to transmit a copy of this chapter, and any un-codified amendments made thereto, to each Councilperson-elect or appointed within seven days of the certification of the election results by the Board of Elections or effective date of the legislation of appointment.
- (d) Upon the calling of a special meeting as provided in the Charter of the Village of Oakwood, either by the Mayor or three Members of Council, the Clerk of Council be and she is hereby authorized and directed to post a notification of said meeting, giving the time, place and purpose of the meeting, at least 12 hours in advance of said meeting, upon the bulletin board in the Village Hall Council Chambers. Furthermore, upon being advised that Council will hold a special meeting as indicated herein, the Clerk of Council shall give at least 24 hours advance notice of the time, place and purpose of the meeting to the news media that have requested notification. In the event an emergency exists requiring immediate official action, then notification to the news media shall be immediate.
- (e) Any person who requests, in writing, notification of all meetings at which any specific type of public business will be discussed will be notified by the Clerk of Council as to the time, place and purpose of such meeting provided said person has provided the Clerk of Council a sufficient number of self-addressed, stamped envelopes, a current telephone number, and \$30.00 per year for the defrayal of administrative costs.

SECTION 2: The existing version of Oakwood C.O. Section 111.01 be and hereby is repealed.

SECTION 3. The Codifier is hereby instructed to substitute the adopted version of Oakwood C.O. Section 111.01 for the previous version of said ordinance.

SECTION 3: 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 inhabitants of the Village of Oakwood being that the foregoing amendments are necessary to assure the continued efficient operations of Council and therefore this Ordinance shall take effect and be in force immediately upon its adoption and approval by the Mayor provided it receives at least five affirmative votes of the members of Council; otherwise, it shall take effect and be in force 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: _____

ORDINANCE NO. 2024-WS-16

INTRODUCED BY _____

AN ORDINANCE TO PROVIDE AMENDMENTS TO THE CODIFIED ORDINANCES OF OAKWOOD GENERAL OFFENSES CODE, PART FIVE, SECTIONS 505.02 AND 505.03 CLARIFYING CIRCUMSTANCES UNDER WHICH ANIMALS ARE RUNNING AT LARGE IN VIOLATION OF THE ORDINANCES OF THE VILLAGE

WHEREAS, Oakwood Codified Ordinance Sections 505.02 and 505.03 as presently written prohibit animals running at large under certain circumstances; and,

WHEREAS, Oakwood Village Council wishes to clarify the circumstances under which animals are running at large in violation of the Village Ordinances,

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OAKWOOD, STATE OF OHIO:

SECTION 1. That Oakwood Codified Ordinance Section 505.03, which presently reads as follows:

505.03 - Dogs and other animals running at large.

(a) No person being the owner or having charge of cattle, horses, swine, sheep, goats, chickens, or other animals shall permit them to run at large upon any public place, or upon any unenclosed lands or upon the premises of another.

(b) No owner, keeper or harbinger of any female dog shall permit it to go beyond the premises of the owner, keeper or harbinger at any time the dog is in heat, unless the dog is properly in leash.

(c) No owner, keeper or harbinger of any dog shall fail at any time to keep it either physically confined or restrained upon the premises of the owner, keeper or harbinger by a leash, tether, adequate fence, supervision, or secure enclosure to prevent escape, or under reasonable control of some person.

(d) The running at large of any such animal in or upon any of the places mentioned in this section is prima-facie evidence that it is running at large in violation of this section.

(e) Whoever violates this subsection (a) hereof is guilty of a misdemeanor of the fourth degree.

(f) (1) Whoever violates subsection (b) or (c) hereof is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense.

(2) In addition to the penalties prescribed in subsection (f)(1) hereof, if the offender is guilty of a violation of subsection (b) or (c) hereof, the court may order the offender to

personally supervise the dog that he owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.

be and hereby is amended to read as follows:

505.03 - Dogs and other animals running at large.

(a) No person being the owner or having charge of cattle, horses, swine, sheep, goats, chickens, or other animals shall permit them to run at large upon any public place, or upon any unenclosed lands or upon the premises of another.

(b) No owner, keeper or harbinger of any dog shall permit it to go beyond the premises of the owner, keeper or harbinger at any time unless the dog is properly in leash.

(c) No owner, keeper or harbinger of any dog shall fail at any time to keep it either physically confined or restrained upon the premises of the owner, keeper or harbinger by a leash, tether, adequate fence, supervision, or secure enclosure to prevent escape, or under reasonable control of some person.

(d) The running at large of any such animal in or upon any of the places mentioned in this section is prima-facie evidence that it is running at large in violation of this section.

(e) Whoever violates this subsection (a) hereof is guilty of a misdemeanor of the fourth degree.

(f) (1) Whoever violates subsection (b) or (c) hereof is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense.

(2) In addition to the penalties prescribed in subsection (f)(1) hereof, if the offender is guilty of a violation of subsection (b) or (c) hereof, the court may order the offender to personally supervise the dog that he owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.

SECTION 2. The existing version of Oakwood C.O. Section 505.03 be and hereby is repealed.

SECTION 3. The codifier is hereby instructed to substitute the amended version of C.O. Section 505.03 for the existing version.

SECTION 4. This Ordinance shall become effective in full force and effect 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. 2024-_____ was duly and regularly passed by this Council at the meeting held on _____ 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: _____

505.03 - Dogs and other animals running at large.

(a) No person being the owner or having charge of cattle, horses, swine, sheep, goats, chickens, or other animals shall permit them to run at large upon any public place, or upon any unenclosed lands or upon the premises of another.

(b) No owner, keeper or harbinger of any dog shall permit it to go beyond the premises of the owner, keeper or harbinger at any time unless the dog is properly in leash.

(c) No owner, keeper or harbinger of any dog shall fail at any time to keep it either physically confined or restrained upon the premises of the owner, keeper or harbinger by a leash, tether, adequate fence, supervision, or secure enclosure to prevent escape, or under reasonable control of some person.

(d) The running at large of any such animal in or upon any of the places mentioned in this section is prima-facie evidence that it is running at large in violation of this section.

(e) Whoever violates this subsection (a) hereof is guilty of a misdemeanor of the fourth degree.

(f) (1) Whoever violates subsection (b) or (c) hereof is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense.

(2) In addition to the penalties prescribed in subsection (f)(1) hereof, if the offender is guilty of a violation of subsection (b) or (c) hereof, the court may order the offender to personally supervise the dog that he owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.

ORDINANCE NO. 2024-WS-17

INTRODUCED BY

**AN ORDINANCE REPEALING ORDINANCE NO. 2024-03 AND DECLARING AN
EMERGENCY**

WHEREAS, the Council of the Village of Oakwood passed Ordinance No. 2024-03 on or about April 9, 2024 authorizing the Mayor to enter into a contract with Chagrin Valley Engineering, Ltd.; and,

WHEREAS, the contract attached to said Ordinance 2024-03 mistakenly contained certain price increases for services that Council did not intend to approve at this time;

SECTION 1. The foregoing Ordinance No. 2024-03 be and hereby is repealed.

SECTION 2. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department and the unintentional increase in certain costs to 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: _____

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. 2024-WS-17 was duly and regularly passed by this Council at the meeting held on _____ 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-WS-17 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: _____

RESOLUTION NO. 2024-WS-18

INTRODUCED BY THE MAYOR AND COUNCIL AS A WHOLE

**A RESOLUTION FOR THE VILLAGE OF OAKWOOD POLICE AND FIRE
DEPARTMENT SUBSTANTIALLY DEDICATED TO RESPONDING TO THE COVID-
19 PUBLIC HEALTH EMERGENCY**

WHEREAS, the Village of Oakwood experienced a public health emergency during the Covid-19 pandemic; and

WHEREAS, the Village of Oakwood utilized the Oakwood Village Police and Fire Departments and its officers and firefighters to address public safety and public health emergencies during the Covid-19 pandemic from March 1, 2020 to December 31, 2021;

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

SECTION 1. The services of the Village of Oakwood Police and Fire Departments and the police officers and firefighters, in their duties from March 1, 2020 to December 31, 2021, were substantially dedicated to mitigating and/or responding to the Covid-19 public health emergency in the Village of Oakwood and used efforts to protect and preserve the health and safety of the citizens of the Village Oakwood.

PASSED: _____

Tanya Joseph, Clerk of Council

Erica Nikolic, President of Council

Presented to the Mayor: _____

Approved: _____

Gary v. Gottschalk, Mayor

I, Tanya A. Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Resolution No. 2024-WS-18 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2024.

Tanya A. Joseph, Clerk of Council

POSTING CERTIFICATE

I, Tanya A. Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Resolution No. 2024-WS-18 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: _____

ORDINANCE NO. 2024 -WS-19

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

A RESOLUTION ACCEPTING FUNDING AWARDS FROM CUYAHOGA COUNTY UNDER THE 2024 COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM AND THE 2024 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE FIRST PLACE PAVEMENT IMPROVEMENT PROJECT IN THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY

WHEREAS, on October 30, 2023, by Resolution 2023-35, Council authorized and directed the Mayor and the Village Engineer to file an application for funding to the Cuyahoga County Department of Development for the First Place Pavement Improvement Project under the 2024 Community Development Supplemental Grant Program; and

WHEREAS, the Cuyahoga County Department of Development has notified the Mayor and the Village Engineer that the Village of Oakwood has been awarded \$50,000.00 for the First Place Pavement Improvement Project under the 2024 Supplemental Grant Program which will include concrete pavement repairs and an asphalt overlay on First Place from Forbes Road to the south driveway of 7600 First Place; and

WHEREAS, on October 30, 2023, by Resolution 2023-34, Council authorized and directed the Mayor and the Village Engineer to file an application for funding to the Cuyahoga County Department of Development for the First Place Pavement Improvement Project under the 2024 Community Development Block Grant Program; and

WHEREAS, the Cuyahoga County Department of Development had notified the Mayor and the Village Engineer that the Village of Oakwood had been awarded \$150,000.00 for the First Place Pavement Improvement Project under the 2024 Competitive Municipal Block Grant Program which will include concrete pavement repairs and an asphalt overlay on First Place from Forbes Road to the south driveway of 7600 First Place.

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

SECTION 1. The Mayor is hereby authorized and directed to enter into any agreements with the Cuyahoga County Department of Development as may be necessary and appropriate for securing the grant award funds for the First Place Pavement Improvement Project.

SECTION 2. The Village Engineer be and is hereby authorized and directed to prepare plans and specifications for the First Place Pavement Improvement Project.

SECTION 3. The Village Engineer be and is hereby authorized and directed to advertise for bids according to law for the work as specified in Section 1 hereof.

SECTION 4. Upon receipt of the bids, the Mayor shall provide all members of Council with a bid tabulation summary for each bidder prior to the Board of Control awarding any contract for the matters described in Section 1 hereof.

SECTION 5. Council hereby authorizes the expenditure of an aggregate amount not to exceed Four Hundred Eighty-Four Thousand Dollars (\$484,000.00) for the design, bidding and construction of the Tryon Road Pedestrian Safety Trail Project as provided above. The Director of Finance be and is hereby authorized and directed to issue vouchers in the amounts and for the purposes as expressed above upon the award of contracts pursuant to Board of Control approval, said amounts to be charged to the Street Construction Maintenance and Repair Fund.

SECTION 6. 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 it is required to ensure the construction of the facility during the 2024 construction season, 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-WS-19 was duly and regularly passed by this Council at the meeting held on _____ 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-WS-19 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: _____

ORDINANCE NO.: 2024-WS-20

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
EASEMENT DOCUMENTS FOR PUBLIC SIDEWALK
FACILITIES OVER PRIVATE PROPERTIES ON BROADWAY
AVENUE AND DECLARING AN EMERGENCY**

WHEREAS, on **October 13, 2020** Council passed **Ordinance No. 2020-81** which authorized an agreement of cooperation with the County of Cuyahoga, Ohio, to improve a portion of the public highway described as Broadway Avenue between Macedonia Road and Richmond Road; and

WHEREAS, through the agreement of cooperation with the County of Cuyahoga, the Village of Oakwood will arrange for the preparation of construction plans and specifications, including necessary engineering reports for the improvement of Broadway Avenue between Macedonia Road and Richmond Road; and

WHEREAS, through the agreement of cooperation with the County of Cuyahoga, the Village of Oakwood will be responsible for 40%, and the County of Cuyahoga will be responsible for 60% of the cost of the preparation of construction plans and specifications, including necessary engineering reports for the improvement of Broadway Avenue between Macedonia Road and Richmond Road; and

WHEREAS, through the agreement of cooperation with the County of Cuyahoga, the County of Cuyahoga will arrange for the supervision and administration of the construction project; and

WHEREAS, through the agreement of cooperation with the County of Cuyahoga, the Village of Oakwood will be responsible for 50%, and the County of Cuyahoga will be responsible for 50%, of the cost of construction and supervision of the construction project for the improvement of Broadway Avenue between Macedonia Road and Richmond Road; and

WHEREAS, on October 30, 2023 Council passed Resolution No. 2023-36 which authorized the Mayor to apply to the Ohio Public Works Commission for funding for the improvement of Broadway Avenue between Macedonia Road and Richmond Road; and

WHEREAS, The Village Engineer has advised the Mayor that he will require the acquisition of various permanent sidewalk easements along Broadway Avenue for the installation of public sidewalk facilities over private property.

WHEREAS, this Council desires to authorize and to accept these easements;

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

Section 1. The Mayor be, and he is hereby, authorized to negotiate, execute and accept grants of easement from the owners of Broadway Avenue Permanent Parcel Nos. 795-20-001 and 795-20-002 for public sidewalk facilities in a form as generally set forth in Exhibit A attached hereto and incorporated herein:

Section 2. The Council of the Village of Oakwood hereby authorizes and directs the Finance Director to amend the appropriations as required for the expenditures outlined within this Resolution:

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution constitutes an emergency measure necessary for the public welfare and to ensure the timely completion of the construction and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force 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-WS-20 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-WS-20 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: _____

LEGAL DESCRIPTION
OF A
0.0057 ACRE PERMANENT RIGHT-OF-WAY EASEMENT
BROADWAY AVENUE
VILLAGE OF OAKWOOD
CUYAHOGA COUNTY, OHIO

Situated in the Village of Oakwood, County of Cuyahoga, State of Ohio and known as being a part of Original Bedford Township Lot No.89 and being a **0.0057 acre (250 sq.ft.) Permanent Right-of-Way Easement**, located within a 1.606 acres (auditor) parcel of land as conveyed to Oakwood Properties, Ltd. by deed dated December 13, 1996 and recorded in Volume 12259, Page 14 (PPN 795-20-002) of Cuyahoga County Records and further bounded and described as follows;

Beginning at the intersection of the center line of Broadway Avenue (66 foot Right-of-Way) at Station 125+30.70 with the center line of Mount Zion Circle (90 foot Right-of-Way) at Station 10+00.00 and the **Place of Beginning** of the premises herein intended to be described;

Thence **North 43 degrees 31 minutes 11 seconds West**, along said centerline of Broadway Avenue a distance of **29.68 feet** to a point;

Thence **North 46 degrees 28 minutes 49 seconds East**, at right angles to said centerline of Broadway Avenue a distance of **33.00 feet** to a point at the intersection of the Northeasterly Right-of-way line of said Broadway Avenue with the Northwestern Right-of-Way of said Mount Zion Circle and the **Principal Place of Beginning** of the premises herein intended to be described:

Course I Thence **North 43 degrees 31 minutes 11 seconds West**, along said Northeasterly Right-of-Way of Broadway Avenue, a distance of **25.00 feet**, to a point;

Course II Thence **North 47 degrees 02 minutes 45 seconds East**, parallel with and at a perpendicular distance of 25.00 feet Northwesternly of said Northwesternly Right-of-Way of Mount Zion Circle, a distance of **10.00 feet**, to a point;

Course III Thence **South 43 degrees 31 minutes 11 seconds East**, parallel with and at a perpendicular distance of 10.00 feet Northeasterly of said Northeasterly Right-of-Way of Broadway Avenue, a distance of **25.00 feet**, to a point in said Northwesternly Right-of-Way line of Mount Zion Circle;

Course IV Thence **South 47 degrees 02 minutes 45 seconds West**, along said Northwesternly Right-of-Way of Mount Zion Circle, a distance of **10.00 feet**, to the **Principal Place of Beginning** and containing **0.0057 (250 sq.ft.)** of

land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel Number 795-20-002.

The stations referred to herein are from the Schematic Plan of Broadway Avenue in the Village Oakwood, Cuyahoga County, Ohio, as shown on the "CUY - BROADWAY AVENUE (CR-12)" as referenced in ODOT PID No.113239 as prepared by Chagrin Valley Engineering, Ltd. in 2024;

Basis of bearing for this legal description is **South 43 degrees 31 minutes 11 seconds East** as the centerline of Broadway Avenue as calculated and mapped by Cuyahoga County GIS data and projected to Ohio State Plane Coordinate System, North Zone 3401.

File #22111 795-20-002 Legal

05/08/2024 BJH

05/08/2024 BAS

PERMANENT R/W EASEMENT
BROADWAY AVENUE
Village of Oakwood, County of Cuyahoga, Ohio

Page #3 of 3

Basis of Bearing:

S 43°31'11" E as the centerline of Broadway Avenue as calculated and mapped in Cuyahoga County GIS data and reproduced from Ohio State Plane Coordinate System. North Zone 3401.

Scale: 1"=20'

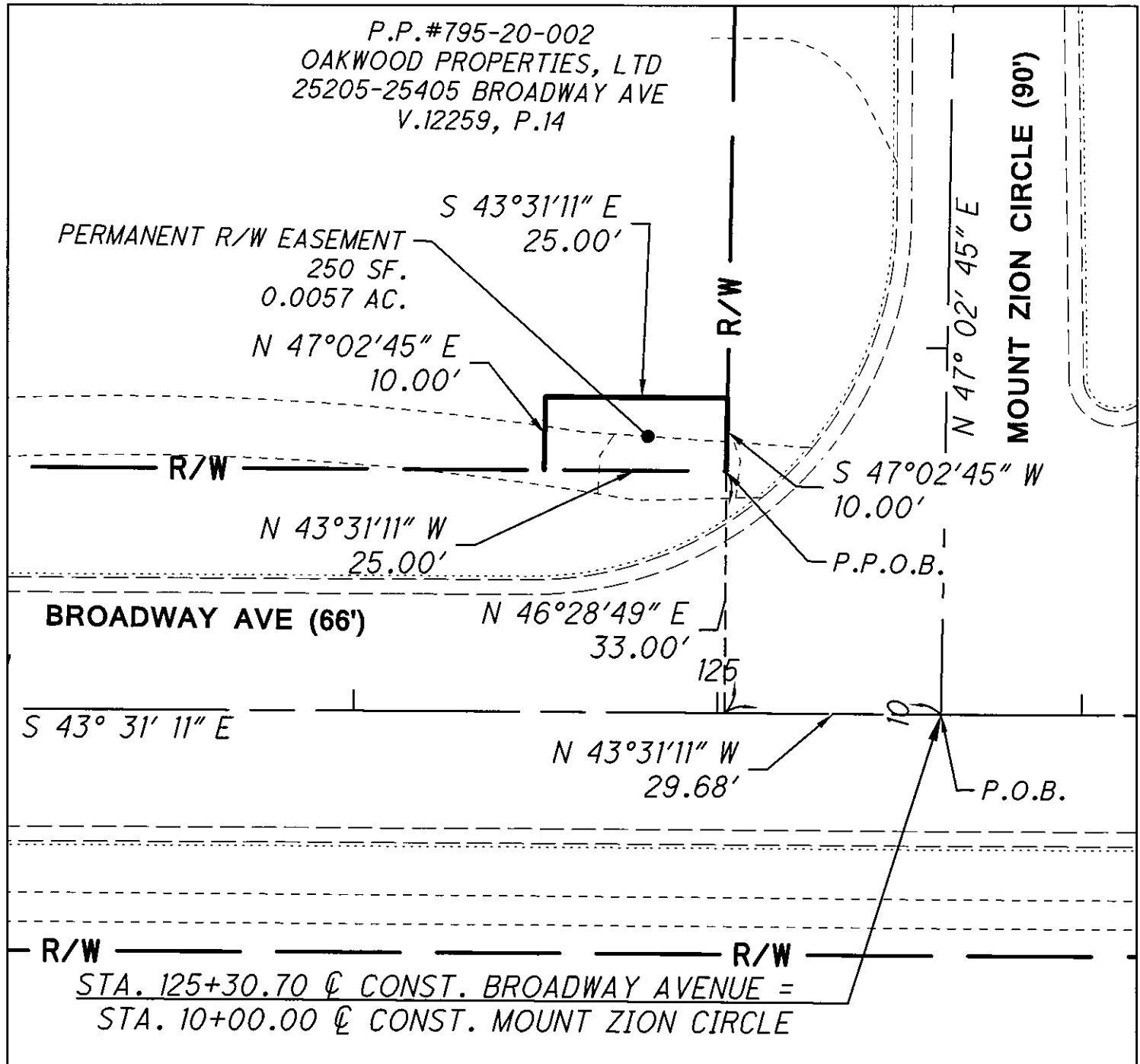


Exhibit 'A'

From: Oakwood Properties, LTD
To: Village Of Oakwood

LEGAL DESCRIPTION
OF A
0.0179 ACRE PERMANENT RIGHT-OF-WAY EASEMENT
BROADWAY AVENUE
VILLAGE OF OAKWOOD
CUYAHOGA COUNTY, OHIO

Situated in the Village of Oakwood, County of Cuyahoga, State of Ohio and known as being a part of Original Bedford Township Lot No.89 and being a **0.0179 acre (782 sq.ft.) Permanent Right-of-Way Easement**, located within a 2.441 acres (auditor) parcel of land as conveyed to The Board of Education of the Bedford Village School District by deed dated September 16, 1965 and recorded in Volume 11650, Page 311 (PPN 795-22-001), Cuyahoga County Records and further bounded and described as follows;

Beginning at the intersection of the center line of Broadway Avenue (66 foot Right-of-Way) at Station 125+30.70 with the center line of Mount Zion Circle (90 foot Right-of-Way) at Station 10+00.00 and the **Place of Beginning** of the premises herein intended to be described;

Thence **South 43 degrees 31 minutes 11 seconds East**, along said centerline of Broadway Avenue, a distance of **60.33 feet** to a point;

Thence **North 46 degrees 28 minutes 49 seconds West**, at right angles to said last course, a distance of **33.00 feet** to a point at the intersection of the Northeasterly Right-of-Way of said Broadway Avenue and the Southeasterly Right-of-Way of said Mount Zion Circle and the **Principal Place of Beginning** of the premises herein intended to be described:

Course I Thence **North 47 degrees 02 minutes 45 seconds East**, along said Southeasterly Right-of-Way of Mount Zion Circle, a distance of **45.35 feet**, to a point;

Course II Thence Southwesterly along the arc of a curve deflecting to the left **55.32 feet**, said curve having a radius of **35.00 feet**, a tangent of **35.35 feet**, a delta of **90 degrees 33 minutes 56 seconds** and a chord which bears **South 01 degrees 45 minutes 47 seconds West**, a distance of **49.74 feet**, to a point of Tangency;

Course III Thence **South 43 degrees 31 minutes 11 seconds East**, parallel with and at a perpendicular distance of 10.00 feet Northeasterly of said Northeasterly Right-of-Way line of Broadway Avenue, a distance of **15.87 feet**, to a point;

Course IV Thence **South 46 degrees 28 minutes 49 seconds West**, at right angles to said last course, a distance of **10.00 feet**, to a point on said Northeasterly Right-of-Way line of Broadway Avenue;

Course V Thence **North 43 degrees 31 minutes 11 seconds West**, along said Northeasterly Right-of-Way line of Broadway Avenue a distance of **51.31 feet**, to the **Principal Place of Beginning** and containing **0.179 acres (782 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel Number 795-22-001

The stations referred to herein are from the Schematic Plan of Broadway Avenue in the Village Oakwood, Cuyahoga County, Ohio, as shown on the "CUY - BROADWAY AVENUE (CR-12)" as referenced in ODOT PID No.113239 as prepared by Chagrin Valley Engineering, Ltd. in 2024;

Basis of bearing for this legal description is **South 43 degrees 31 minutes 11 seconds East** as the centerline of Broadway Avenue as calculated and mapped by Cuyahoga County GIS data and projected to Ohio State Plane Coordinate System, North Zone 3401.

File #22111 795-22-001

05/08/2024 BJH

05/08/2024 BAS

PERMANENT R/W EASEMENT
BROADWAY AVENUE
Village of Oakwood, County of Cuyahoga, Ohio

Page #3 of 3

Basis of Bearing:

S 43°31'11" E as the centerline of Broadway Avenue as calculated and mapped in Cuyahoga County GIS data and reproduced from Ohio State Plane Coordinate System, North Zone 3401.

Scale: 1"=20'

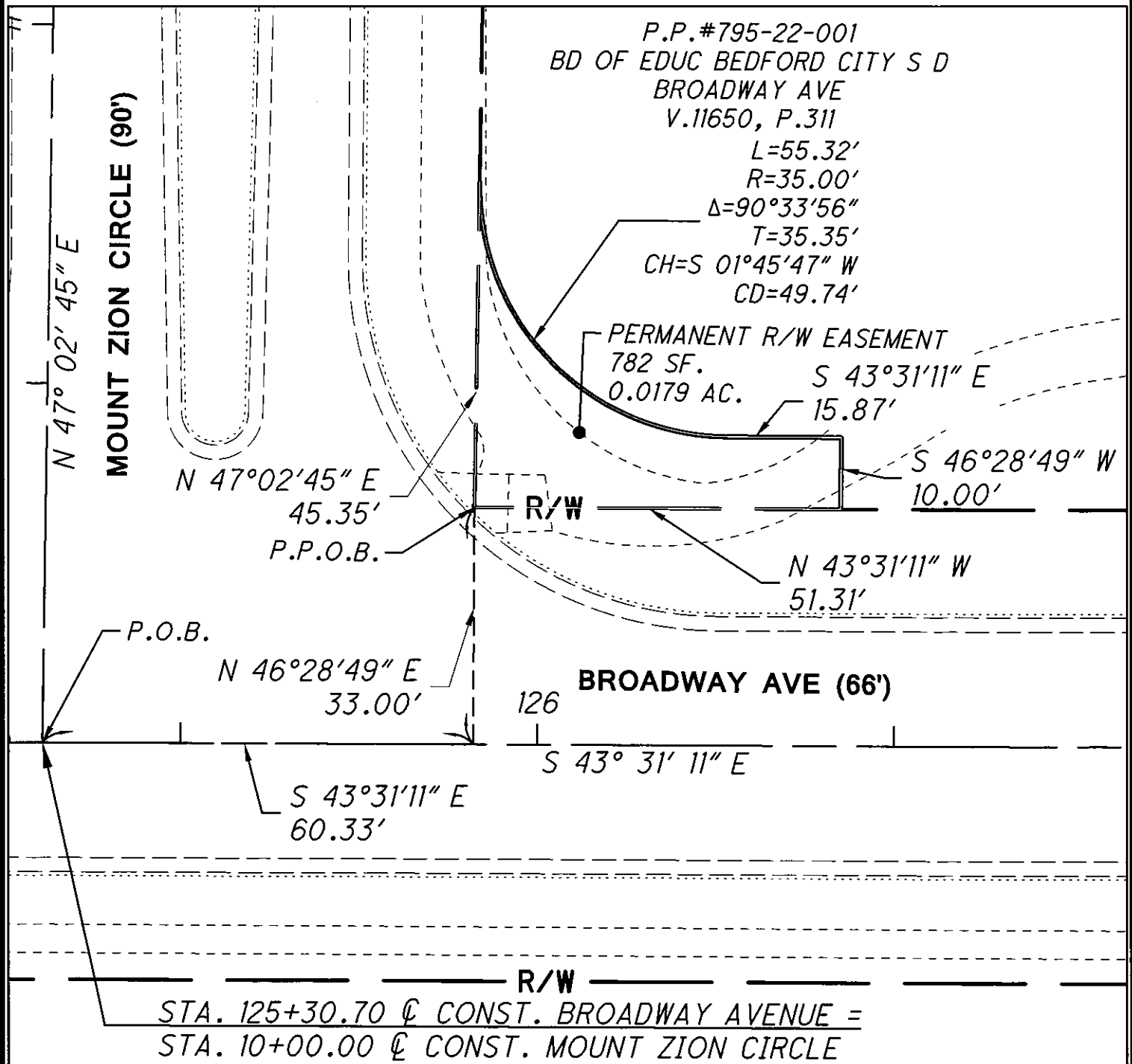


Exhibit 'A'
From: The Board of Education of the Bedford
City School District
To: Village of Oakwood

CVE CHAGRIN VALLEY
ENGINEERING, LTD.
Creative Engineers. Intelligent Solutions.
22999 Forbes Road, Suite B Cleveland, Ohio 44146-5667
Phone • 440.439.1999 Fax • 440.439.1969 www.cvelimited.com

ORDINANCE NO.: 2024-WS-21

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT AWARD AGREEMENT WITH CUYAHOGA COUNTY AND DIRECTING THE FINANCE DIRECTOR TO ACCEPT AND DEPOSIT INTO THE LOCAL FISCAL RECOVERY FUND, FUNDING FROM THE DISTRICT 6 ARPA COMMUNITY GRANT FUND IN THE AMOUNT OF \$250,000 AND AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE OAK LEAF ROAD REHABILITATION PROJECT – PHASE 1; AND DECLARING AN EMERGENCY.

WHEREAS, on September 14, 2022, by Resolution 2022-52, Council authorized and directed the Mayor to file an application for funding to the Ohio Public Works Commission for the Oak Leaf Road Rehabilitation Project – Phase 1 which extends from the southbound entrance ramp of I-271/480 to Oak Leaf Oval; and

WHEREAS, the Ohio Public Works Commission has notified the Mayor and the Village Engineer that the Village of Oakwood has been awarded \$390,000.00 in funds for the Oak Leaf Road Rehabilitation Project – Phase 1; and

WHEREAS, Cuyahoga County received \$239,898,257.00 from the Federal Government through the American Rescue Plan Act (“ARPA”); and

WHEREAS, the County Executive and County Council had authorized \$86 million of the ARPA dollars for community grants to benefit the residents of Cuyahoga County (the “ARPA Community Grant Fund”); and

WHEREAS, the Mayor and Engineer requested \$250,000.00 from the District 6 ARPA Community Grant Fund for the Oak Leaf Road Rehabilitation Project – Phase 1; and

WHEREAS, the Cuyahoga County Council, by passage of Resolution No. R2023-0068, awarded funding, in the amount of \$250,000.00, from the District 6 ARPA Community Grant Fund to the Village of Oakwood for the Oak Leaf Road Rehabilitation Project – Phase 1; and

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

SECTION 1. The Mayor is authorized to enter into the Oak Leaf Road Rehabilitation Project – Phase 1 Award Agreement, a copy of which is on file in the Finance Director’s office, and the Finance Director is authorized to accept and deposit funding from the District 6 ARPA Community Grant Fund in the amount of \$250,000.00, per Resolution No. R2023-0068, into the Local Fiscal Recovery Fund, to be used for the Oak Leaf Road Rehabilitation Project – Phase 1.

SECTION 2. The Village Engineer be and is hereby authorized and directed to prepare plans and specifications for the Oak Leaf Road Rehabilitation Project – Phase 1 which extends from the southbound entrance ramp of I-271/480 to Oak Leaf Oval.

SECTION 3. The Village Engineer be and is hereby authorized and directed to advertise for bids according to law for the work as specified in Section 2 hereof.

SECTION 4. Upon receipt of the bids, the Mayor shall provide all members of Council with a bid tabulation summary for each bidder prior to the Board of Control awarding any contract for the matters described in Section 2 hereof.

SECTION 5. Council hereby authorizes the expenditure of an aggregate amount not to exceed Six Hundred Fifty Thousand Dollars (\$650,000.00) for the design, bidding and construction of the Oak Leaf Road Rehabilitation Project – Phase 1 as provided above. The Director of Finance be and is hereby authorized and directed to issue vouchers in the amounts and for the purposes as expressed above upon the award of contracts pursuant to Board of Control approval, said amounts to be charged to the Local Fiscal Recovery Fund and the Street Construction Maintenance and Repair Fund.

SECTION 6. 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 it is required to ensure the construction of the improvements during the 2024 construction season, 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-WS-21 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-WS-21 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: _____

12.22.23 1st Reading
1.9.24 2nd Reading
1.23.24 3rd Reading (tabled)
Under Suspension
Adopted

AMENDED ORDINANCE NO. 2023-55

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

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

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

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

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

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

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

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

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

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

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

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

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

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

PASSED: _____

Erica L. Nikolic, President of Council

Tanya Joseph, Clerk of Council

Presented to the

Mayor _____

Approved: _____

Mayor, Gary V. Gottschalk

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

Tanya Joseph, Clerk of Council

POSTING CERTIFICATE

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

Tanya Joseph, Clerk of Council

DATED: _____

ORDINANCE NO. 2024-13

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

Introduced by	_____
Motioned by	_____
Seconded by	_____
1st Reading	3/26/24
2nd Reading	4/9/24
Third Reading	4/23/24 (tabled)
Under suspension	_____

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REFUSE COLLECTION AND RECYCLE PROCESSING SERVICE AGREEMENT WITH WASTE MANAGEMENT OF OHIO, INC. AND DECLARING AN EMERGENCY

WHEREAS, the Village Oakwood deems it advantageous to enter into a refuse collection and recycle processing service agreement with Waste Management of Ohio, Inc.; and,

WHEREAS, Oakwood and Waste Management of Ohio, Inc. 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 "A";

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 Refuse Collection and Recycle Processing Service agreement with Waste Management of Ohio, Inc., a copy which is attached hereto and expressly made a part hereof by reference and marked 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 that the continuation of uninterrupted refuse collection and recycle processing is of paramount importance to the citizens of Oakwood, 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: _____

Erica L. Nikolic, President of Council

Tanya A. Joseph, Clerk of Council

Presented to the
Mayor _____

Approved: _____

Mayor, Gary V. Gottschalk

I, Tanya A. Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Ordinance No. 2024-13 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2024.

Tanya A. Joseph, Clerk of Council

POSTING CERTIFICATE

I, Tanya A. Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Ordinance No. 2024-13 was duly posted on the _____ day of _____, 2024, and will remain posted in accordance with the Oakwood Village Charter

Tanya A. Joseph, Clerk of Council

EXHIBIT "A"

REFUSE COLLECTION AND RECYCLE PROCESSING SERVICE AGREEMENT

This Refuse Collection and Recycle Processing Service Agreement ("Agreement") is hereby entered into between the Village of Oakwood ("Village") and Waste Management of Ohio, Inc. ("WMO") and shall be effective on the date that it has been signed by authorized representatives of both parties (the "Effective Date").

RECITALS

1. WMO is in the business of providing waste collection and recycle processing services throughout Ohio (the "Territory").
2. The Village is in need of residential refuse collection services and recycle processing services.
3. The parties have determined to enter into this exclusive Agreement in which WMO will contract with the Village to provide exclusive residential refuse collection and recycle processing services (the "Services").
4. The terms and conditions of this Agreement are as follows:

TERMS AND CONDITIONS

1. Services to be Provided by WMO

- A) WMO will exclusively provide to all owners of residential single-family units within the Village weekly refuse collection consisting of the Acceptable Waste contained in one 96-gallon refuse container, using WM vehicles on WMO designated routes and days. Acceptable Waste shall mean all non-hazardous solid waste generated by households in the ordinary course including food wastes and discarded papers, cardboard, plastics, cloth, glass, metal materials. Waste shall be considered Acceptable Waste only if properly contained within one 96-gallon cart placed at the curbside on the proper weekly collection day. Overflow of waste is not permitted. As used herein, the term waste and/or refuse shall be Acceptable Waste unless the context demonstrates otherwise. Title to Acceptable Waste shall transfer to WMO upon collection in WMO vehicles.
- B) The holiday schedule is: New Years Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day. In the event a Holiday falls on one of the collection days, the Contractor shall provide service on the next available day.
- C) In the event that WMO is unable to perform collection duties due to severe weather condition, WMO will notify the Village designee of such occurrence.

- D) Location of waste to be picked up. Residential containers should be within five (5) feet of the curb for collection by 7:00 A.M on the designated collection day.
- E) WMO shall provide each residential single-family unit within the Village one 96gallon refuse cart and one 64-gallon recycling cart. Residents may choose an additional cart provided by WMO as specified in the pricing page attached. WMO shall retain ownership of all carts, be responsible for maintenance and replacement for normal wear and tear, and shall collect same from each residential unit at the expiration of this Agreement.
- F) WMO will collect recyclable material every other week that meets the specifications attached hereto as Attachment "A" from the curb side in 64-gallon carts provided by WMO. WMO will process the recyclable material collected in the Village in accordance with the terms and conditions contained in Attachment "A".

2. Service Rates

WMO shall charge the Village the rates for service listed in Attachment "A" and Attachment "B".

3. Billing Procedures

WMO will invoice the Village directly at the beginning of each calendar month. Village shall remit payment to WM within thirty (30) days of the date of each invoice. Invoices will be based upon the total residential house count within the Village as agreed by the parties. Not more often than once annually, either party can request an audit of the total house count and upon such request, the parties shall confer and determine if an adjustment to the house count is required, and once a revised house count is agreed by the parties, it shall be the total utilized for all invoices thereafter.

4. Compliance

WMO shall comply with all applicable laws, regulations and permits.

5. Indemnification

WMO will indemnify the Village for any liabilities that may arise from WMO's negligent performance under the Contract.

6. Term

The initial term of this Contract shall be for a period of 5 years beginning April 1, 2024 and ending March 31, 2029, with additional extension options to be mutually agreed upon by both parties.

7. Default

Either party may terminate this Agreement if:

A) the other party fails to comply with a term or condition of the Agreement, and fails to correct such failure within 30 days of receiving written notice of such failure, or B)
Files a petition in bankruptcy or is insolvent.

8. Government Fees:

The Village and WMO agree that any additional government fees imposed by any local, state or federal governmental agency or body, which affect the cost of services provided by WMO, shall be passed through and added to monthly invoices.

9. Other Surcharges:

WMO shall not apply any other surcharges or fees.

10. Miscellaneous:

This Agreement constitutes the entire agreement between the parties. No other oral or written representation or agreement shall have any bearing on the interpretation or meaning of this Agreement. All provisions of this Agreement shall be strictly complied with and conformed to by WMO and no amendments to this Agreement shall be made except upon the written consent of both parties.

WASTE MANAGEMENT OF OHIO, INC.

Name and Title

Signature

Date

Village of Oakwood

Chairman

Signature

Date

Attachment "A"
SINGLE STREAM SPECIFICATIONS

RECYCLABLES must be dry, loose (not bagged) and include ONLY the following:

Aluminum cans – empty	Newspaper
PET bottles with the symbol #1 – with screw tops only – empty	Mail
HDPE plastic bottles with the symbol #2 (milk, water bottles detergent, and shampoo bottles, etc.) – empty	Uncoated paperboard (ex. cereal boxes; food and snack boxes)
Steel and tin cans – empty	Uncoated printing, writing and office paper
Phone books	Old corrugated containers/cardboard (uncoated)
Magazines, glossy inserts and pamphlets	

RECYCLABLES may include the following with the written consent of COMPANY:

Plastic containers with symbols #3-#7 – empty (no expanded polystyrene), empty	Glass food and beverage containers – brown, clear, or green - empty
Aseptic containers	Cartons

NON-RECYCLABLES include, but are not limited to the following:

Plastic bags and bagged materials (even if containing Recyclables)	Microwavable trays
Mirrors	Window or auto glass
Light bulbs	Coated cardboard
Porcelain and ceramics	Plastics unnumbered
Expanded polystyrene	Coat hangers
Glass and metal cookware/bakeware	Household appliances and electronics,
Hoses, cords, wires	Yard waste, construction debris, and wood
Flexible plastic or film packaging and multilaminated materials	Needles, syringes, IV bags or other medical supplies
Food waste and liquids, containers containing such items	Textiles, cloth, or any fabric (bedding, pillows, sheets, etc.)
Excluded Materials or containers which contained Excluded Materials	Napkins, paper towels, tissue, paper plates, paper cups, and plastic utensils
Any paper Recyclable materials or pieces of paper Recyclables less than 4" in size in any dimension	Propane tanks, batteries

DELIVERY SPECIFICATIONS:

Material delivered by or on behalf of Customer may not contain Non-Recyclables or Excluded Materials. "Excluded Materials" means radioactive, volatile, corrosive, flammable, explosive, biomedical, infectious, bio-hazardous or toxic substance or material, or regulated medical or hazardous waste as defined by, characterized or listed under applicable federal, state, or local laws or regulations, materials containing information (in hard copy or electronic format, or otherwise) which information is protected or regulated

under any local, state or federal privacy or data security laws, including, but not limited to the Health Insurance Portability and Accountability Act of 1996, as amended, or other regulations or ordinances.

Company is not obligated to collect Containers which are Contaminated. For purposes of this Agreement, a Container or Load is "Contaminated" when, based on visual inspection, (i) a Recyclable Materials Container or Load has more than 10% non-Recyclable Materials (volume or weight) or any amount of Excluded Materials. If Company elects to not collect a Contaminated Container, it shall notify the customer by tag affixed to the container. If Company elects to collect Contaminated Containers, it may charge a

Contamination Fee per Load up to \$150.00/ton or such other amount agreed upon by the parties.

Company may dispose of the contents of a Contaminated Container or Load without notice if it elects to collect.

Company may reject in whole or in part, or may process, in its sole discretion, Recyclables not meeting the specifications, including wet materials, and Customer shall pay Company for all costs, losses and expenses incurred with respect to such non-conforming Recyclables including costs for handling, processing, transporting and/or disposing of such non-conforming Recyclable Materials which charges may include an amount for Company's operating or profit margin. Without limiting the foregoing, and Customer shall pay a contamination charge for additional handling, processing, transporting and/or disposing of Non-Recyclables, Excluded Materials, and/or all or part of non-conforming loads and additional charges may be assessed for bulky items such as appliances, concrete, furniture, mattresses, tires, electronics, pallets, yard waste, propane tanks, etc.

Company reserves the right upon notice to discontinue acceptance of any category of materials set forth above as a result of market conditions related to such materials and makes no representations as to the recyclability of the materials.

Commencing on the effective date of this Agreement, any increase in recycling processing and transportation fees above \$60.00 per ton will be passed through to the Village. The increase would be passed on to the Village as part of a quarterly rate adjustment. The increase would be based on the previous quarters collected recycle tonnage multiplied by the processing and transportation fee increase per ton, then divided by number of units and by 3 months. For example, if collected 36 recycle tons in previous quarter and the price to process and transport increased from \$60/ton to \$63/ton, then $36 \text{ tons} \times \$3/\text{ton} = \108 . $\$108/3 \text{ months}/1,400 \text{ units} = \0.03 ; the rate would increase 3 cents/unit/month. When the recycle processing and transportation fee remains at \$60/ton or below, no additional charges will apply.

Attachment “B”

The rates paid to WMO for performance of the refuse collection work during the term of the Agreement shall be as follows:

- \$7.80 per unit per month April 1, 2024 to March 31, 2025
- \$8.25 per unit per month April 1, 2025 to March 31, 2026
- \$8.66 per unit per month April 1, 2026 to March 31, 2027
- \$9.09 per unit per month April 1, 2027 to March 31, 2028
- \$9.55 per unit per month April 1, 2028 to March 31, 2029
- During the term of the Agreement the rate for additional cart rental shall remain the same \$4.00 per cart per month.

RESOLUTION NO. 2024-21

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**A RESOLUTION OF CONDOLENCES TO THE FAMILY
OF LAQUAN NARVELL EVANS**

WHEREAS, LaQuan Narvell Evans, a longtime resident of Oakwood Village, was called home on Resurrection Day, March 31st, 2024, at the age of 19; and

WHEREAS, LaQuan was born on November 17th, 2004, at University Hospital in Cleveland, Ohio to Denise Powers and Lawrence Evans; and

WHEREAS, Quan graduated class of 2023 at Bedford High School. While there he ran track and played basketball. He aspired to get into the business field and own his own business where he wouldn't have to work for anyone. Additionally, he was inspired to make it in the music industry to get his family "out the hood"; and

WHEREAS, Quan was a hard worker, he always kept a job to help around the house. He wanted to take care of his family. To his friends, he was what you would call "the realest", nothing but the biggest heart, always there whenever anyone needed him; and

WHEREAS, On October 23rd, 2016, Quan along with his mother and sister, got baptized at Mount Zion in Oakwood Village where he accepted Christ in his life and where he was still a member; and

WHEREAS, Quan was an only son and a "mama's boy" so he ran every man out of the household. He was his sister's twin, protector, and best friend. In her words, she would say "he was the blood in my veins"; and

WHEREAS, Quan was a comedian and with his smile he could walk in the room and light it up with his personality; and

WHEREAS, Quan was known as QB50, he was only a phone call away, loyal to his friends and family. He was what you would call a risk taker; and

WHEREAS, Quan leaves to celebrate his life, his mom dukes Denise Powers and father Lawrence Evans, sisters Jamila Boykin and Mila Hawkins, brothers Torrance E. Crisp, Carter Moore, and Zamarion Weaver, great-grandmother Lillion Ramsey, grandmothers Lerena Moore, Sherry Powers, and Carletta Evans, grandfathers Dean Powers, Lawrence Evans Sr., and Brian Evans, aunts Virginia Sowell, Paulette Hairston (William Bloodsaw), Lanore Hairston, and Ollica Moore (Lee Lee), uncles Frederick Sowell, Dean Powers Jr., Ramelle D. Arnold, Levelle Ramsey, and Isaiah Evans, and a host of relatives, cousins, and friends. He will forever be remembered and revered in the hearts of those who loved him.

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

SECTION 1. The Village Council and Mayor wish to express their most sincere condolences to the family of LaQuan Narvell Evans and hope the fond memories of such a fine, caring person comfort them in their loss.

SECTION 2. The Clerk is hereby authorized to present a copy of this resolution to the family of LaQuan Narvell Evans.

SECTION 3. This Resolution shall be in full force and effect immediately upon its adoption by this Council and approved by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____

Erica L. Nikolic, President of Council

Tanya A. Joseph, Clerk of Council

Presented to the
Mayor _____

Approved: _____

Mayor, Gary V. Gottschalk

I, Tanya A. Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Resolution No. 2024-21 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2024.

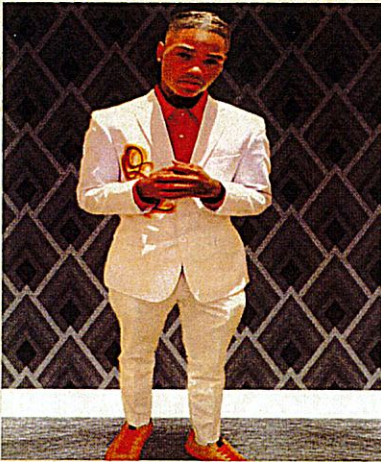
Tanya A. Joseph, Clerk of Council

POSTING CERTIFICATE

I, Tanya A. Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Resolution No. 2024-21 was duly posted on the _____ day of _____, 2024, and will remain posted in accordance with the Oakwood Village Charter

Tanya A. Joseph, Clerk of Council

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SECTION 3. This Resolution shall be in full force and effect immediately upon its adoption by this Council and approved by the Mayor, and shall remain in effect from and after the earliest period allowed by law.

Mayor Gary V. Gottschalk

President Pro-Tem Johnnie A. Warren

Councilperson Ward 2 Eloise Hardin

Councilperson Ward 4 Mary Davis

Clerk of Council Tanya A. Joseph

Council President Erica L. Nikolic

Councilperson Ward 1 Taunya Scruggs

Councilperson Ward 3 Raggie Matlock

Councilperson Ward 5 Candace S. Williams



**VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES
2024-2-13**

ATTENDANCE

Erica Nikolic, President	Gary V Gottschalk, Mayor
Johnnie Warren, President Pro Tem*	Tom Haba, Service Director
Taunya Scruggs, Ward 1	Brian Dirocco, Fire Department
Eloise Hardin, Ward 2	Mark Garratt, Police Department
Paggie Matlock, Ward 3	Matt Jones, Village Engineer
Mary Davis, Ward 4	Daniel Marinucci, Chief Bldg. Official
Candace Williams, Ward 5	

ABSENT

Dave Tapp, Fire Department	Carlean Perez – Recreation Director
Ross Cirincione, Prosecutor	Brian Thompson, Finance Director
James Climer, Law Director	

** Arrived after roll call*

Meeting opened at 7:00pm by Nikolic
Pledge of Allegiance
Roll Call taken

Nikolic: We have the minutes from January 22nd, 2024, special meeting minutes. I'm requesting that we abstain to move the meeting minutes until next week. So, everyone has sufficient time to review them. That would just require that we all abstain so that it can move to next week. May I have a motion to table the minutes of Jan. 22nd, 2024, Council meeting.

Motion to table the Council meeting minutes of Jan. 22nd, 2024, made by Hardin seconded by Davis
YES VOTE: Williams, Davis, Matlock, Hardin, Scruggs, Nikolic
MOTION PASSED

Nikolic: Could we please have the clerk correspondence? **Joseph:** There was a letter for you, and Ms. Scruggs. I also provided correspondence that we received from the Village Engineer, Ed Hren, regarding the road program. That's all that I have. **Nikolic:** May we begin with the departmental reports? May we have our first report from Mayor Gottschalk.

Departmental Reports

Mayor, Gottschalk| Gottschalk Thank you, Madam Chair. It isn't a day that goes by where at least two or three people come to me and ask, well, what's going on with Kroger? So, I'm going to read off what was presented to them about two weeks ago. "As you are aware, Kroger and Oakwood Village executed a Development Agreement for the creation of a fulfillment center in March of 2022. Since that time, the Village has worked diligently to fulfill its end of the bargain.

On March 7th, 2023, an extensive planning meeting was held involving numerous officials from Kroger, the Village, Team NEO, and others. At which time Kroger expressed a desire to move expeditiously to carry out the project. That is, the last communication of any substance in the Village has received from Kroger. This delay is, needless to say, disturbing and it has unduly delayed numerous financial contributions Kroger committed to make under this Agreement. Under the agreement, \$45,000 in 2022, \$50,000 in 2023, was to be donated by Kroger to Oakwood youth (for education programs in our summer camp and after school programs). Also, the existing mound to screen the construction site before 2024 year-end would be maintained with invoices supporting the expenditures provided by Oakwood. A local 501(c)(3) organization has already expended \$7,000 for eight-foot-high nylon netting around the evergreens and arborvitae to protect them from the deer. Under section one of the Agreement, Oakwood would provide invoices for landscaping and watering expenses occurred in 2023 and anticipated in 2024, totaling \$65,000. Finally, Kroger has acknowledged that it owes professional fees incurred by the Village for which invoices have been provided in the amount of \$42,201.10 and which now exceed the maximum of \$45,000 provided for in the Agreement. Given these delays, the Village demands that Kroger promptly make the payments outlined above. Additionally, Oakwood requires that Kroger provide a firm date in writing by which it will commence this project prior to 2024 year-end. If Kroger doesn't choose to proceed as outlined above. The Village requests that it sell the Oakwood property back to Premier Development. (I am holding a letter from Premier expressing its desire to buy the property back and assume all the above expenditures). In the absence of an agreement to these issues, Oakwood Village is prepared to take the steps necessary to enforce its rights under this Agreement.” That was given to Kroger, I have yet to have a response from Kroger in two weeks. Now regarding the company from France, they're on track to become located in Oakwood Village, April of this year. Starbucks construction will begin again in May. They anticipate serving coffee by Thanksgiving. The last bit of economic development. I've been meeting for the last three weeks with a firm out of the West Coast. That was hoping to relocate here in Oakwood Village. I met with their new owner twice here. This will have significant implications. Not just for Oakwood but for Northeast Ohio as well. This will be covered heavily if this does happen. So, keep your fingers crossed on that. Now we'll get to the agenda, the pay raise. The annual pay raises over the last three years, in 2021 it was zero, in 2022 it was 2%, and 2023 is 3%. Despite any pay raises, the employees took home less because of the cost-of-living increases. So, whether they were groceries, whether they were insurance, whether they were property taxes increases. No matter what the pay increase was, they were bringing home less than they had done before. This is what we are hoping to eliminate here. The significantly small number of people that we do have on staff. Has a great work ethic, virtuous in the culture. I say that because many of these people now don't even care or want to work more than 2 to 3 days a week. And our employees do, team Oakwood walks by faith, not by spirit. And not to be disrupted by conventional or traditions of man on earth. Oakwood Village is a hub of high tech, life science, and medical research. By connecting with Jesus, the city has been blessed. Jesus has poured his spirit out and touched us here in Oakwood Village and our staff. So, let's move forward and pay what our blessed employees have earned. But as I say, because some things have not been presented to Council. They can't make a decision now, but it's retroactive to the beginning of the year. You have my assurance on that. So,

when this is approved it will be retroactive to the beginning of the year. It is going to be based on what the discretion of your supervisor or your director has to say with my approval. And at the same time, Council in an executive session will be alerted about this as well. So, with that, I am finished. **Nikolic:** Any questions or discussion for the mayor? **Davis:** Premier, did they said what they want to do with this? **Gottschalk:** They haven't mentioned names, but these are substantial companies. Where people would be coming to work. That's the whole key of everything. That's why most of these other cities are just struggling with finance. Because many of their buildings are no longer with employees. People are staying at home and paying taxes where they live, rather than where they work. **Davis:** So, are you talking about an industry? or are you talking about office buildings? I mean, give us a hint, because that's in my mom's backyard. **Gottschalk:** Particularly, medical research, high tech, and life science. There are no smokestack industries we are talking about at all. **Williams:** I think we set a very dangerous precedent for people not to work together. And we're providing some misinformation about the budget. It is Council's authority to approve the budget. And so, if you say that you're going to make it retroactive, and we haven't discussed that and made a decision. You're making a promise that people are waiting for that we haven't even discussed and decided on. **Gottschalk:** I don't do the talking unless I do the walking and it will be retroactive. **Williams:** So, we have to appropriate that first. I'm not going to have a back and forth with you. Because the fact is, that is our authority to do that, and we have to appropriate it before you can spend it. I just want to make sure it's on public record. So, that our employees can read it and understand that that's putting the cart before the horse. When you say you can do that without us approving it first. **Warren:** One of the things is that whatever the percentages are. I wouldn't do anything but support retroactive, whatever the percentages are, but it will be retroactive. I'm sure that this Council realize it has always been that way. Whatever the percentages are, I'm not saying the 5% or whatever, but it should be retroactive. **Nikolic:** I agree with Johnny and the Mayor that it should be retroactive. In any employment stance, I would expect my pay raise to be retroactive. So, I agree with that, although we can discuss it further. But just as an overall view, I agree with retroactive and yes, we will have to approve it ultimately. But I think about how I would view with myself and retroactive is how I would appreciate it. The other thing is, I would just like to say, with the 5% raise. Speaking to the employees, to give the new Council persons the grace and the respect to catch up. This is a very in-depth decision that needs to be made. We just started, so, if we have the time to do our jobs properly. Then we can look at everything and once Mr. Thompson has given us the documents we need. We will be able to make a methodical decision. Nothing's going to be rubber stamped. So, we do need the time to look at everything appropriately to make a decision. So, just asking for the grace and the understanding of the new Council people as well. So that's one point I wanted to make. **Hardin:** I'd like to say this. This Council is going to be fair. Any undermining of the process at this point should stop. We're going to do this with accountability. We're going to do it with the honesty and the integrity that we have always operated under. I am truly surprised at the techniques that are being instituted. I didn't crawl from under a cabbage patch yesterday. I think I know where this is coming from. But just like the president has asked for, grace. We want you to understand we need numbers. We don't just pick these numbers out randomly. And yes, we agree that the majority of the employees perform their jobs. They come every day, and they do an excellent job. This has nothing to do with your day-to-day operation. It

has everything to do with the expenditures here and how this money is spent. And we're going to do that. We're going to do our jobs and we're going to be fair like we always have. The fact that we're not getting what we need. This is the one time that we're going to wait until we get what we need. It's for the benefit of this community that we're going to wait, thank you. **Davis:** I just wanted to add, we have been asking for figures from our Finance Director. For a couple of months now. It has been since we started in August, when we asked for everybody to start doing their budgets. It is now February of the next year, and we still haven't got all the answers that we've requested. So, he has put us in a bind, and also that bind also passes on to our employees that are part of our city. Which is sad, because we know they got wonderful people in this city that are our employees. We are thankful for that. But we have to have, like Ms. Hardin said, the numbers. We have to have something in front of us before we can allow everybody just to spend money. That we have not yet received. So, until we receive those things, we have to wait. I'm sorry, it's put on us, but it's not from us that we're having a problem. So, we will definitely get to everybody as soon as we can get our numbers into us. **Nikolic:** One last comment, just to put things in perspective. At our meeting last month, our final meeting. I requested items from the Finance Director. Last Friday, I stopped into his office to speak with his staff. So previously there was some concern that there was not a fully staffed department. We currently have a fully staffed department. When I go in to ask if any documents have been left with his staff. Or if there had been any follow-up to get the documents to us. They had not heard of anything that had been discussed. So, no one in his department knew of anything that we had requested. So, he needs to utilize his team, delegate so we can all work together to get these things done. But now that he's fully staffed, our expectations are going to go up. Because now, without having these documents, we are in a predicament. So, that's the last comment that I need to make anyone else come into discussions and families. **Hardin:** The buck stops with the Mayor. We have asked for it and Mr. Mayor, we're going to ask you to expedite it. **Gottschalk:** You will have those numbers, he'll be here Thursday, and you'll have it by Monday or Tuesday the latest. **Hardin:** That's public record. **Gottschalk:** Anything that you requested, you're going to get. **Hardin:** By what day? **Gottschalk:** By Tuesday. **Hardin:** Thank you. **Nikolic:** Just to summarize what we have requested. We did request recommendations from managers and directors for their input on pay raises. I've also requested at the last meeting to have a cost per employee so we can understand what each employee is costing us. And so, Councilwoman Scruggs and I can understand who is in which department. We've also requested an overall assessment of salary ordinances. Who received raises when last. So, we can look at maybe someone needs a base pay raise. Someone may need an overall raise. So, these are a lot of things that we'd like to look at one time, together. So, it's not just the pay raise we'd like to look at several different factors together. So, there's a lot of information that we're waiting on and once we have it will make that decision. **Williams:** There are additional documents that were requested prior to January when you all started. So, we will send just a list of everything so that we get everything we requested. **Warren:** I'll make a suggestion that Mayor when Brian returns. I think that you should present that list to him. Let him tell you when he's going to get it, without you making a commitment on his behalf. **Gottschalk:** Even if he has to be here eight days a week, to get it on Tuesday. You're going to get what you requested. **Nikolic:** Okay, if no other further discussion. May we have our report from our Service Director?

Service- **Haba| Haba:** Thank you, Madam Chairman. Just two things, I know we asked a lot of questions about streetlights in the last few months. We went street by street; we're just about done with the Village. We got a couple small little areas left. We've turned those all in to the Illuminating Company. I know they were quick to respond on Broadway, last week and check out those streetlight problems. Secondly, Ms. Joseph brought to my attention, two weeks ago. There was a grant possibility from the State of Ohio. We jumped on it, we only had like a week. So, we did apply for that grant. It's for a new covering for our old salt pen, which was falling apart. With Ms. Joseph's help and the Engineering Department, we got the grant in on time that day. We will get approval from Council to that grant if we do get it, that's all I have. **Davis:** Mr. Haba, I want to thank you for your call to the Waste Management. They have been cleaning up. I have seen two times this week, the bypass along the freeway. Because I remember I talked to you about the all the garbage that was thrown from their trucks. They were out yesterday again picking up. They had three guys going down that road. **Haba:** We picked it up sometime last week because some of it is Oakwood stuff. But one thing mentioned before. The County prisoners do it, but that's not on the list. But they don't seem to have gone down there much of last year. But they were on Broadway a few weeks ago. **Davis:** I mean, they were working nicely, and really thank you for your department also. **Warren:** I would also like to thank the Service Director. But, also to focus on the Council Clerk taking the initiative and incentive to look up the grant and be the one that gets this grant opportunity off the ground. So, to Ms. Joseph, we appreciate your due diligence in this effort. **Haba:** Yeah, it would give us something we really needed. Something we would have had to spend money on next year, too. So, it would be great if we could get that. **Matlock:** Question, County prisoners, I did see them out on the roads picking up trash. Is there some way we can either submit something to say, do they pick up on the state streets? **Haba:** It is our streets they pick up. Every year, every January, I give them a list of what streets we would like. It is up to them, we don't pay them anything, they are just doing it. So, I have a list of streets we'd like them to address every year. **Warren:** They probably do the main streets work. **Haba:** Yeah, we always give the Fair Oaks, Oak Leaf, Forbes Road, Broadway, etc. They are not going to do all of ours. **Matlock:** What about Tryon? **Haba:** Tryon, I will hit that by the end of the week. There's that one section that gets bad. **Matlock:** Yeah. **Haba:** I don't believe that is on there. They are not going to do all of our streets. **Matlock:** I know they're not going to do it all. I just thought maybe it was just something we can request. **Haba:** Next year we can put that on there. **Matlock:** Ok. **Nikolic:** I had a quick question. Here in the budget, we have litter pick up wages. Have we ever appropriated anything for that or have in the past? **Haba:** I am not sure where that's from. We haven't used that in years. It has in the past sometimes; I had a group of kids. I used to do it sometimes, right there on North Lane. We bought the bags and give them material stuff like that. That could be from that, I believe. **Nikolic:** Okay. **Haba:** We helped out Waste Management and the County. **Nikolic:** So, it was some type of a youth program. **Haba:** Yeah, sometimes it was asked, it was on and off. Clean up Oakwood day, stuff like that. **Nikolic:** Okay, that might be something to bring back if we continue to have issues. **Haba:** I think the kids, we're usually free. I believe last few times that we'd have supervised, we paid a little bit. **Nikolic:** Any other questions or discussion? Can we have a report from our Police Chief?

Police- Garratt| Garratt: Thank you, Madam President. I just want to bring up something. We have been taking a lot of reports. Usually this time of year, with the tax return, identity theft and issues with that. Emails, people open up emails that are fraudulent because they know they are waiting for tax documents. They put all their information in and unfortunately that is usually the problem. There's a sheet that we are going to put on our website, it might already be up. But, a lot of times, especially the taxpayers this time of year. They're very intelligent, they deal with this fraud, with identity theft and get people. Especially if they can, the elderly, because they're not computer savvy. They kind of fall for some of the scams and some of the some of the phone calls. We haven't had any phone calls here. But Oakwood Village had a lot of e-mail ones. So, if you could, direct people to go there would be great. There's a bunch of information right up here to help make you aware. We can always take a phone call, call up here and talk to one of the guys in our bureau or one of the Officers. We can help anybody out if you have questions, concerns, or any about emails or phone calls. The IRS never calls you ever, for anything, period. So, don't ever believe any of that. The other thing I want to talk about was the legislation. As I talked to you guys before the last meeting, the canine has been sitting. That's why we wanted to act kind of quick on this. Geauga is trying to buy the dog from us. Again, that's a nine-year-old dog next year. The average work life of a dog is 7 to 9 years in canine. They are willing to give us \$2,000 for the dog because the handler is going over there. So, we could act, that dogs have been sitting there for a couple of weeks. He kind of needs to get working again. So, if you could entertain that I would appreciate it. **Nikolic:** For the dog warden, there's a \$13,000 line item for the dog warden. Will that be necessary once the dog is sold? **Garratt:** Yeah, that's the dog warden. **Nikolic:** What is that? **Garratt:** That's for like, calls that we've got loose dogs. **Nikolic:** Oh, okay, that's for picking up dead animals and everything like that. **Garratt:** Well, not the dead ones. They pick up the ones that are trapped, dogs running loose. **Nikolic:** So, is there any other line item that will be removed once the dog goes? **Garratt:** Yeah, there's a canine expense for \$2,500, maybe \$3,500 that's in my budget. We're not going to remove it because I don't know what we're going to do with it. But the only time we utilize it is if we do pickup another canine unit. **Nikolic:** Okay, so now we do not have a canine unit. **Garratt:** That is correct, we do not have a canine. We still have the car and the outfit for it. How it works when you get a new canine unit, it's a six-week training. You pick out the dog, the officer and the dog go for six weeks of training for basic training for canine. Then they come back to work. So, it's a pretty big commitment and we're low on guys right now. We have some young guys that are going to be really good I think in that position. So, they need just a little more seasoning before we're going to entertain that. The Captain and I have been talking about it. I think we're going to let it ride for a little while, and when it's time, we'll make that decision together. **Hardin:** When you mentioned budget, we won't have one. We'll leave that line item there and that's just for feeding the dog. But have you included a cost of purchasing a dog and that training in this last budget that you submitted? **Garratt:** I haven't because I didn't know the dog was leaving. Frankly, I didn't know the Officer was leaving until two weeks before. **Hardin:** Based on what's going on. I would suggest that you submit a memorandum just in case before the end of the year, what you might want to do. **Garratt:** I appreciate it. **Davis:** So, the officer has gone? **Garratt:** Yes, and the two options were, as I mentioned before. When you disband a retired K9 unit. By state law,

the handler has an option to buy the dog for a dollar. This one worked out because he wants to work the dog for whatever the time was left of the dog. And Geauga County wants to give us \$2,000. So, it's either a dollar or \$2,000. That goes into the general fund, thank you. **Nikolic:** Thank you Chief if there's no further questions or discussion. May we hear from our Fire Chief.

Fire-Dirocco| Dirocco: Good evening, thank you Council President. January has been off to a pretty busy start for us in the Fire Department. A lot of calls coming in. We have also switched our software company. So, it is a big learning curve for everyone. It was something we had to do because the company we were with, they're retiring the software. So, we had to make a switch. On February 1st, we had a very difficult house fire down in Walton Hills. The firefighters in Oakwood, along with mutual aid partners from Bedford, Bedford Heights, Macedonia, and Valley View helped put it out. No one was hurt, homeowners got out, the animals got out. So, some damage to the house, but no one was hurt. We've been busy in the community, starting up teaching CPR classes to some of the businesses. And, actually, everyone in Glenwillow Village has requested teaching their whole staff, Police, Service, and regular staff members. I know back last year, Ms. Hardin, we talked about trying to find a way to teach and give CPR instruction, starting with the Village employees. The Fire Departments kind of taken care of that, Police Department has it. So, next would be anyone that's willing or able to from Council, from the regular office staff, Service Department. We're more than happy to put on a class day, night, or weekend. I know last year we set a whole bunch of dates, and we couldn't find anything that worked. But I'd be happy to do that again if you guys would like to look into that. And that's all I have if you have questions I can do that. **Hardin:** You know, I left a message for you last week regarding that. Did you get it? **Dirocco:** Dave said Ms. Harin left a message, and he said he was going to talk to you. **Hardin:** You know what? I really see you coordinating something like that with maybe even the Mayor's group that meets. Because so many of some of these people are getting older. **Dirocco:** Last year we did have the Rec Department. They were the only ones that were able to really kind of work into that. The Rec department put together a group, Ms. Perez. I think I had two different classes. We had about two dozen people go through it. **Hardin:** Okay, well, I didn't know anything about that. Can we do it again this year because it wasn't advertised. **Dirocco:** So, it's up to you, who would be the point of contact to schedule that? I could reach out, obviously, to all of you if you would like it. **Hardin:** How about if you deal with our Clerk? **Dirocco:** I'll be happy to do that. I will send her some dates, and she could forward it your way and let me know what works. Like I said, if you guys or any of the department heads, it's good for everyone to learn. Any other questions? Thank you. **Nikolic:** Hearing none, may we hear from our Building Department?

Building-Marinucci| Marinucci: Thank you, Madam President, it is my pleasure. A statement that's not part of the Building Department, but I want you to be aware of. It really hit home, and it really is serious. And especially since the population is older, and you have grandchildren. Maybe Chief Garratt knows more than I do. The gang is out of Florida, and the name of the gang is Felony Lane. The way they got the name is after the event happens. They go to the furthest line at your bank. Because the camera images that are taken in that thing, are not very clear. But two weeks ago, my wife works in the prosecutor's office, Lake County. They focus on daycare

centers. But the woman lawyer dropped her baby off at the daycare. From the time she got out of the car and brought the child into the daycare center. The car got hit, everything was stolen. The banks were hit within 35 to 45 minutes after the event happened. But Lake County got the people who did it. The Sheriff in Lake County has posted it. I've been telling everybody about it. It happened really, really fast. They are targeting the daycares. So, I thought you should be aware of it. My understanding is that group is all through Northeast Ohio, all over northeast United States, but it's here. The second thing is, I'm looking forward to having the budget meeting with Council. Because there's some issues with the Building Department that have to be addressed. We will address them when we have that meeting. Because I did talk to Brian more than once. So, when we get there, we will. I'm here for questions, if you have any questions, **Gottschalk:** Answer to the point regarding what I asked you to do regarding the facility over there on Macedonia. **Marinucci:** Yeah, I've been in touch with Jim Climer on this issue. So, we are working together on it. Here's the issue, the issue is do we have the authority. They want ordinance supplied, and what they can do. So, I've been working back and forth. **Gottschalk:** They cannot be doing what they are doing. **Marinucci:** I understand. **Gottschalk:** So, what I've asked you to do is, you've taken pictures there. In the next two or three days, have a citation prepared. **Marinucci:** Mayor, we are working on it, to do it right. **Gottschalk:** We'll give him three days in which to clear that thing up. Or there will be a court date which they have to appear. **Marinucci:** Yeah. **Gottschalk:** All right. **Nikolic:** Okay, for clarity's sake, can we be can we specify what issue we're talking about and location? **Marinucci:** I don't know the address, but there's a lot of cars there. I know what the game plan is, I understand the game plan. I'm just trying to make it right, so, we're not on the opposite end of this thing. We have to be on the right side of it. So, it starts with the zoning. It may be of dual use; I can't figure out the zoning yet. I thought they were a construction company initially; it doesn't appear that they are. But there's some construction things there. It's not a used car. There's a sign up that says, something of a classic cars. **Davis:** Gray Brothers Classic Cars. **Marinucci:** There's provisions in our ordinance that says A, B, C, and D, I'm trying to get it all right. **Matlock:** Is that on the corner of Broadway and Macedonia? **Marinucci:** Yeah, right there by Drake Road. We've dealt with this issue before in different areas. And part of the ordinance says what they are allowed to do... I don't know if they qualify yet, I'm confused. But indoors they're allowed to do things. You could be like a used car dealership as long as no cars go outside. So, if you have a car and you meet the general the definition, you could do it. And also, to sponsor the ordinance that allows for screening. I'll be honest the Mayor and I talk about this. I don't know how you can screen. **Gottschalk:** No, there's not enough room. Again, we don't even tolerate this on Broadway. DCOMM has to put up a mount. There's no room even for a mount over there. Additionally, people at reflections, can look down at that site as well. It's intolerable... **Marinucci:** I'm working with Jim on this to get this done. This is going to be a joint effort to do it right. It might be done by Tuesday. **Gottschalk:** Alright, all I'm asking for is a citation so that we can have a court date. And not just going there to warn them. **Marinucci:** I'm going to personally meet with the owners and try to get them to clean this up. **Davis:** When they came in front of planning, what did they say? **Marinucci:** I don't think they went in front of planning. **Davis:** They had to come in front of planning... **Marinucci:** No, the Planning Commission doesn't determine who goes in. If they're going to alter the building, yea. But there's no altering of the building. But they would have to go for the

signage, and they did not. I didn't even know about that particular sign. We went out and took pictures after we got your email to expedite this. I'm on the Mayor's side on this, don't get me wrong. I don't think jurisdictions, the Village have allowed this kind of stuff. I just wanted to be right. What I do know about it is, the people running that business have a lot of money. I don't want to get too involved in the lawsuit. I want to make sure it's done right. **Warren:** May I just suggest that you don't talk to them before, take the action first. Because if you talk to them, they're going to say, oh, well, give us a week or two weeks. Then they're going to delay it even further. If you get the action started and then they want to talk, then let them do it. But at least get the action started so that we document and we're there in court. Or we got at least the legal steps taken. **Marinucci:** I've been reading all the sections of the code all day today. I'm going to be in touch with Jim and say, let's move on to this provision. I want to have an agreement here. Then if he says, yeah, then okay, that's how we're going. **Warren:** You can always site more than one violation, too. **Marinucci:** Yeah, I'm looking where it says multiple cars. I'm looking everywhere, I started in the general business, and that's what takes you down what I just said. Because if you're a used car dealer, you're allowed to do it. Even though we don't want it, it can't be outside. There's a guy that's a used car dealer, but none of the cars are outside. He might have fifteen cars or something like that. I've been there four, five times already, and they're all indoors. All right, so, I know that this was resurfaced. I'll drive by tomorrow to make sure that, and can I just say. I don't know what this corporation is, I'm trying to classify it. There is construction there so maybe, it's a dual occupancy. I don't know, do you know how this might be? Construction policy matter, It has to be screened. The screening is part of the reason that I think I can't get everything together to where we are able to make the citations. Where we can have a court date, and only then are they enforcement. I won't talk to them, but that's what I'm doing. I want to have the jump on it. **Davis:** Because he has cars there also. **Warren:** Not to belabor this, but Councilperson Davis brought up a good thing too. They have cars without license plates. That's why I say they should be cited for everything. Not just for the one thing. But cars without license plates should be cited for noncompliance. **Marinucci:** Now, that's part of what I'm doing. But, you don't have to have a front license plate, right? **Warren:** You got to check the back of it. **Marinucci:** Now you have to go on the property. **Warren:** Well, I see what you're saying. If you can't, I'm just saying that if it's obvious that the vehicles don't have plates. And according to law it's required, then you could move forward. **Marinucci:** I could say this, and the reason why I say they can't go on a property. When they first moved in, I don't know if you're involved in it. But we had a complaint kind of thing and there was an issue there. When I called them, they were pretty rough with me on the phone. So, it leads me to believe that this is going to be one of these. And it's okay, it doesn't scared me at all. But I want to be right on it. I don't want to cite something and then find out we made a mistake. I think Tuesday, I going to try my best with them. If Jim says, hold on, we will hold on. But if Jim says, go for it, we're going forward on it. **Hardin:** Did the Building Department change its hours of operation? If so, when did you do it? **Marinucci:** A while ago. **Hardin:** And why? **Marinucci:** Because it helps the contractors. When we thought of it, I contacted the other Building Departments, and they were doing that. So, it gets the contractor in and out quick. And really, if you look at the times, a lot more is done in that department in the morning than it is in the afternoon. **Hardin:** I want to go on record, what with the number of complaints regarding the customer service from your department. Dan, I'm going

to say this, this last one. See, they never know who they're talking to, that's number one. Number two, everyone deserves respect and courtesy. That's all that's required. **Marinucci:** Yes and I agree. **Hardin:** And to talk to people like they just fell off the back of a wagon or condescending; that has to stop now. You made the comment that you're going to talk with us when we get to the raises. You can do it however you want to do it. But I'm telling you, that if I get one more... Mayor, it's terrible how they talk to the people over there. Some of them, it's unbelievable and it has to stop. **Marinucci:** I'm not aware of about the issue, but we can talk whenever you want, we can meet on it for sure. **Hardin:** We can meet on it, but in the meantime, I need you to give them a heads up, okay? **Marinucci:** When I'm there, because I could overhear a lot of them. I think it's pretty running smoothly. **Hardin:** Not so. **Marinucci:** But I could also tell you that. I do know that this goes down a lot, hypothetically. Debbie would take a phone call and would say A, B, and C. Well, that person doesn't like me A, B, and C. Sometimes it goes to Lillie, the same person, same issue. Then I said I'll take it, and I say the same thing A, B and C and then it's okay. But a lot of times, they don't like what A, B, and C are. **Hardin:** So, as a result then what do you do? **Marinucci:** Nothing. **Hardin:** You're tell me... but that's ok, we are not going to debate this here. All I'm saying to you is, it is terrible and it's getting worse, it has to stop. If they don't have the patience to deal with the general public, then do what you do. You take all the calls because... **Marinucci:** Well, that isn't happening. **Hardin:** Well, I'm going to tell you tonight what is going to happen. This is part of what happens here. They will never, ever be allowed to talk to another constituent the way that they have talked to some of those people. **Marinucci:** I'm going to put a stop to that. **Hardin:** Thank you. **Marinucci:** I don't understand, we should never be disrespectful. But when you said to me, what do I do. I'm trying to think of an exact example. A person called and they wanted it to go to the Planning Commission on a specific issue. I think your family member is involved on it or something. But you can't get there without having a survey. For what this particular issue was. Debbie tells them you need a survey. Oh yeah, yeah, yeah, but then they filed the paperwork, no survey. So, we're going back and forth on it. So, then Lillie said, we need a survey to get it through planning. So now it comes to me and, and I said, we need a survey. If we don't get the survey, I can't do it. This is not being disrespectful. This is saying, hey, I don't write the ordinances and I don't deal with his office. His office is the one requiring the survey. We're implementing the survey to do it. So, when I say no, it's not going without the proper paperwork, that is not being disrespectful. **Hardin:** Well, let me just let me share something with you from the old world. I'm an old telephone employee. The first thing you are taught, and I want you to take this back to your crew. **Marinucci:** I am. **Hardin:** It is called tone of service. If they want me to come over and give them instructions on what that really means, I'll be glad to. The only picture I have of an individual when it's a phone call involved. Is what you say to me and how you say it. And believe me, when people hang up from your department, they're not happy. The tone of service is ridiculous. **Marinucci:** I'm going to deal with that at the employee level. But let me tell you about me. When a contractor comes in here and he does the job, he does it without a permit. He knows he has to have the permit. You know what? If he calls you, you're going to say fire Marinucci. Because when I nail this guy and I'll tell them you're never going to do any more work in Oakwood Village. If you're just totally disrespecting the process. So, I had a guy that did something, the cost of the permit was \$35. All the work is done, and they want Oakwood Village

to give them a final. And I go, how dare you do this. **Hardin:** Let me tell you something. How ever you choose to do it and he chooses to leave you on a payroll, that's one thing. When an employee in your department talks to an individual. In other than total respect, because you're not entitled to be condescending. No matter what I say or do. What you're supposed to do and the right thing to do. If it's something that I have just frustrated you to no end. You know what, Mrs. Hardin? I will get back with you and tune it out. But to give the kind of service that your department gives, it has to stop. **Marinucci:** If it's that bad, I'll get it to stop. **Hardin:** It is beyond... **Marinucci:** When I'm there, I could hear phone calls. **Hardin:** Then they drop down to condescending, people are not stupid. They know when you're talking to them like they're an idiot, and it's got to stop. **Marinucci:** Yeah, I would like to know the issue. But I'm going to talk...this has to come from Aaron is what I am thinking. **Hardin:** Wherever you want to pick it out from, it needs to stop. **Marinucci:** I will have a meeting tomorrow morning on that specific issue. **Davis:** Activity logs, you said as of the January meeting, we would get it the next day. The last activity log I have in my email is from September. **Marinucci:** That can't be, we must have a wrong email. I sent that to Council Clerk and everybody. Because you mentioned that you didn't get it and I sent that again. **Marinucci:** I'm going to send an email and make sure you get it. **Nikolic:** Okay, one quick thing, just a gentle reminder of sidebar conversations. This is an open and public meeting, so every conversation that should be had should be open to the public. **Hardin:** I apologize. **Nikolic:** It would be a violation of the sunshine laws. It should be open, so it may be documented. Unless it's to find something in a document. If we could, have all of our comments made open to the public so everyone can hear what's being said. And it can be properly documented in the meetings, that would be greatly appreciated. Anyone else have any comments for the Village? **Matlock:** By the way, since you drew me into this situation. Debbie is very, very knowledgeable and she was only helping with the situation. And she did resolve it. **Marinucci:** She's knowledgeable, but she's not compliant. **Matlock:** No, but I'm just saying, during the time that we were in there, she was. **Marinucci:** She knows what she's doing. **Matlock:** She knows what she's doing, and she just got the information that was needed. And she informed, matter of fact, the person you want is that one right there. But that information was very knowledgeable. Because it just told her what she needed to do to go to the next step. **Marinucci:** This has been going on a long time. **Matlock:** But that was something that she didn't know about. I wanted to say also, that Building Department as far as communication. **Marinucci:** Well, I could tell you the issue you're bringing up has been ... **Matlock:** No, we're not talking about Debbie. We just talking about some of the individuals that work in there. **Marinucci:** Well, that's what we have. We've been down one person for over a year. **Matlock:** We have a meeting with them afterwards, right? **Davis:** Work session. **Nikolic:** You would just need to request, would like the Building Director to stay? **Marinucci:** Not today. **Matlock:** Excuse me? You said you wanted to talk to us about something, correct? **Marinucci:** I got to go a long way. **Matlock:** But you said you want to talk to us about the budget. **Nikolic:** No, he didn't mean today. **Matlock:** Well, I'll get with you personally because there are some individuals. Then you just mentioned something that I want to ask you about. You said there is a clerk in there digitizing the information that you have in there. Is that all she does? **Marinucci:** Right now, yes. **Matlock:** Okay, so how much more of that work has to be digitized? **Marinucci:** A long way, a lot. **Matlock:** So, we're saying a long way. What is a long way and what is a lot?

Marinucci: She's doing 20 to 30 years of digitizing, and she works every day. It's just getting through it, and it's working out really nicely. Because when we get a request, I just went in and grabbed an icon, and I can send it out. So, it's working, but we didn't even start the drawings. To get all the drawings done is going to take over a year. I'm expanding her services and, and what does that mean? Things are getting tighter, so I'm expanding her services. I want her to do Zoning Board of Appeals. Because if Debbie leaves, we're going to be shorthanded. So, I'm expanding her services agenda in certain areas. **Matlock:** Will she be answering the window? **Marinucci:** Not yet I'm not ready for her because she doesn't know much about the activities. No, I don't want her answering the window or answering the telephone. If she had to answer the phone calls, she couldn't answer. She doesn't know what the zoning codes, not yet. When Debbie answers, she knows the zoning code. When Aaron answers, he knows the zoning code. When Lillie answers, she knows the zoning code. **Matlock:** We're going to have a discussion with you later, right? **Marinucci:** Yeah. **Matlock:** Okay, that's all that matters. **Marinucci:** The other thing is, that phone rings nonstop. If she's answering the phone, she's not going to be able to do the digitizing. **Warren:** One of the things that I would caution us to do. Is to instruct the directors how to utilize their staff, we can evaluate it. If we got one person doing digitizing. I would say that would be something that they would just stay and do. If I was a director, I would do the same thing. Everybody has a job to do, and everybody's assigned a job to do, and they get proficient in their job. I just think it's a chance that we are stepping beyond. We can recommend by him to consider it. But if it was me in that position, I would have one person doing one thing. I would have one person assigned to a different task. One person is answering phones, doing paperwork, and the other one is assigned to the desk when people walk in. But one thing that I wanted to suggest, just for you to consider. When you say it's 7:00am to 3:30pm, I think that it should at least go to 4:00pm. **Marinucci:** We have 4:00pm covered. **Warren:** But you said it is closed at 3:30pm. **Marinucci:** I'm sorry, the correct answer would have been flex. Lillie stays long after 4:00pm. **Warren:** So, what time does the Building Department close? **Marinucci:** 7:30am it opens and then the Building Department closes after 4:30pm. Lillie is there now, I'm sure she's getting ready to leave. She answers the phone well after 4:30pm. **Nikolic:** And Lillie is one that has knowledge of the code in the zone. **Marinucci:** Yeah, she has been there for 20 or 30 years. I think she was involved right when Mayor first became part of the Village. It kind of works really well. Because early in the morning, this is the effort. And then, from 3:30pm to 4:30pm, it's kind of slow. Lillie catches all the calls and answering them. We have a lot of issues going on with the port of building standards and stuff like that. So, there's a lot of stuff like that, that's taken all my time. It gets really hard. I know, Councilperson Hardin, when you said I'll have to answer the phone. If I went and answered the phone there, because it rings all the time, no work would get done. And that's not being disrespectful that. **Warren:** You mean the work that you do? **Marinucci:** Yeah, the work that I do, trying to get everything. We're working pretty hard right now on the board of building standards, filing and stuff like that. I think the operation is running smoothly. I respect the issue of maybe the tone and maybe the shortness. That's what I'm thinking it is and I'm going to work on that. **Scruggs:** Is there a way that a resident can submit a formal complaint? **Marinucci:** Yeah. **Scruggs:** If they have experienced something not pleasant, is that in writing towards your department? **Marinucci:** Yeah, we always implement it in writing. But I think we stop it because of the resident feeling uncomfortable. So, if a phone

call comes in, we deal with it. One example is she sent me an email and I forwarded it immediately. But there's times phone calls would come in and Lillie would call me immediately.

If I am not in, I get a phone call immediately and we deal with it. **Scruggs:** So, I guess my question would be. Since you say yes, is there a place where those complaints are stored on the employee file? So, when you're going back to do the performance review, you can look at those?

Marinucci: No, not that kind of complaint. If we get a written complaint, on a property owner of a personal parcel number. **Scruggs:** No, complaint towards employee. **Marinucci:** Oh, a

complaint against an employee. I didn't expect this kind of thing. I didn't know about it. But no, nobody's called in to answer your question. **Gottschalk:** I'm getting some calls about that.

Marinucci: If I get a phone call and Debbie's on the line, which never happens. It will definitely be put into a file. I'm just thinking because Aaron's more of a construction type guy. Everything with him is quicker and short lived. That would be part of it, I thinking. That's the only two people, and Lillie is a doll on the phone. **Matlock:** Do you still send out a report of individuals that moved into the area? **Warren:** New residents. **Matlock:** Like a report of new residents that

come in? **Marinucci:** No, they never do it, I've never done that. **Williams:** Yeah, you did.

Marinucci: What it would be, which is the same thing, is point of sales. When a point of sale comes in. We know that the specific piece of property, that would be tied into a point of sale. The way point of sale works, historically here, is the buyer comes in and assumes the violations. Now they have to get a certificate of temporary occupancy to do this. That's why when you tie it into to that, you had all the information in there. This software is the worse software. We used to have the greatest software. But they keep on working out the negativities on them. So, maybe we can expand it. **Hardin:** One quickie, whenever we have a chance. I'd like to meet just with you. If you've been following Cleveland. All of the new legislation that's in place based on the point of sale. I know you've been keeping up with that. I'd like to go over some of that with you. Was the Police Department able to serve? **Marinucci:** No, I sent it to the legal department, I sent them both to Jim and Ross. They have to take over that. We cannot get service to process. But let me tell you, since this happened, since we spoke. Captain Freeman went out to do the service or process, and he came back, and he could not get it. So, he calls me up, and I said ok and sent them over to legal. Because they don't live in Oakwood Village, I sent it to the lawyers.

Something's not right about that property. Why we should start the roofing operation and then stop in the middle of the roof. But we spoke to the neighbor, and the neighbor said. When they started the project, they ran out of money. Which is what I believe, and they stopped the project. The house cannot be condemned. But we have not been able to reach them with the arms of the law right now to do it. So, I sent, and not only did I send it by email to both Jim and Ross. I sent them text messages, and in one of the text messages. I explained the conversation that we actually had with the neighbor. I didn't have it, Lillie did. I let them know that their money is an issue and that's why they stopped it. Maybe health is an issue too. It is not adding up in my mind. What I'm trying to get them to do is get them to sell the property. That's my main plan and all of this. We believe that there was a real estate agent involved. But when you go out there to the property, there's no real estate sign. **Hardin:** No. **Marinucci:** So that's the status of that. If I knew how to do it, I would do it. I don't do that stuff. **Hardin:** Well, I will talk to legal. Because we can't go an additional year with that house sitting there looking like that. **Marinucci:** Yeah, and my game plan after talking with Captain Freeman. Is to let them go in and tell the judge they

don't have the money to fix it. That would be the game plan. **Garratt:** This is the house on Somerville, correct? **Hardin:** Yes, sir. **Garratt:** Okay, we sent an officer over last week to University Heights, where the homeowners live. They didn't answered the door, so we left the green card. The green card is a contact card that we were there to call back immediately. They haven't responded to it yet. However, with this violation, it's not criminal at this point in time. So, we can't take it any further. However, I did have a conversation with our Prosecutor Ross Cirincione only today. Who was also talking with the Law Director. They're looking at a way, with our ordinance, that they can publicize it. Then we can cite from there with the building code violations. However, this person is just avoiding us at this point in time and Building Department. But the Law Department is on it. I'm getting a different way around, a workaround for that. We had a three-way conversation, the Captain and I with, the Prosecutor today. So, it is in effect, they're not losing ground on it. It's just that we can't locate this person right now. We can only exhaust so many avenues to do it because it's not of criminal nature at this point.

Hardin: Okay, sir, thank you. **Marinucci:** I'm hoping that the roofer that was doing the job. I hope he rubberized the roof for \$200 the remaining portion. That would prevent water from getting inside of the roof. So, without being able to go inside the house, I can't (inaudible). But I'm hoping it's not that bad, because that would be cruel to open something up and not weatherize it. There are other issues too on that property. **Warren:** May I ask, this is that property that pulled a permit? **Marinucci:** Yes. **Warren:** How long do they get to... **Marinucci:** One year. **Warren:** Has it been a year yet? **Marinucci:** It could be, I don't know. **Warren:** Well, if it has been a year. Then you could cite them for the violations that exist on that house. Because of the fact that their permit has expired. I would send a letter to whoever I'm dealing with, whoever's a registered homeowner. To let them know that they have defaulted on their permit. The permit is being closed. You're moving forward with the violations and taking them to court. Talk to the Law Director and ask them about that. Or you can have him call me. **Williams:** Councilwoman Matlack had asked about the list. You did use to provide us a list of new people coming in based off of that point of sale. **Marinucci:** I'll send you the point of sale. **Williams:** I think you may have stopped providing us that list. But we had tied it to wanting new residents to get a welcome packet. Have you all been sending out that packet? **Marinucci:** No, the only thing we have is point of sale. So, if they come in, and it's not like there's a whole lot of new residents. **Williams:** We don't have to discuss it now. When we have that meeting, we'll go back to them. **Marinucci:** Debbie gave them out when they come in. **Williams:** So, they do get a welcome packet or don't? **Marinucci:** When they come in, if it's a new one. They get a welcome packet, Debbie does that. **Hardin:** No, sir. **Marinucci:** I don't know, we'll bring that up again. A lot of times, the point of sale, they got a temporary occupancy. They don't get that until they clear the violations. Once they clear the violations. Then I guess you have to give them the package, right? I don't know, I will mention it to them. You know what's even better Council? If you give them the welcome packet. They are in your ward; you know who's moving in. You can go in and hand it to them. And that's a good PR. **Williams:** We have had that exact conversation before. You say you guys can do it. But we need a list in order to know who's coming. **Marinucci:** I will send you the point of sales. **Matlock:** That's why we asked for. **Marinucci:** I will give you one tomorrow. But, you know, this is one other problem that we have with the software. We have not been able to correct it. When I go into the software, and you say, residential point of sale. That's

what you want, right? You get everything, okay. You get commercial, point of sales, sometimes you get the permits. The software is not very clear on delineating what we actually need. But anyway, Tom's been working on that. **Nikolic:** Any other discussion? Thank you, hearing none, before we get to our engineer. I would just like to use this opportunity to say that, in support of Councilwoman Hardin's comments. I have also received several complaints about various Village employees. And I think this will be a good opportunity for Council to consider. Similar to CPR training. Once an employee receives a complaint. There should be some training. I've received complaints from bus drivers sexually harassing, the woman that does the senior lunches, all types of complaints. Brian Thompson as our HR head. When I asked about a formal process of filing a complaint. There isn't one that's established. So, as a Council, we should come together and document what we envision. As you know, perhaps there's training or something that they can get. Once there's a complaint made. We can map out what we envision. Because again, this is exposing the Village to litigation if left unchecked. So, while we'll let the managers deal with their employees. I think as Council, we need to come together to map out a plan as to how this HR process should be handled. We can deal with that at another time. But just wanted to point out that it is a problem that we need to address. Because it is exposing the Village to litigation. May we hear from our Engineer?

Engineer- Jones: | **Jones:** Madam President, members of Council, I don't have anything specific to report. Other than I do have ordinance 2024-03 on the agenda tonight. I don't know if you wanted to discuss that now. But I'm willing to go forward with discussion on that now, or I can take questions. **Nikolic:** Any discussion of questions? Hearing none, moving on to agenda item number seven. The floor is now open for comment from Village residents.

Open Floor Comments:

Karen Howse, Address Unknown, Howse: I do have a question on the Engineer. By the way, Chagrin Valley Engineering is an excellent firm, I have to say. But I do have a question, and I don't know if it's been in place like that for a while. But I just grabbed it, and just looking at section one of 2024-03. This is a question for the Mayor. So, section one says Municipal Engineer currently Ed Hren. Is Ed Hren retiring? **Gottschalk:** Not quite yet he is working on it. **Howse:** So, you're paying \$38,000 a year, biweekly as an employee. And subject to PERS (public employment retirement system), employee portion is 14%, which is like \$5,400. Then it says Matthew Jones and the firm Chagrin Valley Engineer. Shall also receive further compensation for the services specified in Exhibit A attached and incorporated herein at the rates set forth. My question is, how is it and? I've seen it where we have a contractor on staff. But why are we paying the PERS and then in turn saying subject to payroll. Then treat them like a contractor. **Gottschalk:** Brian can answer that, but we'll have everything (inaudible). **Howse:** Yeah, because you can't get a W-2, and then a 1099. It's just if you pay \$38,000... not that it hasn't happened. But I've never seen it written in that way. Because not only are we paying \$38,000. Now we are paying \$5400 on top of that, that's the employee share. Plus, flip it on the 1099 side. It says any other services and action that he would be doing, he would also be paid. **Gottschalk:** Matt can you answer that? **Jones:** Sure, and it has been like this for the last couple rounds of our contract. But basically, there are specific services that are included under the

\$38,000. The rest of it would be specific to contracts or things that fall outside the scope of services of the retainer. That actually isn't like a 1099 thing, that's contracted services to us. So, that's not a compensation that I directly get paid by the Village. **Howse:** The engineer gets that. **Jones:** Right, so I'm getting the retainer, I'm on payroll for the retainer. But the retainer only covers a portion of what I do like. **Howse:** So, Ed Hren for 25 years has been getting PERS from us? **Jones:** Yeah. **Howse:** So are there any other contracts (inaudible), for example our Law Director. **Matlock:** The Law Director says no. **Howse:** Ok, I was just curious. I just never seen it written like that. I am not saying it is wrong. I was just trying to clarify it. **Warren:** Just to answer Ms. Howse, It was the same type of contract. Because when Chagrin Valley Engineering went into business in 1996. It has been the same procedure with the lead engineer Ed Hren. To point it out, even when you were Finance Director. **Howse:** As I said before, John, I just asked a question. **Warren:** I just want to clarify. **Howse:** I just looked at the contract and I was just asking a question. Like I said initially, I'm not saying it was wrong. I just was asking that process, does he get a 1099 and a W-2. **Warren:** Yeah I understand.

Pat Malone, Drake Rd., Malone: I really want to thank Mary for going and finding out about the Gray Brothers at the top of our street in Macedonia. I wanted to leave you with this because we've talked enough about that. But thank you, Mary, and Mayor, I guess she got a hold of you. **Gottschalk:** Yeah. **Malone:** Two things, are we Oakwood or Oakwood Village? **Gottschalk:** Oakwood Village. **Malone:** Okay now, the signs are lovely, but they say Oakwood. Did we get these donated? **Gottschalk:** We saved some money on that, I mean, these weren't cheap. But we did get a grant at the same time. We've had good response, interestingly enough, many of the communities are starting to try to do this too. **Malone:** My point is, there is an Oakwood, Ohio in southern Ohio. If you bring it up, and when I was looking for the minutes. It takes you to Oakwood, Ohio and not Oakwood Village. Is there not some way that we can get a like a Vlg on there or something? I mean because it is confusing to anybody who doesn't live in the area. The next thing I want to ask, because I know I'm not going to get an answer to that. At one time, when, Kroger and whatever was going in over there. I guess my question is, why is there not a light? A streetlight, not a stoplight or anything, but a streetlight at the corner of Alexander and Fair Oaks? Because if you're not... again, I lived here most of my life. But you got to sneak up on that. **Gottschalk:** By the way, how did you like Fair Oaks? **Malone:** Yes, thank you very much. I'm sorry, I should have said something earlier. **Gottschalk:** I hear what you're saying, I'll get with our engineers on that. But right now, we'd be assuming the cost. Where you here when I read the what I gave to Kroger. **Malone:** No, I wasn't. **Gottschalk:** I explain the whole thing. We are expecting some action, or we are going to take action. Premier is ready to buy the land back, this is going on... **Malone:** Is that an offer that you have to make to Kroger? Because you're telling me Premier is ready to buy it back. **Gottschalk:** Kroger has to sell; they will break the contract if they don't give us something in writing before the end of this year. That they're committed to doing something by the end of the year. **Malone:** So, they have another, what, ten months? **Gottschalk:** Yeah, but in the meantime, I want to see some money from them, particularly in donations to our youth. At the same time maintaining the mound that is already there. That is about \$65,000, we shouldn't have to assume that. Premier will assume all those costs if they're able to buy that land back if Kroger's ready to sell it. **Malone:** Kroger has a year

to decide what they're going to do? **Gottschalk:** We're going to see action within the next three months, or we'll take action. We are not going to wait around until the end of the year. What I gave them is very clear that they have to take action. If they aren't willing to do this and give us a date when they are going to start. Pay us the money we feel is due to us. We are going to do what we have to do. **Malone:** I mean, this has been dragging us for a while. I understand that Covid put a stop to some of it. But this thing with Kroger, you're going nowhere. **Gottschalk:** Again, it's interesting that the Chief Financial Officer of Kroger. This has been in the last few days, has quit. He's now going to be the CFO of their big competitor Costco. And again, shows your Kroger is all discombobulated. It's the idea of nothing but committee problems and decision making. If you haven't changed with the times, look at what we've seen with, whether it be Kmart, Sears, JCPenney, and now Macy's is in real trouble. If you are not willing to make amendments and changes to what's happening in the financial environment. You're going to be lost, and that's what's beginning to happen to Kroger. I don't have the luxury of not seeing that developed, in some way. In the next three or four months. **Warren:** I just want to tell you that this has been going on for a long time. In the middle of that going on. Kroger is now in the middle of merging with Albertson. It's continuing on because it's being challenged by others. So, they don't want to have too many like the Walmart's and everything. They have three major department stores controlling 70% of the market. So, I'm only saying that from my own perspective. I don't expect you to hear anything for the next 2 to 3 months. Because I think that this thing is going to go on for a while. We have no control except for the withdrawal the incentives that we were going to provide. That's the only thing that we have and try to encourage Premier. But, you know, if premier sold Kroger the land for \$1 million. Kroger isn't going to sell the land back to Premier for a million. You wouldn't and nobody else would. So, this is a lot of complicated things. I'm just going to be honest with you, I don't even get my hopes up. Unless we can get them to, and we have no control over it except for the withdrawal of the incentives that we have provided. And that's only if we've given them a date of when this has to be. They have failed because they were supposed to start a long time ago. **Malone:** Alright, don't forget about finding out about the light on the corner. **Haba:** The Engineer Google Earth, and there's a light over there. **Jones:** There actually is a light on the corner. I wonder if it's burned out or something, we'll look at it. **Haba:** It's just off the corner of Alexander's, about 30ft from... **Malone:** It must be burned out. **Haba:** If it's burnt out, I know we went through that area. It should be on within the next week or two. **Malone:** Ok, I live there, and I had to sneak up on it. Thank you and Happy Valentine's Day, everyone.

Sharyn Macklin, 7473 Oakhill Rd., Macklin: This question is more set to Haba. Last year, he needed somebody to help plow driveways. My husband gave up a lot of time. He even gave up Christmas and everything. He did almost over 200 driveways for him. When he got his check was \$218. I just couldn't figure out, if you use that city truck, they pay you so much an hour. If you use your truck, they pay you so much a driveway. If you need somebody to plow and they use your truck or their truck. They should get more than \$218. They had the nerve to send him, whatever it is they sent him. And sent him a tax paper. He is the type of person, If anybody knows him, he'll do anything for anybody. That's the type of person he is. But when you treat him bad, you treat me bad. Fifty-two years I have been with him. He does anything for anybody,

and he's willing to work for you. But he can't work for that price, that's crazy. **Haba:** He got \$25 an hour last year. **Macklin:** No, he didn't, look at his check. **Haba:** I don't know if it was taxes or whatever. **Macklin:** No, it wasn't taxes. When he got that check, it was \$218. **Haba:** Ok, all you have to do is call me and we could go over it. **Macklin:** He even came out for you on Christmas. **Haba:** Yes I know, I appreciated it. I told him he did a great job. **Macklin:** He was out all day and all night. People were requesting him to come back because they like the way he plowed their driveway. **Haba:** He got paid by the hour. And he did use our truck, he didn't use his truck. **Macklin:** Even if you use your truck, \$218 for all those hours he was out there, is crazy. That is why he didn't contact you this year. Because if he's making that kind of money, he could stay home and watch tv. **Haba:** I don't disagree, he was supposed to get \$25 an hour. **Macklin:** He didn't get \$25, if you used your truck it was \$13 a driveway. If you use the city truck, it was it was so much an hour. **Haba:** He should have called, all you had to do was call and we would have went over it. He punched a time clock when he came in. because he is not a contractor, he was a part-time worker. We did that, so if he has an accident, it's cover under our insurance. **Macklin:** I understand that. **Haba:** So, I guess there are taxes taken out, just the law. **Macklin:** Well, if he did all of them hours. And they took off all of them taxes and he has \$218.... **Haba:** We can still revisit it; all you have to do is call and tell me. We can look up the records. **Macklin:** He picked up a lot of senior citizens that wanted him to do their driveway. He will do it and they will pay him. He charges them maybe \$15 because they are senior citizens. **Haba:** He did a good job. **Macklin:** A lot of them requested him back. But I just didn't think it was fair that he gave up all his time and all of this and that's what he ended up with. That's just crazy, what are you going to do with that. That don't even pay the light bill, really? Come on, I just had to say that. **Gottschalk:** I'm glad Tommy was here to answer that. Have your husband give Tommy a call. **Haba:** Yeah. **Macklin:** I'll have him call. **Haba:** I wish he would do it this year. We were having trouble finding people again. Last year we had it twice. We did them a few times ourselves last year. This year we've gone twice. And we did them the first time almost all ourselves. Second time we had a foot of snow. We had a couple of guys that we set up part time. \$25 an hour with our truck. If you use your truck, it's a different story. But his truck broke down last year. That's why he used our truck. **Williams:** Service Director do we need to take a look at your budget there? **Haba:** You know, it's possible, we pay way less than that over the years. We used to pay contractors; we were only paying two years ago. I forget, but it was like probably \$11 or \$12 a driveway. Which, you could make a lot of money because you're getting 70 driveways and you all in the same area. So, you can make good money. If you break down, it is a thousand dollars for a contractor, I know that. So that's why we offer to do it using our trucks as a part-time worker. That seems to be working out okay. We had guys interested but it wasn't snowing yet. A couple weekends ago, when it did snow, they didn't come out. I had two other guys who did a really good job. We helped out, we were out that Saturday night doing driveway after contractors were out. Because they got tired about three or four in the afternoon. We were out there until 8:30ish finishing driveway. **Williams:** Maybe we should revisit it. Could be the possibility or one of the reasons you can't find a multitude of... **Haba:** I agree, but if you want to pay contractor for a driveway. The city is now \$20 per driveway. If you see our list, there are hundreds and hundreds of people on the list. So, if you have a bad winter when you happen to be out ten, eleven, twelve times. It's going to be a big chunk of money. **Nikolic:** The floor is still

open for comment. **Williams:** If we have done all that residence, I would like to just announced that the Bedford City School District board President and board vice President, also resident, are both present if you all have any comments to add.

Boyington, BCSD, Boyington: I would just like to say that I'm glad this is my first Oakwood Village Council meeting of the year. So, I'm glad to be here to see everybody in place. I would like to say that the Board of Education did select the designs for the new buildings. We will also have a facility meeting on Friday the 16th of this week. We are fairly well off with our new buildings. So, I want to thank all of the Oakwood residents that supported the bond issue. Thank you. **Davis:** The Board of Education, they had a new wing. What is a wing? Is that going to be all the administration going to a new building, or is that just going to be one part of a building? It shows in your plans that you send to Council people. All the buildings, what their agendas are, what their dates are, and when they're going to be finished, for each age or whatever. But it also had a Board of Education wing. Because we were never informed about a wing or anything for Board of Education? **Williams:** Yes we did. **Davis:** Well, I didn't receive anything. **Williams:** She's talking about how the Board of Education building will be wherever it's going to be.

Boyington: It will be with the middle school. **Davis:** It said Board of Education Wing? I never heard of that. **Boyington:** Yes it is going to be in one of the new buildings. Right now, it is slated for the new middle school, which will be on the Chanel property. **Davis:** All of the administration will move over to that, or is it just something else? **Boyington:** Yes, so it is slated for right now. **Davis:** They needed more offices, or is it going to be the same number of offices that you have over at the old building? Just a new building mask. **Williams:** The old building is torn down. **Boyington:** Yeah, the old building is going to be torn down. **Davis:** We didn't know that that's why I'm asking. **Boyington:** Oh, yes, the old building will be torn down. So, the administration building will be at the new facility on Chanel. Which will be the new middle school. We'll be looking at the design, hopefully on Friday. **Nikolic:** I did have a quick, this is a very specific question. In your CTE program, do you have students that are in a teaching track that would be available for tutoring? For credit for students in Oakwood? Is that something that is available that we can maybe work with you on? If there's a CTE track for students that are training to be teachers or something. That they could work with us to do a tutoring program in Oakwood or some way to do an internship program. Is that something we could discuss is do you have a track like that? **Boyington:** I could connect you with the person, which is, Dr. JaTina Threat. She is head of the CTE program. Actually, we have a board meeting this week on Thursday. You can actually contact her. I can have her contact you, and she they give you a list of the CTE programs. I really don't think we have that, but I would like for you to hear from her. So, on Thursday night, I can pass it on to her and she can get in touch with you.. **Nikolic:** Okay, what's her name. **Boyington:** Dr. JaTina Threat, feel free to come out on Thursday at 6:00pm., that is our board meeting. **Nikolic:** Any other discussion or questions for Ms. Boyington? The floor is still open, any other comments from the residents?
Floor closed

Warren: Proceeded to read legislation:

2023-55 Introduced 12-22-23 By Mayor and Council as a whole 1 st read 12-22-23 2 nd read 1-9-24 tabled 1-23-24	AN EMERGENCY ORDINANCE AUTHORIZING THE RE-APPOINTMENT OF ROSS CIRINCIONE AND JOHN MONTELLO TO THE POSITION OF ASSISTANT LAW DIRECTOR/PROSECUTOR WITH THE VILLAGE OF OAKWOOD
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Nikolic: I know this was tabled due to documents that had been requested. Should we leave it tabled? Has everyone had an opportunity to review it? **Williams:** We haven't received the documents we requested. What we requested was job descriptions. **Davis:** He did send me the total amount or whatever. But with reading it, my problem is, Mr. Climer I wanted to ask him. In section two of this ordinance. Salary I understand there are splitting. However, the second paragraph says hourly compensation up to \$5,100. Is that \$5,100 per person, like to Mr. Montello and then \$5,100 to Mr. Cirincione? Or is it total between the two of them? Because at the top with the salary, it does say for each one. But it doesn't say that for the hourly compensation. So, I would like to have that question answered and clarified. If it's \$5,100 each or \$5,100 total between the two of them. **Nikolic:** It does say total billed. **Davis:** Yes, but it doesn't say if it's for each one. So, I would like to make that clear. **Nikolic:** So, we'll leave that tabled.

2024-03 Introduced 1-23-24 By Mayor and Council as a whole 1 st read 2-13-24	AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CHAGRIN VALLEY ENGINEERING LTD. AND SETTING FOR THE COMPENSATION AND FUNCTIONS OF THE VILLAGE ENGINEER AND HIS FIRM
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2024-04 Introduced 2-13-24 By Mayor and Council as a whole 1 st read 2-13-24	AN ORDINANCE AUTHORIZING THE SALE OF "ARGO" THE VILLAGE'S CURRENT POLICE DOG, TO GEAUGA COUNTY FOR USE IN THE GEAUGA COUNTY SHERIFF'S DEPARTMENT FOR THE SUM OF \$2,000 AND DECLARING AN EMERGENCY
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Motion to suspend rules on legislation 2024-04 made by Davis seconded by Warren

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

MOTION PASSED

Motion to adopt legislation 2024-04 made by Warren seconded by Davis

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

MOTION PASSED

Motion to enter executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of the public employers made by Warren seconded by Matlock

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

MOTION PASSED

Entered Executive Session at 8:50p.m.

Exited Executive Session at 9:33p.m.

Nikolic: Can I get a motion to adjourn?

Motion to adjourn made by Davis seconded by Hardin

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

MOTION PASSED

Adjourned at 9:34 p.m.

Approved _____

Tanya Joseph, Clerk of Council

Erica Nikolic, President of Council

VILLAGE OF OAKWOOD
WORK SESSION MINUTES
2024-2-13

ATTENDANCE

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

ABSENT

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

Meeting opened at 9:34pm by Nikolic

Nikolic: First we have,

2024-WS-02(Amended) Introduced 2-13-24 By Mayor	AN ORDINANCE GRANTING A FIVE PERCENT (5%) PAY RAISE TO RETROACTIVE TO JANUARY 1, 2024, TO ALL NON-ELECTED EMPLOYEES OF THE VILLAGE OTHER THAN MEMBERS OF THE POLICE DEPARTMENT COLLECTIVE BARGAINING UNIT AND DECLARING AN EMERGENCY
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Nikolic: I believe we can leave this for now, as we do not have the documents to discuss it. Is there any other discussion that we could have outside of waiting for the documents that we requested? Maybe we can create that list that we want to send to them. I know what I've requested. So, if everybody knows what they've requested, we can email it to Tanya. Then she can collate it and send a final request to Brian so he has that. Then CC us so we all see that he knows what he should get to us by next Monday or Tuesday. I believe that's what he said.

Williams: I'm also going to add some language that you can include from Council. Regarding the March 31st deadline. **Joseph:** Okay. **Williams:** Just so he's aware that those documents are necessary in order for us to move. I just want that to be very clear. Because I don't want to get to March 31st and It's like Council won't approve the budget for the Village. No, we asked for documents. **Warren:** I just suggested, as a follow up to what Councilperson Williams is saying. Make sure that it's said that this has been requested more than once. You know, this has been requested repeatedly or something to that nature. **Hardin:** So, when do we want to have it by? Would tomorrow be enough time or do you need more days if we email our request of what we want from Mr. Thompson to you? We're supposed to email it to you and then you're going to...

Nikolic: Right, I'm thinking that... **Warren:** Brian is out of town. **Davis:** I know he's on the road. **Nikolic:** Right, by tomorrow we all send our list. I know we've sent it before, but let's get

our updated list. In case we all individually, to Tanya by tomorrow, let's say noon. Then she can CC us all what she sends to Brian. So, we can be mindful of everybody else's list. Any further discussion on this legislation? **Hardin:** I have a question; we're talking about money. Why didn't we get this tonight? **Nikolic:** It's on the agenda. So typically, I mean, they're items that we're going to discuss. It's going to be under matters deemed appropriate. Typically, you would get an agenda with the items listed out. But there are many things to discuss. Unfinished business that we discussed in organizational meeting. Or if you would rather leave those to another meeting. We can schedule an entire organizational meeting, as this work session was specifically for the legislation. But I think there's a few things we can get through tonight, so we don't leave it.

Williams: We can discuss whatever we want to in work session. **Nikolic:** Okay, so the first thing I'd like to discuss. I'll get through my list and then everybody can discuss what they want. **Davis:** Can we go back to the ordinance, I just had one question on it. We had it on the actual reading, too, so do we... **Williams:** No, we didn't. **Davis:** Didn't we get a new amended one today?

Williams: No, the actual legislation was amended but it was still in the work session. **Joseph:** Yeah, just to add a line to it. **Davis:** What did he add to it? I couldn't figure it out. **Joseph:** What was added was the 5% raise was subjected to the supervisor's approval. **Davis:** Okay. **Nikolic:** And this I just wanted to say, this is from my request. I asked for specific per employee. This was not useful because my request was that they give recommendations per employee. Saying that they approved a recommendation up to 5% does not get us anywhere. So, although this they provided this. This does not fulfill my request. **Williams:** You asked them to send us this?

Nikolic: I asked him to send us manager and director recommendations for pay raises, specific. So, this employee should get 2%, this employee should get three, this employee should get five. And this is what he sent and it's basically a letter... **Williams:** Basically, saying we don't have the authority to do budget which is... **Nikolic:** I don't know, he's basically saying they approve it. Meaning they agree that it's okay if we go up to 5%, which is not what we're asking for.

Williams: This is saying they have a sole discretion to do it with the approval of the Mayor. Like we don't have to (inaudible) which is a false statement. **Hardin:** Which does not refer to anything to do with the budget. **Nikolic:** Please be mindful of the language. This is the Police Chiefs, so they are under collective bargaining. So, I'm not sure that... **Williams:** We still have to approve theirs. The language is just not factual in any of them. **Warren:** All of them are saying the same thing. **Williams:** Nobody has the sole discretion with the budget, we appropriate the budget period point blank. **Nikolic:** Yeah, the language, this does not help. This isn't what I asked for. **Hardin:** May I ask you one more question since you requested it. Legislation 2024-02, did you see what that is? That has nothing to do with it. **Williams:** It Refers to the engineers, a specification for a bid for a project. So, I don't even know why 2024-02 was in there. **Nikolic:** This isn't what I asked for. I said, Mayor, can you have a director say this employee should get three or five. Then we can base our appropriation based on their recommendations. So, I was expected to get specific recommendations per employees. Which they did not provide, this is a wastepaper. **Davis:** She said that the new amended one is about the supervisor. But this one does not say anything about supervisor. **Joseph:** Where are you looking? **Williams:** The language. **Davis:** The language for the work session. **Joseph:** It is in the legislation. **Williams:** No, within the legislation, go to the legislation. **Davis:** Okay, thank you. **Nikolic:** Regardless of what this letter says, it does not fulfill my request. It was an attempt to get us to vote on it tonight. I told

him this does not suffice to make us vote on it tonight. So, this we can scrap. **Matlock:** All it did was really... **Davis:** Agitate, I thought it made like a hornet's nest to me. **Williams:** Yeah, it was just completely... And to have it delivered to my house after you told me you can't deliver my stuff anymore. Like, so you deliver when you want to deliver. It was just completely disrespectful and out of context and not factual. The legislation cited was not correct. This is clearly like nobody is working together. You're trying to create an environment where we're working against each other. And it doesn't need to be that way, nor does it have to be. **Matlock:** And matter of fact, for personnel matters. When you're requesting that they say or state how much percentage would be the percentage of each employee. That should basically be not on paper like that. That should be in front of every individual manager or director of that department. They should sit down and talk to us confidentially and tell us, I think this person. But it's got to be based off of their job description and off of what their actual salary is. When was the last time they had an increase? Does the job really sustain for them to get percentage on they or increase? Because we need to find out, first of all, all these jobs, who is in them? We don't know who in these jobs. If the job is obsolete and they don't need it anymore. We give up the five, three, or two percent, no. **Nikolic:** I agree. **Williams:** Mr. Haba should be in executive session. **Matlock:** That should be in an executive session, and that should be with each individual director. Because really, honestly, they tried to put our backs up against the wall. Because, you know, intimidation doesn't really get it. But the point is behind it. They should not even be discussing their salaries with other employees. Even though we see that they do. **Williams:** And I want to be clear, our backs are against the wall for state-imposed deadline on March 31st. However, we can also say that we are passing another temporary budget as our full measure budget. That is completely legal and allowable. Then we can do a full, once they do everything we want. So, our backs aren't up against the wall. We would like to have it done by March 31st, but we do still have another option. **Warren:** Then the other option we have is that we can always amend the budget any time. **Williams:** That's what we will have to. **Warren:** I'm saying that even if we submitted it March 31st. On June 1st we can still amend the budget based on expenditures or whatever. **Williams:** Right. **Nikolic:** Any further discussion on legislation? I'm going to move through these quickly. This the unfinished business from our organizational meeting and some updates. Number one-time clocks, it was brought to my attention that some employees are now using them more than before. My question to you all is do we still want to codify process? Because I know last time, Councilwoman Williams, the question was, how are we going to manage this? They're punching the time clocks and now what? We need to meet and codify once they've punched the time clocks they're going to be porting to. And once that happens, do we want them to be providing their hours on a regular basis? What are your thoughts on that? Do we want to codify something? **Williams:** If we don't do that, nothing is going to change. Also, we should follow up with saying. As part of our finance report, we want you to give us a monthly report of people's hours. We're not going to be diving into them all the time. But that will start to get things in control in terms of people taking off time. And it's not being accurately recorded. Like they will know we are paying attention. They as in the Finance Department. We just make it part of our finance report. Print that out because it comes from the system. It should be already done, you're clicking buttons. That is part of our report. Then that way, we start keeping up with the management of this process and ensuring that it's happening.

That is my recommendation. **Nikolic:** My second question is, it appears that it's just the hourly employees that have been added. I don't know exactly; we can talk to Brian at the finance meeting. But looking at it, and I don't know if this is executive session, you guys correct me. But do we also want to look at a conflict-of-interest clause where directors. For example, cannot be employing themselves for tasks they should be hired for. So right now, we have a part time director. She works Monday, Wednesday, and Friday. Her classes are at 11am, she's there from 8am to 3:30pm. Should we also be requiring part-time directors to be punching the clock? Because how many hours is a part time employee required to work before leads into personal time? So, I don't know, she's there from 8am to 3pm. She's doing a workout class from 11 to something else. Should we either one does a conflict of interest that will prevent a director from hiring themselves to do a task that they should be hiring another person to do? Because right now, there's no other fitness instructor, no classes in the evening. And right now, if I'm a director and I'm going to hire myself, you know, to clean the rooms, to go get this. Should we look at a conflict-of-interest clause where directors are not permitted to do that? **Williams:** Well, I think the bigger issue is not directors. But do we want hourly and salary individuals to clock in, that's the broader issue. It's who we are asking to punch the time clock. Because there are salary people that punch a time clock too. So that that could be the thing. But I don't think that's necessarily a conflict of interest right there. That just goes back to, we're not getting pay ordinances done. Like, we didn't even know she was being paid as much as she was being paid. So, if we have the pay ordinances in place. Those things should be coming to us. **Nikolic:** I do see it as a conflict of interest. Because when you see that there once was a team of fitness instructor. **Williams:** Oh, it is a conflict. **Nikolic:** Now, I'm the only one that's teaching the classes, and there's none in the evening. The response that I received was there was no participation. Well, the residents say that's not accurate. **Williams:** That's not accurate. **Davis:** I went to her class yesterday, it was 11am to 11:45am. I wanted to see, there were like thirty something people there. There were only like 12 of us that signed in. She didn't require all the other ones to sign in. So, I don't even know if they're from Oakwood, or if they're from other cities. I mean, she had 30 something people there, but we don't know. She had us sign in if we were from... I was number nine and there was only a couple of people. But then she told us right after. That she's going to her wellness doctor appointment because she has a doctor appointment at 12:45pm for a wellness check. So, she was leaving after that class, and nobody...I mean, that's another thing. **Williams:** So, that's a good point because when we talk about things that should be revenue producing. If you have people from other communities coming. I pay for all my gym memberships. So, they should be paying \$10 per, that can create a little bit of revenue. For us to purchase supplies, equipment, whatever. **Davis:** We used to have to pay many years ago. Like I said there were almost 30 people there and only about 8 people to 12 people signed it. **Nikolic:** And if that's happening four times a week. **Matlock:** There are a lot of individuals in that 11am class. It is a good class don't get me wrong, it is an excellent class. But a lot of those individuals are not from Oakwood. **Davis:** I don't think they were; I didn't recognize them. **Matlock:** If they want to take that, that's a good point. They can pay \$5 for the class because it is only Monday, Wednesday, and Friday. **Williams:** If we're paying her to instruct. Why you should let people come for free that don't even live here. No community does that, we are not paying for service for other people's residents. **Matlock:** How much is North Randall's? **Williams:** I don't know, but

the fee is usually anywhere from \$5 to \$20. **Matlock:** I want to know. **Nikolic:** So, what I what I'm hearing is, her class is valuable. So, we should allow her to continue to teach. But at the same time, we should require that...what are we going to do? We can send a letter to the Mayor to request that everyone sign in. And that there will be a fee going forward. **Williams:** Also, she is not to receive an additional check for that. That was our basis for this. **Davis:** that was our problem. **Williams:** You are not going to be compensated on top of compensation. **Matlock:** You're the director. **Williams:** So, (inaudible) work hours. **Nikolic:** So, my thing is this, how many hours is she supposed to be working? Because I can't imagine you're still part time. You're from 8am to 3pm, you're leaving you have to get there and come back. I mean, how many hours is she supposed to be working? So, to answer your question, Candace. I think salary and hourly should be punching the time clock. Because there is an issue with both the directors and the hourly rate. **Williams:** We had this conversation before. We said the same thing salary and hourly should. **Matlock:** I talked to her about that. She said that the Mayor told her she only works Monday, Wednesday, and Friday. She is not here on Tuesday or Thursday. She works approximately four hours a day. Some days she may be in there a little longer. Or she'll say, I took a break from here, like a split shift. Where she could go teach her class, then she'll come back to work. She needs to hit a clock like everybody else. **Williams:** Other thing that could help with what you're talking about. Where is her job description? Because some of the things that Dionna does, like setting up down there for some of the events. If it is a part of recreation, why is Dionna doing it? It should be the recreation whoever. It should not be added to Dionna's role. I think a job description would help too with some very concrete... **Warren:** I just think, I agree. But I also think that when we have the meetings with the directors. As far as budget and everything. She'll be the director for recreation and the Mayor can join her. **Davis:** Didn't we request her to come this meeting? **Nikolic:** I did, and I'll have Tanya request. I have a full reporting similar to what we have here for recreation for the last three years. So, we can go line by line to see, this is what they're spending for recreation. Just like we have here for Council. So that's to be determined, I mean she's not coming. So, I didn't give it to you guys, I got that from Brian. I can pass that on to you guys. And we can make sure that she comes to discuss this. **Williams:** Well, I think it will be helpful if you're having all these meetings. And there's information that's being gained, share it with everybody. **Nikolic:** The purpose of that was, I sent an email and I said, do you all want to have an additional finance meeting? Because I have a lot more to learn than you all. So, I'm here to share with you now in the work session. I requested an additional finance committee session just so we could go over the budget together without Brian. There was no response, we could talk about that. But for me, I have a lot of questions that can't be answered in that tiny little hour. **Warren:** But I think the only thing was, you got a document. That you should share with all of Council. The additional meeting is a different issue than you getting a document and sharing it with the rest of Council. **Nikolic:** Well, here's the thing. I don't know what questions you all have. So, my questions may not be your questions. But as I mentioned, something like that, the recreation budget, of course I will share that. **Warren:** That's what we are saying. **Nikolic:** But you know everything that I am asking him for. We can have additional finance committee meetings so you all can sit in and hear what I'm talking to him about. Or, certain things can go without. But if you all don't want to have additional finance committee meetings. Where we sit in with Brian, and we go through these things together. I am

going to meet with him on my own and get my questions answered. That's my request for that information. Because I'm specifically looking at the Recreation Department. So, if we are together, then you all would understand this is something that I'm interested in. **Williams:** I'm going to suggest, that maybe you capture that by sharing what your question was. And this is the information you received. Because, what we clearly have is a situation where information has not been shared for years. So, whatever questions you may have, you might feel like a new question to you. But it could have been a question asked seven years ago and we still haven't gotten the answer. So, in this environment, all information is good information because there's been such a lack of information shared. **Warren:** Right. **Nikolic:** Okay, with that then I would suggest we have additional finance committee meetings. That way, I can ask Brian the questions while we're all sitting here together. Then that way you can follow up and ask the questions.

Warren: Well, I'm not going to be in any and I told you that in the beginning. You could still go and get Brian. All we're saying is just to share the information. You don't have to try to hold it over our heads. **Nikolic:** No one's trying to hold it over your head. **Warren:** All I'm asking, to be frank, just send us the information that you receive from others. Because we all the same here.

Nikolic: Yeah, we all the same but again, I... **Warren:** You can learn your own, but like I said. You should still share the information, that is all we are saying. **Nikolic:** I don't know what you all don't know. **Warren:** Well, just give it to us and we'll let you know if we know it or not.

Scruggs: I know we're still trying to understand processes and stuff. But when a director does not show up or as a request to present whatever we've asked for. They didn't come and we're still asking. Can we put a hold on anything to say until you come and meet with us. You can't spend any more dollars in this area. Do they have to present a report? Every week that I've been here, certain ones come every single time. They're presenting their report, and they're happy to present it. But if we're having people that supposedly have a really, really large budget. But they can't show up. Do we have any jurisdiction over that? If there's anything that we can do? I'm asking because I'm not really sure how you can get this person to show up. **Warren:** Recreation, she is going to come anyway. Or we will have to do something. It is not making an excuse but, we always have known. Just to let you know that every year. And this is why the insult to me is.

Why would you set a meeting that you're going to be on the 13th. When you know, historically, him and his brothers go to the Super Bowl every year, and that's where he's at. Every year they go to the Super Bowl. So why did you set the meeting up for a day that you're going to be at the Super Bowl? **Nikolic:** Taunya, just to respond to you. I put that question into Jim Climer. I've asked him that, and he has yet to respond, but it's in writing. I asked him, what are the consequences? And I even asked him in a meeting when we were talking about Brian. What are the consequences for his failure to, what is our authority? What can we do? And it goes back to Councilwoman Williams said to him. We can cut your salary to part time; we can do that.

Warren: Are we talking about something as a matter of personnel now? **Nikolic:** No, it's budget.

Warren: But budget and personnel is parallel to... **Williams:** But we are in a work session...

Scruggs: I was thinking my question was more so budget. Not necessarily geared towards salary. My question was geared toward budget and not geared towards staff. So, my question was, basically, and I don't know that each director has to be at every single Council meeting.

Williams: They do, per Charter it says they should be at every meeting. **Scruggs:** If it's per Charter and they can't. They don't put anything in writing, they're not giving any valid excuse,

not reaching out to leadership to say I just can't make it. Then I'm just wondering, what do we do to enforce that? And that's just I'm trying to figure that piece out. **Warren:** The piece is to make them individually accountable. **Nikolic:** How is the question. **Warren:** Well, we've got to figure that out. But I just want to show you the dynamic. And Eloise can confirm this, that nine times out of ten. The Mayor tells them they don't have to come. And that is the issue. **Nikolic:** So, what I am hearing, I'll ask Jim. You all correct me if this is an accurate reflection of our conversation. To begin drafting legislation to enforce all salaried, hourly employees, to punch the time clock and to provide monthly reports. To include monthly reports in our finances. **Hardin:** That was why I had my hand up. It was so important I wanted to go back and capture that. **Nikolic:** Okay, I will tell him to draft that, and it will go to work session like all other legislation. **Hardin:** This this place has taught me something. Every rule you set; I might try to figure out how to work around it. Or, I have to know there are consequences. So, you kind of start thinking, if I choose not to hit the time clock. What are you going to do? **Warren:** So, we have that included in the legislation, that's a good idea. **Hardin:** That's what I'm trying to say, so let's think about it. **Matlock:** Also put on there, if anyone is caught falsifying their time. It will be grounds for immediate termination. Because you could have other people. Take a time badge and clock somebody in. No one else should be able to clock you in. **Nikolic:** Okay, so salary, hourly employees, if they don't punch a time clock, falsifying time records, immediate termination. And of course, it'll be a draft. We're going to work session it, so we don't have to go through everything. But those are the main points. **Warren:** And we should say could be, can't say would be. **Williams:** He'll word it correctly. **Warren:** I thought you said would be. **Nikolic:** Next thing, unfinished business, the contingency fund. Was there ever a proposed amount? And have we identified where the money would come from? **Williams:** Money can come from the general revenue. **Nikolic:** Was there a proposed amount? **Williams:** We never agreed on an amount. **Davis:** Maybe I misunderstood, contingency of what? **Nikolic:** The contingency fund that you all had been requesting. **Hardin:** Remember, Mary, it was Candace idea. **Williams:** The reserve budget, contingency fund, rainy day fund, whatever. **Davis:** Okay. **Nikolic:** I'm assuming it would be a transfer like all the others from the general fund. But then we just need to think about, and we can put this for later. What would be that number, is it a percentage. You know, we should be able to pay total payroll for a year. Just think of what that initial amount should be. If it is total payroll, I asked Brian. He said total payroll is 60% of the budget. So that'll give you an idea of what that number might be. **Williams:** You mean as a target number to put in there? **Nikolic:** Right, so just think of what... **Williams:** Well, I'll tell you what a neighboring community does. Their finance committee meets, and once they go through the entire budget. Then they have a special discussion about, okay, now what are we going to put in the reserve fund this year? So, after we've gone through the entire budget, we know what we're going to in for the year. What portion of that are we putting in the reserve fund. So, they may have a and I can't remember whether they said they always put an extra amount of dollars. Then go over that once they see where the budget is going to be. I can't remember, but they take a look at the budget in its totality. Then they make a decision about that number for every year. **Matlock:** Are they naming it a reserve fund? **Williams:** There are communities, they call it a rainy-day fund, a reserve budget, a contingency budget. There's like probably 12 different names. That's completely up to the municipal, like us, what we choose to call it. **Warren:** Let me suggest that

we could think of. One of the things is a percentage of the projected carryover. You know, you give us a budget and you show that you're going to have \$300,000 carryover. Well, we can't say well, you got to save \$240,000 and then only have \$60,000. You see what I mean? So, if we can say what percentage of the carryover. **Williams:** Yeah we could do that. **Warren:** And just figure out what the percentage is. **Williams:** I'm sorry, that is separate from the fund that we need to establish for sick and vacation time payout. Those two things don't go in the same fund. **Warren:** Right. **Williams:** Because that emergency fund is restricted to what we vote upon as an emergency. But whatever stipulations we create, that sick and vacation fund is only for that. And that is not an emergency because we know that's coming. **Matlock:** That is something, he should have a line item for sick and vacation fund. Then keep in mind again, I'm going to tell you guys. Forty hours is their limit to carry over every year. Use it or lose it, because well I seen that report with two thousand and something hours on it. Owing him \$144,000 if he walked out his door tomorrow. We don't have a rainy-day fund because that's a \$144,000 you have to pay. My thing is this is what I want to know. The directors, that employee handbook, because they know how many hours they can carry over every year. And you can't say they don't know because they been here every year. I'm quite sure they know their vacation time. Sick time is totally different because that's when you get sick. So, you probably carry that over. But vacation time is forty hours. But they have to do it in writing to tell their employer. When they're going to take it, how long they want it to be. But they can only carry over forty hours. **Warren:** But because they already carried it over, and we owe them that. Maybe we should consider something too. To have a specific goal to start paying down that vacation. We need a fund to start paying down the vacation. Because, let me say, the employees, if I worked for you and you told me, I'm carrying over. I didn't even know about it, or I forgot about it. Well, we're obligated, so all I'm saying is we not taking no money from no one. All I'm saying is that we should start paying it down. So, it won't be a huge impact on us. **Williams:** You mean sending in the funds? **Warren:** Yeah, what about even paying some of that down if they went over. **Williams:** We can't pay it down by law. We can't pay until they leave. **Warren:** Okay, I didn't know that. So, we just trying to get the money because we know how much we are going to owe them. **Williams:** Yeah, we know how much it is. **Warren:** That's a good idea, I agree. **Williams:** You just keep putting it away until we reach the goal or whatever we know. That's why I asked for the next five-year retiree. So, we have some type of idea. **Matlock:** Right now, what we want to find out is. Everyone who's on that payroll, what is their leave balance. Starting this year, they are only going to carry over forty hours. **Warren:** Right, that's the goal. **Matlock:** That means that if you have any hours over, you better use it. Have them start using it. Because from what I've see, we have a lot of waste. So, if one person is off for three weeks, whatever, using that time up, we're still paying. But at least we can per pay period. They're not here, but they need to start using that time. Because I'm even looking at people who retired have 20,000. They are using it as a bank account, and it is not a bank account. **Hardin:** We have talked about having Brian do this, I know for two years. So, tonight you're going to give the Law Directors these directives. Starting with the time, can we make sure that we give the Law Director the directive to have these line items, at the next meeting. Have those set up by the next meeting. **Williams:** We need to first decide what we're going to call these funds. We need to decide that because that's what he needs to put in the legislation. **Hardin:** Well, let's do that tonight. **Williams:** Well, I could tell you all the names the

funds go by. But the vacation and sick time fund we can just call it that. **Hardin:** That's fine. **Nikolic:** Just call it a contingency fund because that makes the most sense. If it makes any difference, that's what Bedford Heights calls it. **Hardin:** Okay, we're going to ask by the next meeting that Brain have those line items. Now I'm going to tell you why it's important. Because every time you mentioned that contingency fund. This one over here, just almost flips out. Because, you know, once it's in there, it cannot be taken out. **Williams:** Specifically, for whatever we legislate it for. Specifically, when we create the legislation, so that's the important thing. So, it's called a reserve fund, an emergency fund, a contingency reserve, a contingency fund, a crisis fund, a rainy-day fund, a safety net fund. **Matlock:** If we hold up any money because we're a Village, we're not a city. Will that reflect on us, upon getting any type of great grants or money to do whatever we have left? Because normally they go by what's in your account. What do you have on hold on standing and then they would say. Well, we're not going to give them this because of the fact. They have enough money or so much money to pay down on this. Is there any such thing as that? **Warren:** I don't think that because of the fact, look at the city of Cleveland and the money they got. And Bedford Heights but even the go further... **Matlock:** They are cities. **Warren:** It's still the same thing. **Williams:** We are all Municipalities. **Matlock:** Anyway, we can find that out first from that engineer? Because if that's the case, we may want to put it into a more creative name. **Warren:** Let me just explain something. When they look at that, they look at the need. They send the engineer for the roads, they look at your presentation, and all of that. They don't even look at the funds, they look at how much you're asking for. It not like you are going to the bank and trying to get a loan. And then they say, well, how are you going to pay me back? **Williams:** Remember, it is going to be a restricted fund. **Matlock:** But I'm just saying, they said they look at the need. Is there any way we can just double check that? Because, I could have sworn I heard an engineer say that. **Davis:** Somebody told us that, he told us that when they apply for the grants. **Williams:** If you have X amount of dollars in your general fund and you asking for \$500,000. And there is fifty million in your general fund, why would you need this \$500,000? **Warren:** They would just award you accordingly. **Williams:** And there's so many other communities that get these grants and have these funds established. **Matlock:** I just want to make sure that we don't have to be more creative with the name to put it under. **Warren:** Oh, okay. **Matlock:** Because they're looking at general fund and it that was for certain things. I agree we still need that fund. But do we just have to put it under a more creative name than like a reserve fund. **Williams:** It's not the name, it's the language that you use. So, you have to make sure you use language. So, the language has to be restrictive enough that they're not just dipping into it for whatever they consider an emergency. We got to put parameters on it like it takes a two thirds vote of council, etc. We have to agree on what emergency, what constitutes an emergency. That all has to go into that legislation. **Nikolic:** And it would be a transfer, so with any transfer you can't move that money out. So that's first right? My thought is, I'm not sure, but how many times are they asking for Village finances when they're making these grant. Or is it project finances. So, if it's largely project finance, you know, this is something we could workshop with our contacts at different... Beachwood, Shaker, they're getting tons of grants. And I can't imagine that they don't have funds. So, I think the Mayor mentioned that. It may just be something that

people might be using to keep that from going through. But everybody understands that this is something that's required for any business it's operating. You just need to have reserves.

Scruggs: I have a question that I don't know if I'm allowed to ask it. So just tell me if it is not worth the time. But it relates to residents reaching out to like, our Finance Director, and not receiving, any correspondence back. Is there a time frame for that? **Nikolic:** We can talk to this, this kind of ropes in, a question. Councilwoman Williams, have you gotten a response for your request? **Williams:** No. **Nikolic:** Nothing at all, and this is similar because she sent a public information request to who? Climer or Brian? **Williams:** Climer and Brian, I sent it January 10th. I didn't get any follow up until January 22nd. And just said he was working to gather the information. Then I asked him, when will you have the information? And I don't remember what he responded, but he told me February 10th. But that's come and gone. **Nikolic:** Okay, so just in response to that. I had done, there was a Sunshine Laws training. You may have seen it, Tanya circulated it. So, I actually did that training, and it highlighted the fact of how we are exposed. If those requests aren't met in a timely fashion. So, with that, I reached out to Climer, and I asked him about the situation with Councilwoman Williams. I asked him to draft the policy. He fought me on it. He said he would only do it if administration requested it. And I told him that as his job as the Law Director, he is here to prevent the Village from being sued. He was saying it was not within his purview to do that. And I told him it absolutely was because a failure to respond to those requests exposes the Village to litigation. So, as elected officials, we need to be sure that there's something in place. So, we're not getting sued, wasting taxpayers' dollars. So, I told him to draw up a policy that they would recommend. He said, I can't enforce it. Draw up a policy of communication protocol of how to respond, i.e. checklist of redactions. That would make it easy for the directors or anyone to respond. And just make it a policy and recommend it. So, it's on the books that that's what should be happening. Because right now and I told him, if you have a Councilwoman complaining about the way that it's being handled. **Hardin:** The way what's being handled? **Nikolic:** The way the responses... **Williams:** Public Records, let me edit that. So, I sent my original on January 10th. He sent a response on January 22nd, and then I redirected on January 25th to say, can you give me dates? And then he responded, so he would give me he would give them to me on February 19th. So, my request was January 10th. So, we're talking about six weeks to provide responses to what I asked. **Warren:** Why don't we find out if there's some kind of a legislation or some kind of a protocol or whatever? **Nikolic:** He's going to draft a recommendation based on the sunshine laws. because with anything a court will look at a municipality's response level or any entities response level. What did they do to communicate with the person? Are they complying with the laws. **Scruggs:** Is the time frame different for us requesting it versus resident? **Nikolic:** No, it is everybody. That's a public information request, but what you're talking. Is just getting any response. So, the Village should have a general policy. Like I sent a message to Nikki. Weeks went by, and I said, do you work every day? The idea was, yes I do, but I didn't feel I needed to respond. So, I just think that there needs to be some sort of training or an understanding of this is the way we're going to communicate with residents. We're going to respect them. Especially Council people, because if we're having these problems. Imagine residents having it. Two-day response after an email. How are you not responding to an email, and you work every day. **Scruggs:** We lost an opportunity for a grant, based off of Brian not responding to me. All I needed to know was one number and I couldn't even apply for the

grant. It was like \$30,000. **Matlock:** Even Congress gets three days, he should be responding back to you. **Scruggs:** So, I'm just wondering the time frame. **Nikolic:** Once that is in place, that can be a guideline for other communications. The next thing I wanted to talk to you guys about was... **Hardin:** For clarification, is it agreed that we're going to ask for those two line items to be added, what are their names, and by what date? **Nikolic:** So I don't know, because right now. My understanding was, that you all have been talking about it for three years. But you don't have an amount. I was thinking that you had an amount and that you had come to that conclusion. So now there needs to be a discussion about an amount. And what that's based on. So is it a percentage of projected carry over a year of payroll, a half year of payroll. So, you guys, the next work session we could delve into that. And after we've had time to maybe consult with other people, other municipalities. We can kind of delve into that as unfinished business, a fair number that we can start with. **Hardin:** Okay, that's the one, what are we going to do about the other line item. **Nikolic:** So, forty hours of sick vacation can be carried over. This is something our committees could discuss amongst each other. This would go into the healthcare committee, for example. If you all wanted to dive into that and get to the nitty gritty of when the waivers are required. Then you could report back to us. Then we can say, okay, great job, we understand. I would think that would be a good... **Warren:** I don't think that we require a committee. All we're doing is telling them, listen, you guys' swipe in and out and we want a report every month. **Nikolic:** No, no, it's about how much do we want to have in the fund. Councilwoman Williams said that we already have an idea based on those reports, for retirement. So that's an. **Warren:** Right, isn't that the one we said, that we either get a certain amount or a percentage of that carryover? **Nikolic:** That's the contingency fund. So, with the sick and vacation fund. **Warren:** No, the sick and vacation is what I was talking about. **Matlock:** Well, you could call it a retirement fund. Call it what you want. But that money should be you. **Williams:** You can't call it a retirement fund because retirement is something different in the States eyes. So, we got to be careful with this. **Matlock:** Let's keep it simple, we want for vacation and there should be one for sick. But your main important one is vacation. **Williams:** But they get paid for sick time too, one third or whatever the sick time they have. **Matlock:** They get paid for sick time. But sick time is something... when they leave this place, how much sick time do they get? **Williams:** One third of whatever they have. **Matlock:** So, one third of each one of their things. They should be putting it into a fund each week. They should put that in there. Just one third of what their sick leave. But it should be placed on the side because in reality, it's not our money. It's not ours, it is not something that we should be using. **Williams:** We should have a fund. **Hardin:** We agreed that there's going to be a fund. So, are we going to agree that specifically it's a third? We already know that at least a third of what is already accumulated. **Warren:** Well, I think that the third is what the state pays, we don't pay the third. **Davis:** That would be their PERS. **Warren:** We're paying a percentage of that third. So, we just find out what the percentage is of the third. **Williams:** PERS is different, you're talking about the fourteen percent? **Davis:** No, whatever they put in, plus the employee takes out from their paid towards PERS. So PERS are the ones who's going to be paying them. **Williams:** Not for sick time, vacation, and sick time we pay. That's why I said you can't call it retirement. Because that's totally, completely different. **Matlock:** Just keep it simple as a vacation and sick time. **Williams:** Just a vacation and sick time fund. **Warren:** Okay, that's fine, we just have to figure out what we're going to put aside.

Nikolic: So, determining that, my suggestion was this be something that go to committee. Where some you could kind of hash through the details and come back with something a little more concrete for us. Because there is a healthcare personnel committee. So, and that brings me to our next thing with the committees. When do you want to meet? I sent a couple suggestions, but there are a lot of options. I will list them out, one would be, these are suggestions. We can meet as a whole one hour before that first Tuesday. **Matlock:** We talking about finance? **Nikolic:** I'm talking about other communities. **Matlock:** Let's get this straight, because this is going to roll into what you're about to say. **Nikolic:** Are you talking about the ordinance for meetings. **Warren:** The Charter. **Nikolic:** It's right here, what do you want to know? **Matlock:** If I am the chairperson of my committee. **Nikolic:** Should I read this? **Matlock:** Go ahead. **Nikolic:** Meeting of committees:

"Meetings of any committees may be called by the chairperson thereof, or by a majority of the members of such committee. Upon motion adopted by Council it may convened a committee of the whole. In which event, the President of Council shall preside at such committee meeting, unless the committee of the whole shall select some other member to preside their act. Upon the calling of a committee meeting, the Clerk of Council, be and is hereby authorized and directed to post a notification of said meeting, giving the time, place, and purpose of the meeting at least 24 hours in advance of said meeting upon the bulletin board in the village Hall. Furthermore, a upon being advised that Council will hold a committee meeting as indicated here in. The Clerk of Council shall give at least 24 hours advance notice of time, place, and purpose of the meeting to the news media that have requested notification. In the event an emergency exists requiring immediate official action, the notification to the news media shall be immediate".

Nikolic: So, my question is right, I understand what you're saying. Chairs may call a meeting at any time. But for the purpose of public record, when are we going to meet in terms of committees? It's really small, let me just say the options. Chairs have the authority if they want to call a meeting. But as a whole, because it is public record. My suggestions and then we can open it for discussion. All committees meet that hour before their first Tuesday meeting. Except for the finance meeting, which is already scheduled for this second Tuesday before. Or if chairs want to have their own schedules, or we can report, we can have committee meetings in the general meeting. But, if it gets to a point where there's so much discussion going on, then we can move it to the first and third Tuesday of the month. Half of the committee's report the first, the second half report the second. But as a small now, I think we can maybe just use that one hour as we get them up and running. Not to put too much strain, but that one hour on that first Tuesday meeting to hold any discussions. But it would be each committee meeting about 15 minutes. We can clock it, you know, maybe the first one will be this, first of this, etc. And we could show up or we can all show up. **Matlock:** Can I say something? **Nikolic:** Sure. **Matlock:** Are you telling us how to run the committee meeting? **Nikolic:** No, this is just when we meet. **Matlock:** So, my thing is, you would meet when the chairperson, say, okay, we're going to have a meeting. We can put it out with Clerk of Council to let them know when we're having a meeting. We don't have to set all of this up like the way you want to set it up. We know to investigate and do whatever we have to, to find out. I'll give you an example. I am utility, I already know about NOPEC. But

there's other utility entities that I can start researching. And I could get that information because I put in my newsletters already about utilities. Utilities like homes serve, different little things that our residents need to know that they can sign up for. **Nikolic:** Okay, so you don't want to meet all at the same time or at a specific time? **Matlock:** When I decide to do a meeting, I have my individuals and I will get with them. We could find out when we're going to have a collective meeting on utilities. Then what we'll do is we'll talk to the Clerk of Council, and we'll give you guys information, saying when that meeting is going to take place. **Nikolic:** Okay, so you don't want to have it on a regular basis. Just when you feel like? **Matlock:** No, I don't think I need to have a utility meeting on a regular basis. **Nikolic:** Okay, so for example, if we say this will be committee meeting hour. The ones that want to come... **Matlock:** If that's what they want to do. But I'm just telling you how it's going to be for utility. **Hardin:** We have more than one committee too by the way. **Matlock:** So, we're going to be meeting on these committees every week? **Nikolic:** No, it's not every week. **Williams:** Can we just have everybody's input on meeting. Because I would agree it does need to be at the discretion of the chair. Whatever chair decides when they want to meet. Now, some chairs will say we're going to meet every month. Some would say quarterly, but I think that should be up to the chair. Because you know how much needs to be met about. I just think every committee is going to be different. So, to establish a schedule is not going to be fitting for all of the committees. Like utilities is only going to be so much talked about. Then we often have work sessions where we can say, okay, you know, these things are coming up. So, I think let's talk about scheduling a meeting. **Warren:** A lot of our work sessions are a reflection of the things that's specific to the committees actually. **Williams:** Well, that's what I'm saying. Once we touch that conversation. Then we're all here and we can say, okay, well I think utilities is going to meet such and such and we're all here. One reason I don't answer emails a lot is just because, as we conveyed earlier about sunshine laws. And things being considered a meeting, everything is public record. When you have an email with all of us on it, it can be construed as a meeting. The back and forth dialog, so I don't respond a lot of the time. Because just because you want to talk about a meeting. Doesn't mean Susie Q is not going to jump in and start talking about, oh, well, when such and such happen. I don't like to get there because that's what happens sometimes. **Nikolic:** I learned that with the training. So, coming before that, I did not have any knowledge of that. And I was just thinking that's how we communicate. **Nikolic:** So, I'm fine with it. I just wanted to put some suggestions out there to start the conversation. Does everyone feel like chairs should call meetings at their discretion? (Everyone agreed unanimously). **Davis:** Yes, Because I'm safety and service department, whatever committee. I already emailed Fire Chief Dave Tapp, Service Director Tom Haba, and the Police Chief, Mark Garratt. And told them that if there's any because they report to us every month. **Hardin:** Would you check with the Fire Department to make certain that... There used to be at one time, a safety committee. They had to meet because at that time we were a volunteer Fire Department, I think. I know we're not volunteer, but just verifying that there's no safety meeting once a year that is still required. Just ask him that. **Davis:** I will ask him, but otherwise I said we get the reports from them. So, I said, if they have anything that they want me to present to Council separately. Like in a work session or whatever, just let me know. **Williams:** These are also resident issues that we are bringing in too. So, if things are raised in they are pertinent to your committee. Those also get pulled in, not just our employees and our directors. **Hardin:** We

need to have a forum that allows for complaints. **Warren:** I was thinking about that, did they have a forum or something. **Williams:** That can go in your committee. Because honestly if it doesn't go on your committee. It's not our responsibility because that's administrative. So, we really are walking a fine line. So, it needs to go into a committee for that reason. Because that is actually something that should be created by the administration. **Nikolic:** And that's what he was trying to communicate when we were talking to when I told him about a policy. He was saying that has to come from administration. I said, but we can request that he draft recommendations. And so at least we're covered. If our residents say, oh, well, we got sued, where were you guys? We can say, oh, we were right here. We requested litigation to send a policy out to administration, and they chose not to do it. So, we can always make the recommendations and the suggestions. But like he said, it's up to administration to implement them. But the best that we can do is have the conversations and make the suggestions. And at least we are we've done our job. **Williams:** We should check if other Councils have legislation around that, they may. I mean, we can legislate. I just wanted to point out, I sent an email to you all because I became aware of a situation with our IRS 941's. That will impact the budget. So, if we have not filed 941's which are required quarterly, which is four times a year. If we have not filed those forms with the IRS the last day of the quarter. There are no extensions. There's no I was understaffed; you have to have a concrete extenuating circumstance. And we're talking about the IRS, there are very, very few. If you don't file that day, there is an immediate 5% penalty at the total tax amount due. Then you're charged an additional 5% each month that return is not submitted. So, if we have a file for several years, up to five months. So, on every single one of those, there will be a penalty, then an additional penalty up to five months. So that, and I did contact the auditor when I heard about it. So, the auditor said that there have been municipalities that have paid anywhere from tens of thousands of dollars to hundreds of thousands of dollars in penalties. We don't have that type of money. **Matlock:** Who would catch that? Because we don't have an accountant, right? So, when we have these audits by the state, would the state see? I mean, is that part of their audit? That we're filing a 941? **Williams:** You would think. **Matlock:** I can't believe... did he ever respond to you about that? **Williams:** No, that's where I was giving you the timeline. **Matlock:** Because he needs to respond to you, because we don't have an accountant. The only one would be Ralph. Is that the guy who normally turns everything in? **Williams:** But if we just think from a logical standpoint, we all file taxes, right? Once you file, you have immediate record of what you file. So, somebody should be able to go into a file and say, no, we did file. Let me send you all of the quarters for 2021 quarters. They should be there if they're filed. It shouldn't take six weeks. **Matlock:** Exactly, so did he get that? **Williams:** I have not gotten that yet. I told you he said he would get them to me February 19th, and I sent the request January 10th. So, if we're talking about a reasonable timeframe to respond, that's five/six weeks. **Nikolic:** So, the next thing, do you all want to move this into another organizational meeting? Because there's some other things to discuss. Just really quick with the agenda. Tanya, let me know that we needed to vote on if we were going to add in the ward reports. We discussed adding in board reports to the regular agenda. Tanya correct me if I'm wrong. We need to vote on whether or not that's an item added to the agenda. We can't just put in ward reports.

Joseph: Any changes to the agenda have to be voted on by the majority of Council. Council has to rule that they agree to the change to the agenda. **Hardin:** May I add that was my suggestion. I

think that we should just, whether you have something to say or not. I think each ward should be called. I think that should be on the agenda. **Nikolic:** Yeah I agree, Yeah. Do we have to do a motion, or do we just do a hand raise? **Joseph:** Motion. **Nikolic:** May I have a motion? **Williams:** We can't vote here. **Hardin:** We can't vote in a work session. **Williams:** We can take a polling to do something during the meeting, but we can't. **Nikolic:** Okay, no voting in a work session. **Warren:** You know, to make that an issue for the next meeting. **Williams:** So, we would be adding ward reports and committee meeting reports? Then we need to vote on both of those, correct? **Nikolic:** Right, those two items would need to be added. **Warren:** Let me ask you this, we're going to have ward reports and committee reports at the council meeting? **Hardin:** No, slash. **Williams:** It wouldn't be a slash. Our ward report is different than a committee report. **Warren:** Yeah, because it's going to be a long meeting. **Williams:** Well, all the committees aren't always meeting. **Warren:** Well, that's true. **Williams:** So, if you don't meet, then you say committee report, I have none. Even ward reports, we not all have an event every month. **Hardin:** I just think that should be available as a part of our record. **Williams:** I think it's a good idea. We all have to be accountable. **Hardin:** I'd like to know that we're called on, given the opportunity. **Nikolic:** Okay, so what I'm noticing in our agenda, there's nothing that says other matters deemed appropriate. Should we be adding something in here? Unfinished business or something? Because right now it just goes from legislation to adjournment. **Joseph:** That's under your work session if there's something additional. **Nikolic:** Right, but I'm saying in order to bring up this vote. **Joseph:** You could just you could just do it in the meeting. **Nikolic:** We don't need something like an additional like number here that says other matters to be discussed or unfinished. **Joseph:** Make a motion to. **Nikolic:** Just after legislation is done, just make a motion to put a vote on x, y, z? **Joseph:** You can do it after the minutes or do it whenever. **Nikolic:** Okay. **Williams:** I mean it is proper to make a motion within the legislation piece of our agenda. **Nikolic:** Okay, the other thing in the vein of sharing with you all things that, I got from Brian. I printed this out for you guys. I requested this from Brian the last time I met with him. It was just a way, because I know we're going to be talking about our budget and pointing out some things. I had her printed out with my notes on it, so you guys can kind of see what I was, you know, thinking. And, you know, we can have a discussion on our budget. But, for example, Council special events. I think we have \$9000 in our budget. I feel like that number grossly underrepresented what we could be using. I talked to Tanya about the possibility of bringing on maybe an Assistant Clerk. I saw that we had pay Debbie Hladky upwards of \$7000 in 2000. So, could we put that same amount in a fund to say if we need. **Davis:** That was for trading. **Nikolic:** That was just for training, so my point is, the money is there. And if we need additional support. **Matlock:** No, let's not waste money. **Warren:** We sitting around talking about wasting money. And telling other departments that we cutting. **Williams:** And we do need to have adequate budget. We have always operated as a Council leader. We can't be elected officials and not be out there in the community that has things where you're representing them. And able to do things as the people that are electing you. I've always had an issue with that. We are not to just sit in these seats and show up twice a month, and that's where it begins and ends. So, I do agree that our budget needs to be expanded, rightfully so. If you look at Council budgets in other communities. They have budgets to do things with. You have a Council swearing in, it is paid for, not chipping in to pay for it, it is in the Council's budget. You know why? Because

residents come, they see who their elected officials are. They see who they voted for. They see the changing of the roles. They sit in a swearing in ceremony. So, it's proper for us to expand our budget. I know I don't want to agree with waste and just add things in here. But we need to have a proper budget, we need to. **Matlock:** We can have a proper budget. But I am totally against an assistant. **Williams:** Oh no. **Matlock:** We don't need an assistant. That's what we are talking about. Because she is not a personal secretary. She is Clerk of Council. So, therefore she doesn't need an assistant. We just have to watch this, because she works for everybody, not just one person. **Nikolic:** That is understood, what I'm saying is. You know I've had probably maybe four requests that she hasn't been able to get to. **Matlock:** Then you're making a lot of requests. **Warren:** Yeah, you making too many requests, maybe. **Nikolic:** The point is I'm making the request that I feel are necessary to do my job. You can do your job the way you want to. I'm making the request that I feel are best for Council. **Matlock:** Do you have time to do that resolution for Mr. Grant? Because his mother-in-law passed? And that resolution needs to be done by Saturday, that's the funeral. Did she contact you today? **Joseph:** She didn't reach out to me. **Matlock:** Okay, I want to make sure, because she has all these minutes, 32 pages of minutes on one, 55 pages of minutes on another. There is no way, put yourself in that situation. **Warren:** And these long-protracted meetings. **Nikolic:** Okay, so that is my point. **Williams:** So, I hear what's being said. But what we cannot continue to do is... we have to find better ways to manage this. So, if she needs, we need to all look into how these minutes can be done better by us using AI or some other technology to assist her. So that's not as overwhelming. But what we can't do is reduce what needs to be done. What actually needs to be done for Council. Because we try to stay in this box, yeah, she's one person we're not going to overload her. But council hasn't been functioning in the way it should for a very long time. There's a lot we need to get up to speed. **Matlock:** My thing is, no we cannot overload her. If there's so many times we need to do research, we researched on it ourselves. **Warren:** That's right. **Matlock:** We did not put it on the Council Clerk to do the research. But because there's other things or duties in her job description that she needs to do... **Nikolic:** Research is part of that description. **Williams:** I love that we got grants right. But this is our Council Clerk., I don't know why Service Department needed her to write a grant. There is a Mayor Executive Secretary there... **Joseph:** I did not write their grant. **Williams:** He said you assisted with it. **Joseph:** Yeah, it was presented to me, and I presented it to them. To see if it was something that the Village needed. It was presented to me by the Soil and Water Conservation. **Williams:** So, what work did you do? **Joseph:** All I did was get that information over to them. And they did the follow up as far as finding out quotes, writing, and submitting that. So, I didn't write any grant. **Williams:** You did the work to follow up and get it submitted? **Joseph:** No, I just gave them the information and they worked on that afterwards. **Williams:** So that's good because that was going to be my... Sometimes I'm hearing that other departments are asking for things. That's extra work on her too, so we got to get things in order. **Matlock:** Are other departments giving you work to do? Because when you were first hired, remember you said no, you would only do just Council. That's it, not nothing from over there. Just dealing with what's up here. **Joseph:** No other department has requested for me to do anything. Because they know that I just work for Council. So, I've never gotten that. Unless they forwarded an email that they're asking to send out to the whole of Council. That is as far as it goes. There is never a request to do anything. **Warren:** One of the things that we got to realize

is. She's doing the best that she can. But the thing is when we have these meetings. If you read the minutes, there's a lot of us repeating the same thing. If Eloise says something, I shouldn't need to say it unless I have to add on to it. But you will end up repeating the same thing.

Williams: But you do repeat yourself. **Warren:** Well, if that's the case, then we got to stop, it's not just me. **Joseph:** So, one thing I did want to ask, because I know that you guys prefer verbatim minutes. However, there was a question asked by one of the clerks. Which got several responses from clerks everywhere here in Ohio. Inquiring if they do verbatim minutes or summary minutes. It's probably like five places, including us, that does verbatim minute. And I do know that one of them mentioned that the instructors for the OML training seminars for the new council. Suggested that verbatim minutes are unnecessary. **Williams:** No, It's not, and we had this conversation. **Joseph:** I wanted to ask because it would be quicker for me to do these minutes if I can summarize. **Williams:** We've had this very conversation, and it was very lengthy. Verbatim is important because of the situation we are in. I have asked you for something for 12 months and now you are saying you never got asked. So, we can go to our minutes and say this was the conversation. Here is when you were asked. A summary is going to leave us all high and dry. Also, the verbatim is also a very good resource for residents who can't make it. People do read those minutes, and since we haven't moved to recording and live streaming. Which that could help, but, for right now, what we decided in this lengthy conversation we had previously. Is that we needed a verbatim minutes to support our work. **Hardin:** The other day I talked to you; you said you were trying a new software. **Joseph:** Yeah, so I tried a demo version of a software called Trint. It helped me because I was able to transcribe that huge set of minutes, which Microsoft Word could not do because it was too much a process. It was clear, I can put in the name of who said something and it's able to detect that person's voice and like, put their names next to it. Then I have to go through and format the whole thing, review, and edit and everything. But it was just a demo version. **Williams:** Was the less time for you? **Joseph:** I felt like it was helpful for me. **Williams:** So why can't we purchase that for you? **Joseph:** I was just testing, so I was not like... **Williams:** That's what we asked you to do. We asked you to find them, test them and then tell us how much. **Joseph:** That's what I will do but it was only a demo version for like five days. So, I was able to utilize it, just to kind of get an idea of what it was. And another thing that they did was on top of doing those summary minutes, they posted the audio. So, if people wanted to listen to the audio of the minutes, you could. And if anything, like with record retention. When it comes to their time, it can stay or be pulled from the website. But that was another thing that they did... **Hardin:** They, being who? **Joseph:** Many other Clerks, as far as the survey on minutes. But they also included audio. Or if residents wanted the audio they could request it. Or when they sent out to Council members the summary minutes, they sent the audio for the actual minutes as well. **Williams:** Here's one other thing I want you to look into. Because the audio would be public record. If we were to have a consultant that transcribed minutes. That's all they do, because those people do it a lot faster, right? Because that's all they're doing. No one is coming back in the office, there's no other thing. The job is just to transcribe. Take a look and see what those costs are. Like maybe we could do just, like, once a month and add it to the budget. So, at least one week per month, they're being transcribed, and you do the other meeting. Then that frees up at least two days for you. What I don't want to see happen is that we start diminishing the importance of our work. By saying, oh, this shouldn't be done

because it's too much. We got to figure out how to manage too much. **Joseph:** And that's one thing that I do. Which is why it would take much longer. Because I do understand the importance of responding to emails. Which is something I try to stay on top of as much as possible. So, I do try to respond and get what Council needs done as soon as I can get it done. That's not an issue for me to try to get that in with my minutes. I'll just have to pause the minutes for a second just to get that done. Again, not an issue, because I'm also getting all the requests from residents when they go in from the website. When they send it out to a department, it still comes to me. Which I can still get out to them just to make sure, like did you see this? It needs a response to it.

Warren: Well, maybe the first thing is just like you said, one hour. **Nikolic:** That was the point of this exercise, to show you we did spend \$8000 for Debbie. **Williams:** What I asked was, when you're talking to the clerks, are none of them using extra tools? **Joseph:** So, a lot of them are just using templates from previously before, Microsoft Word, and then again, the software they suggested to me, no one has... **Williams:** So, maybe we need to find a different course because here's the other thing. And we're about to go to National League of Cities. I can't imagine that there's no municipality across the country does not have somebody or some system to transcribe minutes. But what I think I hear you saying, it's taking a little bit of time to do the research to find the tool one, and then demo the tool two. So maybe we need to cut that out. Like who can we talk to and see what these resources are. Who's using what and what works efficiently.

Joseph: Right, so that's why we (the clerks) were having that conversation. I'm trying to see if there are some sort of technology that can transcribe as we talk. You know, pick up on everyone's voice. I just need time to do that research. I mean, also, I'll talk IT as well to see if there's new technology that can be used to transcribe as quickly as we speak. **Nikolic:** Okay, so to your point, Councilwoman Williams. The reason why I pointed out this amount. Meaning that this amount must have been appropriated, that's the amount that was in miscellaneous contractual services. So, my suggestion of pointing out how much we paid Ms. Hladky was to say, and I asked her to sort of send out feelers. How much would an hourly rate be for someone like a transcriptionist? I asked her to send some feelers out. What would an hourly rate be, and then that way. We know that we have this amount that we pay Debbie Hladky. It doesn't have to be this amount, but we could say we put \$5000 in a budget to support any additional support she may need. You know, this is training. This isn't to say that she doesn't need additional support. We don't have to identify specifically. Doesn't have to be an assistant that sits here all day. But it can be someone that comes in on an hourly basis to do certain tasks to support her. So, I'm saying this money we have in the budget. We can discuss how much we want to put there. I wanted to identify this as a line item that we could add to our budget to further support. Things that she can't get to, better ways of managing her time and all of the needs of council. Because I hear you, Councilwoman Matlock, there are a lot of things that we need to do. There's research and in her job description, research is. I don't, we all don't have time to do specific things. But if we need research done, that's going to be for the benefit of Council. And we could line item some money. Calling someone to do it for an hour or two, to pick up that extra slack. But I just wanted to point this out. It is in the budget; it must have been appropriated for last year. So, I just wanted to share this with you guys. Because I thought it was helpful for me to see everything that Council spent. **Davis:** Well, that would be nice for every department. Because when you're doing Brian's papers, you got to keep flipping through. It's more confusing when you've got to go

through so many. I think that's a detour purposely. You're going through so many pages, where this is all condensed. It should be a press of the button to do every department. **Nikolic:** He printed this out for me in two seconds. **Davis:** That's what we want for every department. **Nikolic:** Exactly, and we can go through and see what may not be needed. **Williams:** I think we could just have a conversation about what we want to add to this budget. The attorney, we need to do a charter review or have somebody walk us through the charter and our residents. There's a number of things we need to consider, live streaming our meetings. So, there's a number of things that we can add. **Nikolic:** Yeah, just some questions I had, like with legal ads. Is that the same thing every year, or does that change based on something? **Warren:** I think it has to change. Our legal ads are announcement of projects that are coming up from the Engineer. **Nikolic:** Okay, gotcha, so this I just wanted to share with you guys. I guess we'll have another budget meeting. Where we're actually going back to our budget and appropriating specific dollar amounts. But I just want you guys to see that. **Davis:** Can we do that with Brian, asking for every department like you did for Council. **Nikolic:** For recreation, I will have you guys share because for me. When I think about where we could cut, those are the departments. **Davis:** finance the same thing. **Nikolic:** The mayor's budget, I mean, it's over \$200,000. If we printed out one of these for everything he spent. I mean, he told me that, you know, for example, what's his name? Billy Donato, he's been working on a project, and he's been receiving a certain amount each year. I saw the video, and I want everybody to understand. We have to kind of dig in, whether we're going to do it as a group. So, we start to understand. When we ask for certain things for the swearing in ceremony. But they're paying Billy five grand to do 45 minutes at the Blue Canyon. When you get like these, these are the sort of details that we absolutely need. Because then you drill down to what's being spent. And then if we could look at it and say, this isn't necessary. We could come up with a dollar amount by which we can reduce that budget. So that's just my thinking. **Hardin:** Have we received any documentation of road repair for the year? Nothing to do with the resurfacing. But that's the residential streets. **Nikolic:** I remember when I came to one of the Council meetings, there was a list, if you guys' recall, of the streets. I know Fair Oaks was at the top, Arbutus was a concern. There's like, a hole so deep on Arbutus you can bury someone in. **Hardin:** That was from the Engineer, he graded off street. So, keep that in mind and we'll go back to my question. Every year, Johnny, the Engineer was supposed to give us the street and those that were to be repaired or resurfaced. Have you seen that? **Warren:** I haven't seen it yet. **Nikolic:** What would they have sent us? I know you guys were on the email, but it's more like for the projects. **Warren:** The major projects. **Nikolic:** But it is the major projects. I haven't seen anything else. That's the only thing that I've seen. **Hardin:** Every Councilperson needs to be prepared to ask. And you might want to send an email. Johnny, these streets are not being maintained, It's time. **Warren:** The maintenance is the incumbents of the Service Department. But the major developments or resurfacing is the Engineer. **Hardin:** We have not resurfaced, we did Tryon, but that was through the County. That was a major project. We're about to do... **Davis:** Forbes and Broadway. **Matlock:** They are about to do Tryon. They about to come from Richmond all the way down to Jean. Then they will go from Jean next year, all the way to... **Hardin:** Well, they about to do Forbes. But the residential streets Johnny needs to be. The reason those are getting done is because it the County's money. We know why, we don't have the money, but we need to start dealing with these streets. **Warren:** The worst streets

right now, and the two that I really know. Is in ward five, and that's Arbutus... **Williams:** I mean, Suwanee you can't even get through the whole street. So, there's more than just Arbutus.

Warren: I know, I'm just saying the ones that they blocked off. **Williams:** We get this list of what streets are really bad, and then people just pick and choose what streets they really want to do. When it needs to go off of what streets are really bad and have never been done. The other thing is we have to stop saying there's no money for it. We can actually ask money to be put in the street fund and start building up monies for each street. **Nikolic:** This would be a good

referral for the committee. We can give it to Chairperson Davis and say, look, can you work with the service team and then she can report. **Hardin:** The service department does repairs. I'm talking about basically whole streets need to be replaced. We need major street project here.

Nikolic: Should we go to the engineers and look for grants? **Davis:** Request the Engineer to look for grants. **Warren:** They always do. **Williams:** They are looking for grants. The problem is that most grants only cover your County road, your state ramp, etc. Your streets within the community are typically cost that we are supposed to incur. We need to start setting aside the funds to do those streets. We are not planning for the upkeep of our streets. **Hardin:** I have

waited all night and that's where my head is. We have got to have a street fund. **Nikolic:** So, is the SCMR Fund is that the fund where the money typically comes from? **Warren:** Well, that is streets and maintenance. **Nikolic:** So, is that a transfer of just a regular line item? **Williams:** That is a special fund, when you put the money in there. It can only be used for that. We are not putting the money in there to care for our streets. **Nikolic:** Okay, so just like we did for Council.

We could request everything they did last year. We can see what how much was spent on what. If we need more, or if we're going to be doing those same projects. But we need to start with what has typically been spent in that fund and how. **Hardin:** All I'm saying is, from this day,

henceforth and forevermore. Those of you that didn't know, you do know now. This council has been remiss in demanding that these streets be maintained properly. **Williams:** And then

appropriating the funds. **Hardin:** Our Service Department patch's great, they doing a great job. But now we've run out of patches, it looks horrible. So, I'm going to ask that you put that at the top of the list. We already have a fund, but we're not funding it. **Nikolic:** I think this would be a good referral for safety and service. **Williams:** Service's job is not to repair the whole street.

This is a finance committee issue, that's what it is. **Nikolic:** I can request the specifics for that fund. So, we could do a deep dive. What are your thoughts on that. We could look at what was spent, how it was spent, and if we need more or less. **Williams:** We need that in addition to, Ed giving us an estimate of how much these streets that we know need to be repaired. What is the total cost? That's what we really need. You can't save for what you don't know you have to

spend. **Warren:** Maybe I should suggest this, the Engineer gives us a list, like they said, based on it. Why don't we go and get our own list? Everybody in the ward looks at the streets and identify the streets. **Williams:** Ed's list is accurate; it is spot on. I have looked at the list, I've drove those streets. It is just not being followed by the order of what's in the most dire condition.

Then also, we're not funding the SCMR Fund. **Hardin:** All of us are sitting here, the average constituent. They want to see the streets taken care of, snow removed, leaves removed, and the trash. When you do that, you are a good Council person. But right about now, these roads are terrible. As a Council, we have not given that priority, I think that should be priority. Those streets need to be taken care of. **Williams:** We had a whole developer trying to do Suwanee. I

don't even know why it will stop or not move forward. But if the developer is going to pay to repair the street. Why wouldn't we move forward with that? **Davis:** I thought it was cancelled because of wetlands or something. The developers backed out is what I heard. **Williams:** We have to be looking for those. The other thing is we know our streets because our residents talk to us about our streets, and we drive these streets. We got to be a little bit more in tune with the economic development ourselves. Suwanee is perfect example, if there's a developer that is going to fix that street so you can drive completely through the street. We have to pursue those opportunities, but we just haven't been. **Warren:** One of the things you got to watch out for with some of the developers, is the houses that they're going to build. Some developers say I will put in this street. But I'm going to build 1200 square foot houses, or things of that nature. That's one of the challenges that we have to confirm to. That's the case because I'm going to tell you that right now and I'll bring you some pictures. I'm actually looking at a container houses now. I took it to the director, and I said, these things are rusting. So, whoever owns a container house, and the thing is rusting. How do patch that? But we'll see because I'm getting ready... **Nikolic:** I had one last question. I've been seeing for NLC, some extra classes and networking dinners.

Williams: This is the way that works. If you want to go to one, you can either pay for it on your own credit card or get reimbursed. Or you can tell them what you wanted. Or you can tell them what you want to attend. They pay for it with the Village credit card, and then you attend, it is one of the two. **Nikolic:** Okay, is that is that how it's worked in the past for everybody? **Warren:**

Always. **Nikolic:** So, is everybody checking with everybody with what they're doing? I think Tanya's understanding is we have to check with each other before we can do, what we want to do. Meaning, if I want to go to the black caucus dinner. We all have to agree that we want to go.

Warren: No, that is not how it is. To go to NBC-LEO you have to join NBC-LEO. The reason we stepped out of it was because it was the most expensive constituency group. In addition, then they started dialing down. We had some great events, then they started going lower and lower.

Williams: If they have a nonmember fee, that's okay. But sometimes you can only go if you're a member. Now that is a decision we do make as a whole. A membership all together, then yes, that goes back to all of us. **Nikolic:** So, I specifically, have been meeting with other Council

presidents and everything. One specifically said that one you should be at for networking purposes. That comes from Mr. Blaine Griffin from... **Warren:** You don't have to listen, I'm serious, just because he says that. **Nikolic:** I'm just saying, when I asked him and just other

people. What do you recommend I as a new person attend. And he said that is a good thing to attend for networking purposes. What is your opinion (inaudible). **Warren:** I'm saying that we have been in NBC-LEO, and we spent our money. **Williams:** It's not worthwhile event. The return on the investment, like yeah you might meet some people in exchange cards. But you could do that all through the conference. **Warren:** NBC-LEO, the events are parties, that's all you are doing, just partying. **Williams:** It's just not a good return on investment for that. **Nikolic:**

Okay, so what's the cost of the membership? **Warren:** \$185, it might be more now. **Williams:** The membership was way more than that. It's like \$1200, the membership is not just for you. It is for your Council. **Nikolic:** Outside of that, there's nothing worthwhile being a member of NBC-LEO? **Williams:** I mean, if you need to get your name known. And networking is that important then that's your return on investment. That's what you're getting for it. **Nikolic:** But you guys don't want to be members, is what I'm hearing. (everyone replies no) **Warren:** It is not worth the

money. **Williams:** It wasn't worth it, all the people I met in there. I met at the workshops out during the day. **Warren:** And all they are doing is talking. You get more out of the sessions where people are standing up and they giving presentations. They're talking about something relevant. NBC-LEO is nothing pretty much. Well, cities problems, we already know they have them. They just talk about them, but there's nothing that they do together to say let's attack this. **Hardin:** Tanya, they've listed all the classes so far, yes? **Joseph:** Yeah, it is online. **Warren:** I would suggest you look at the list of classes that they have. **Nikolic:** They only have like a few classes that are at out, like executive sessions. I don't think they have the entire list. **Williams:** They usually have them by now. **Joseph:** It's a few things, I didn't see a lot. **Hardin:** They actually have each day listed already. **Warren:** Yeah, that's what they used to do. They used to send it out. **Joseph:** Probably didn't send it out yet. **Warren:** Yeah, they have each day listed and what the itinerary is. You will get that when you get there too because they give you a book. **Williams:** But you don't want to wait until you get there. Because some of them do fill up. **Nikolic:** Can I get a motion to adjourn.

Motion to adjourn made by Hardin seconded by Davis

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

MOTION PASSED

Adjourned at 11:24 p.m.

Approved _____

Tanya Joseph, Clerk of Council

Erica Nikolic, President of Council

**VILLAGE OF OAKWOOD
ENVIRONMENTAL COMMITTEE MEETING MINUTES
2024-2-27**

ATTENDANCE

Erica Nikolic, President
Eloise Hardin, Ward 2*
Paggie Matlock, Ward 3*
Mary Davis, Ward 4*

ABSENT

Dave Tapp, Fire Department	Carlean Perez – Recreation Director
Ross Cirincione, Prosecutor	Brian Thompson, Finance Director
James Climer, Law Director	Daniel Marinucci, Chief Bldg. Official
Gary V Gottschalk, Mayor	Matt Jones, Village Engineer
Mark Garratt, Police Department	Brian Dirocco, Fire Department
Tom Haba, Service Director	Johnnie Warren, President Pro Tem
Taunya Scruggs, Ward 1	Candace Williams, Ward 5

* Arrived after roll call

Meeting opened at 5:31pm by Nikolic
Pledge of Allegiance
Roll Call taken

Nikolic: This is our very first environmental committee meeting. I'd like to say before we get started on the agenda. The goal, the mission of the committee is twofold. One, we'd love to make Oakwood a greener community. Secondly, we are looking to have enhanced environmental protections. We're going to be looking at businesses and new projects. Everything that's coming into the community. To ensure that the health and well-being of our residents are protected. So, with that said, let's move on to agenda item number four, *Federal Medal* Tour. The *Federal Medal* tour was attended by Councilwoman Davis and Councilman Warren. We sat and we talked with the department heads and the CEO. They gave us an amazing tour of the facility. We talked about their environmental protections. What they're doing to protect and make sure that their air quality is up to speed. This is something that we'd love to continue doing with other businesses. Councilwoman Davis mentioned that there were businesses in her ward that she would like to also tour with the *I. Schuman* incident, and *Agmet*. This is something that we want to continue doing just to ensure that we're staying in touch with the company heads. That they understand that we're interested and we're going to be proactive about protecting our residents. And ensuring that everything is in line and that we understand what they're doing as a company. That tour was a success, I was very impressed with their facilities. My family has lived next to this company for years. It was really amazing just to get inside and see the actual workings of the corporation. So, that was an amazing experience for all. Agenda item number five, I would love to introduce now our solar power initiative. What you have in front of you here, solar united neighbors. I'm in touch with representatives at the County to discuss ways of increasing our use of solar power in the Village. One way is a co-op where all residents will join together anyone

who is interested in purchasing solar panels for their homes. We would have a co-op to make it cheaper. I'm in discussions with the ward four Councilperson Daniel Henderson. To see if we could do a joint co-op with them so we have even more residents to reduce the price. We're going to have either at our next environmental committee meeting or at one of the ward meetings or separate meeting. An info session by the County to give residents more information about what it means to be a part of the co-op and also the municipality. We would love to explore ways and councilwoman Matlock this is an excellent way to combine with utilities. Because we were just discussing a car port for example as a way to reduce the utilities in the Village. Exploring grants where we could get solar panels for the Village. Which could in turn help with utilities. That's something we can cross reference across our committees. But going forward the solar panels for the municipality combined with residents. I'm hoping this would help significantly reduce the costs of the solar panels. And just begin to have more people thinking about if this is an option for them. How it can better serve their residents. Councilwoman Matlock do you have any questions about solar power? **Matlock:** No, I think we had already discussed this before. There's only going to be a couple of wards. Because basically, we have to check the structure of the homes. A lot of these homes were built before 1950, 1960, so some of them may not be able to withhold solar panels on top of their homes. The only wards that probably would and had showed interest were Ward 2 and Ward 1. At that time, which was just last year. The cost was tremendous, and they had not yet been any type of programs out that kind of reduces the cost for the residents. So, if there is something that they... because they are very expensive. The program is expensive, you had a couple of people who did talked about it who wanted it. They came into the Council meeting, and they asked about it. The Building Inspector had talked about it, and then we did research on it at NLC. Because a lot of this would be at NLC. So, with the cost and then at that time there were no grants. Here you can I guess, get affordable. I'm looking at the financing options that they can get for that. But a lot of them were talking about will Oakwood pay for it. Oakwood can't afford to pay for solar panels, not big enough. So, that's just an option that they have, so it's okay. **Nikolic:** My thought is one way to just begin. I spoke with the Building Director about zoning and any ordinances. He said that solar panels are allowed. He mentioned that there are several residents that have them. So, I would really love to get some feedback from those residents that currently have them. So, we can kind of start a case study of best practices. What's worked for them and what hasn't and go from there. Of course, since we have NLC coming up. That's something else that we can explore, maybe there's even more programs. But again, getting this back on track with combining with another municipality. In hopes that we can get the cost down even further. If there are grants to support solar panels for the municipality. That's another thing that we can explore to help get costs down for our utilities. We're just introducing this today, I wanted to and of course if you know currently of anyone who has solar panels on their homes. We can start to contact them and let them know what we're trying to do and what we're trying to start. **Hardin:** Madam Chair, I apologize... **Nikolic:** Well, you're right on time. We're just finishing up the discussion of solar panels. I know you mentioned that you had several residents in your ward that were interested in solar panels. I was explaining to Councilwoman Matlock that there is now a co-op. And in March they'd like to come and do an info session for the residents. To explain the process for the co-op. And with that, partnering with another municipality, Bedford Heights. Hopefully we can get enough residents, including the municipality, to purchase. The more you purchase, the lower the price. So, this is something, we are beginning to look at this pamphlet here, Solar United Neighbors. It has more information about financing options. I know Councilwoman Matlock said

you started researching it last year. We could continue the research this year at NLC and see what else is new. But I just wanted to introduce this and let you all know that the info session is coming. And that we could definitely get information out to our residents about the info session. But what I was explaining, we would also like to hear from people who currently have them. So, we can hear best practices, what's worked. I spoke with the Building Department. The Building Department stated that we have several residents with solar panels. So, we'll get that information and I'll reach out to them. We all can reach out to them and maybe have them come to the next committee meeting. As many as can, as they want to or are able. We can get best practices, what worked for them, what they would do differently, what was a headache for them in that regard. That way we could start with some more information from people. In terms of Sundays, maybe they'd say, this was not necessary. We don't get enough sun for it even to be of benefit. So just getting some more information from the residents who've actually had it. So, that's where we are with that. Take a look at that and the next meeting, we'll get more in depth with that. Hopefully after NLC, we can have more to report. **Hardin:** You said March, so we're, we can set our own dates, or are there set dates? **Nikolic:** Well, right now with the County said that they would be available to do one in March. They haven't gotten back to me. I talked to Bedford Heights, they wanted to do a joint one. Well, the County thought it would be good to do a joint one. But, you know, I'm not sure if that will work for us getting residents to Bedford Heights. Where we'll go, and we're still in talks about how best to do it. If they're going to do two sessions, or if we'll do one. Or if, the Bedford Heights residents will come here. But I just said, you know, maybe it's best to just do two. That way, we'll give the opportunity for more people to come. If they miss this one, they can always go to that one. So right now, I'm just waiting to hear how they want to set it up. **Hardin:** But because numbers decreases the pricing along with Bedford. First, I'd like to have a meeting myself and know what is involved first. Because I really think we need to involve Bedford. Because we then have a larger scope of opportunity which will drive it down even more. When you said Bedford Heights that's great. But Bedford itself would really as well. **Matlock:** You can also go with Walton Hills. Because all of them are in the four six scope. **Nikolic:** Okay, so definitely, I'm in contact. I know from that meeting we were just at the organizational association meeting. I met several Council persons from those districts. We could definitely reach out and see if they're interested in participating. Agenda item number six introduced the recycling initiative. The main goal with this initiative is, on my street what I initially noticed. Is that there aren't any other families that have the actual recycling can on their street. So, they're just putting everything into garbage they're not recycling. **Hardin:** Time out, you said they don't have a can? Everybody was given one can and if you wanted more you could buy more. **Nikolic:** With the yellow can, yeah no one is using them on my street. **Hardin:** Hold on were they given the cans? That's the objective... **Nikolic:** Well, that's what I'm trying to figure out here. So, that's what I'm saying, the idea is to figure out why they don't have them. **Hardin:** They do have them; I guarantee you they have them. **Nikolic:** Okay, well if they have them. Why aren't they using them? An incentive to increase recycling in the Village. On my street they only put out garbage. My family is the only one that puts out recycling. What I'd love to talk about is how we can incentivize those who aren't recycling to recycle. Just getting in the habit of recycling. We can have info sessions. I don't know maybe one thought that came to my mind. When you go into Sam's Club, they may offer you like a \$25 gift card to switch utility companies. I'm not sure what that is. Maybe partnering with Sam's to say you know if you're if you start using your recycling. We're trying to get people involved in this initiative. **Matlock:** Why don't you do it with Waste Management? **Nikolic:** Right, with Waste Management it would

be a partnership with Waste Management. But the incentive would come from Sam's Club. The project would start with Waste Management with the objective of getting more people. **Hardin:** Can I make a suggestion before we launch and go way out there? **Nikolic:** Well, yeah, this is... **Hardin:** It would be great to reissue the flyer explaining, what is a recyclable. Start with educating first... **Nikolic:** Right. **Hardin:** And based on you saying you know for a fact. One particular area is not practicing it to the degree that you would like to see. Then, just make very certain that each household receives that. As a resident, did you not get one? **Nikolic:** We have one. **Hardin:** That educates you and tells you what they are? **Nikolic:** I recall getting something, I do recall. But I'm a staunch environmentalist so I recycle anyway. But I'm assuming people received it. **Hardin:** People that are not, are probably not paying attention. So, I would suggest that we start with an educational piece first. **Nikolic:** Okay. **Hardin:** Reissuing what we've already sent out. Add in something a little different. We can come up with something innovative to incentivize. For instance, instead of a secret Santa, do a secret count. The street that has the most cans out on a given day or something like that. I'm just trying to think of what you're trying to do. **Nikolic:** Right, but that's any type of way to incentivize. Just a gift card from Sam's was one thing that came to mind. But that's why I'm polling you two now to see if there's any ideas. But I love this idea of starting with the flyer. Finding out if all cans have been distributed to the household. **Matlock:** Making sure they know what days of the month the recycle day is. **Nikolic:** Right, because I know I have the pamphlet, the leaflet, with the new schedule. **Hardin:** You might want to since you know that there's a particular street. Which, I personally don't have a problem. But if we know that there's a particular street in the area. We can even put out the designated signs on our flyer. Maybe that day put a sign on the end of the street showing it's your recycle day. **Nikolic:** You mean like a yard sign? **Hardin:** Yeah, on the corner of the street. Yeah, so as you enter that, tomorrow is your recycle day. Put out your yellow cans or something. But just a reminder to a given street that seems not to be practicing it maybe. **Nikolic:** So yes, I don't know if you all remember. I know someone came here from Waste Management. I asked Tommy for a contact at Waste Management because I wasn't sure if I had the information from the one that came here to present. I don't think I was on Council, so I don't know who that was. But I asked Tommy to give me a contact. So, I'll start there and once we have that information we can move forward. But I'll report back with that at the next committee meeting. **Joseph:** I just wanted to say, typically with Solid Waste District when we do like our recycling days. Material is sent out, so far that I've seen, every year regarding recycling. What goes into the recycling cans, everything like that. That is one of the important parts of being a part of that contract with them. To get that education out for recycling and stuff. So, I have started looking into grants for recycling, I had already started doing that. I'm waiting on a response for the shred day grant. Which I should get back at the beginning of March, a response on that. Once I get that response, I will then begin sending out recycling stuff for the residents. With that information what to recycle. **Hardin:** It came from that organization? **Joseph:** Yes, it has their local marked on it because all the information is coming directly from them. **Hardin:** Well, okay, maybe this time, since this is something you're focused on. You might want to attach a special letter from Council or from your committee that we're really focusing on this. **Nikolic:** And include the incentives, so we can do it together as a way to let them know here's the education. Here are some of the possible incentives. When were you saying you would get that? **Joseph:** Beginning of March. **Nikolic:** Okay, but the actual piece does it come out, or is it already out? **Joseph:** No, the pieces aren't out but I can get educational pieces. Because I am provided with those that I can put on the website, send them through constant contact, or I can get them through the mail. I can even just

do a newsletter myself specifically on that and get it out to them as well. But I do have access to information that we can get out. Or even if you guys wanted to include it in your newsletter. That can be utilized as well. **Matlock:** We put it in every newsletter anyway about recycle. It goes in every newsletter with the date our garbage pickup is on, taking the cans from the front of the yard, recycle day, and what to recycle. **Hardin:** I find it interesting that the seating at in Paris. They're using recycled material to create the seating in the venue, so it's important. **Nikolic:** Absolutely, so moving on, agenda item number seven. Update on the environmental testing on Wright and Free. So currently, we'll have the legislation today for us to review in our packets in the work session. Right now, it won't move forward. We're waiting for me, because the testing is in my backyard. It will happen in my backyard. I've sent a request for an opinion to the Ethics Commission. To see if I am able to vote on the legislation in any way. Given the fact that it is in my backyard and any legislation that could affect the property value, either increase it or decrease it. I have to have an opinion from the state to say whether or not this is something that I can vote on. **Hardin:** I have some pretty strong comments, but I'm going to save it for the Council meeting. Or are we going to discuss that in the work session? Is that on the work session? **Nikolic:** The legislation for the testing is on the work session. **Hardin:** So, I'll save my comments for then. **Nikolic:** That's fine, so, that was just an update on that. There was a hold on that anyway. Because, the weather, you know, the consultant said that the ground had to be a certain consistency in order for them to dig. So, Spring is probably when they would be able to start anyway. The opinion would take about 40 days. So, we're looking towards maybe the end of March when we'd have the opinion. But the legislation is there so we can at least begin discussing it. Moving on to agenda item number eight. The last thing, I had the pleasure of meeting a gentleman who runs this drive electric Dayton. This is an initiative that I would love to bring to the Village. I spoke with Chief Garrett right before about possibly piloting electric Police cars. Other ways to bring green, make Oakwood more green. This is an entity they can do events. Where we can perhaps during around Earth Day bring electric vehicles. Let more people see these vehicles. He also mentioned that if you've ever been to Macedonia and you've seen the two Tesla charging stations. He said that they could get grants for us to have two of them here at our Hawthorne Valley. He said it's a good way to bring people into the community. Because if they're passing through and they need to charge their cars they will stop here. This company has a lot of different ideas about how we can utilize electric vehicles. Even the Building Department, switching over cars to be electric. Getting those plug-in stations, doing events to educate people on the importance of electric vehicles. I'm asking him to come to our next meeting. Either by zoom, to do a full presentation on the importance electric vehicles. And how we can best outfit Oakwood. so I just wanted to introduce this and I think it was really interesting. Chief Garrett said he would be interested in 2025. He said they always get new vehicles, potentially piloting testing and evaluating an electric car. He said although they couldn't transport criminals. They could still use it for patrol. **Matlock:** We were thinking about getting charging stations at the hotels. **Hardin:** There's a group that comes to us we're a member of. **Matlock:** That's what I was going to ask her... **Hardin:** I have it written down, Go Green Ohio. We're pictured with them back there. I would suggest that you maybe partner them. Make sure your kind of, so we don't duplicate efforts here. Because we're a member of that group and one of our residents is who brought them to us. I think you might know her, Ms. Bray. She's who brought them here. **Nikolic:** She's actually the...the black environmental leaders. This was a luncheon that they had at Fern Towers I was able to attend. They gave scholarships to young college students who were heavily involved. They gave them a thousand dollars to use however they chose. And really just

to support them because they had been working in different ways to support the environment. ,So that was that was good to see. **Hardin:** Well coordinate the Dayton organization with that organization. Because we've already been working. I think they've even done some studies already. **Nikolic:** Okay, can you talk a little bit about where you guys were with that? **Hardin:** Chris was our Council representative, so I'm not really certain aware where he left off. So, I would, even without contacting. As the Chair of this committee, if I were you. I would get the information, the Clerk has it, they left everything. Find out where he left off and let them know that we're still interested. And what should we do and that you've already spoken with the Police Chief, that sort of thing. But I think there might even have been a study done already. You need to check with them. **Nikolic:** Okay, is anyone in contact with Mr. Callender? Or probably just best to go straight to go green? **Hardin:** You can just go to Go Green, just give them a call. Because you might want to do things a little differently. **Nikolic:** Okay, well that's all I have. I thank you ladies for attending our first environmental committee meeting. I'd love to just say, for utilities. There's a lot of synergies here with the solar power and utilities. So, we can continue to have those discussions if there's anything that comes out of utilities that would be helpful for us here. We can kind of keep those synergies flowing so we can work together on building this out. **Hardin:** To make that work, I'd like to know who these people are. More about Dayton whatever... **Nikolic:** They're going to come present at our next meeting. He offered to come here today and do a zoom. But I said today we'll just I'll just introduce it. Then at our next meeting he can come and do a full -on presentation. **Hardin:** Got it. **Nikolic:** Maybe at that point Go Green could join us as well. **Hardin:** That's my point, yes ma 'am. **Nikolic:** And maybe it can all be in person. **Hardin:** That's fine, and by then you'll have the information for March. As to when this is going to happen, right? **Nikolic:** Right. **Hardin:** At that March meeting do you want to have already collected input from current residents that have the solar energy? Or do you want to wait until after that presentation? **Nikolic:** We could as we go, I would like to do it as soon as possible. Because the sooner we do it, I'm sure it's going to be a process to get people to give that information. So, for me I don't like to wait. Because what I did was, I got a list of the number of people who have electric vehicles in 44146. Oh, I'm sorry, we're talking about solar panels. But the Building Department I asked him if he could identify the residents with the solar panels or give me the addresses. So, I'm waiting for that from the Building Department. But if you know of anyone specifically that has the solar panels. We could just pull them, or you can just call them. And we can maybe come up with the list of questions. **Hardin:** The one that is installed and very nice is.... Hey, Ms. Karen, welcome. As a matter of fact, we're talking about solar panels and your neighbor. Is one of the first, she is the only one on your street that has them. **Howse:** Is it one behind me or? **Hardin:** Across the street in front of you, go past Sam's house, headed towards the stop sign. Not Forbes the other direction, it's real shiny, looks copper. **Howse:** Oh, with the copper, oh they have a solar? **Hardin:** I thought that solar was on that, maybe I'm wrong. It's just copper, maybe I got it wrong. **Howse:** The house on the corner of Somerville in your ward. They have a whole roof that is solar panel. **Hardin:** Right at the corner of Somerville and Forbes, yes. That one you can see so I know for sure they have it. **Nikolic:** So, are you in contact with those residents or? **Hardin:** I can, what is that you want from them? Do you have a survey you'd like for them to fill out? **Matlock:** We'll have to put one together. **Nikolic:** We can create a list of questions and at the next meeting. Or when we see each other at NLC, it doesn't have to be a formal thing. Just a few questions of best practices of what we would like to learn from them. Any other comments? With this, hearing none, may I get a motion to adjourn?

Motion to adjourn made by Hardin seconded by Matlock

YES VOTE: Nikolic, Hardin, Matlock

MOTION PASSED

Adjourned at 6:04 p.m.

Approved _____

Tanya Joseph, Clerk of Council

Erica Nikolic, President of Council

**VILLAGE OF OAKWOOD
FINANCE MEETING MINUTES
2024-2-27**

ATTENDANCE

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

ABSENT

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

** Arrived after roll call*

Meeting opened at 6:05pm by Nikolic
Pledge of Allegiance
Roll Call taken

Nikolic: Okay we can review the financials. The first thing I'd like to ask Councilmembers to draw their attention to. Apparently, he's submitted documents that we've requested. The first document that I'm seeing, the Village of Oakwood historical summary of income tax collections. Does this look like an accurate reflection of what was requested if someone requested it? I am looking at employee accrual summary. What I asked for was a snapshot of the cost of each individual employee. What I am seeing and please everyone chimes in if something if they see something different. This actually does not give a snapshot cost per employee, I guess without Brian here we wouldn't know. This is giving comp. time, holiday, personal, sick leave, and vacation. But it is not giving us a pay rate or benefits that we pay out. I don't see how we can look at this employee accrual summary and see the cost per employee. Does anyone see anything differently when they look at this? **Davis:** Ms. Matlock, what did you say was allowed in our Charter to carry over for sick time and accrued time? **Matlock:** It's 40 hours and they are only allowed to take over one week into the new year. Unless they have authorization from there supervisor. It would be in the employee handbook. **Davis:** Okay. **Nikolic:** So, this employee accrual summary seems to speak to comp time, but there's no pay rate or anything. So, we will have to wait for Brian. **Davis:** In the employee handbook, is it personal/sick leave? Or is personal time separate all together and then sick leave? It does not say that. **Nikolic:** It is divided, it seems to be divided here. It may be time to move to PTO to make it a little simpler. **Davis:** I thought they had done that. **Williams:** PTO is personal, and then sick is separate. It's always going to be separate. **Nikolic:** Oh, I thought... the PTO doesn't combine? **Warren:** No, it's personal time off. **Williams:** Sick is always separate from PTO, and holidays is also separate. Because usually if you're considering something a holiday, it is just for everybody. **Davis:** And all of the employees, we talked

about 40 hours can be carried over for sick time. But didn't say about personal time or... **Warren:** You mean vacation? **Matlock:** Sick time, if I am not mistaken, they can accumulate sick time. You can't take that, but vacation time is what they can't take over. **Williams:** It can start over every year; you don't have to do that. There are companies at the end of the year whatever sick time you haven't used, it resets. You can set a policy for that, that is just the way we have it. We have allowed it to be carried over. **Matlock:** Right but I'm just saying now based on what it has inside of the handbook that we have, it's basically vacation time. **Nikolic:** Perhaps maybe, may I suggest for this time we go through the expense report. And see if there are any expenses out of the ordinary. **Williams:** Is the Finance Director in the building, have we spoken with him? Is there a reason why we're conducting this meeting when he should be here? **Joseph:** The last time I spoke with him, he said he would be here at the meeting. **Nikolic:** But you said his car is here? **Joseph:** I am not sure if that is his car. **Nikolic:** While Councilwoman Scruggs goes to check on Brian's whereabouts. I would just suggest maybe we just take a look at the month-to-date expenses for all departments. To see if there's anything... **Davis:** My question is page 8, the Mayor's Court wages. I thought we stopped the Mayor's Court, but we're still paying somebody \$9,000 just for one month. This is only from January 1st to January 31st. **Nikolic:** They did mention that there were two clerks. And that we hadn't made a decision about whether or not to keep them on. **Davis:** Oh, so you think that was the two Clerks. **Warren:** We are paying the courts not the attorneys. I think all of our cases, at least what was reported. Is that all of our cases was being handled by Bedford Municipal Court. This is probably why you see that expense. **Davis:** Because we have Mayor's Court wages and we used seven thousand nine hundred for Mayor's Court wage. **Hardin:** Madam Chair, the fact that we did not know that the scope of the operation has changed. That's the issue, so what we need to know is what work is being done here and how does that affect these the staffing needs. And we to do it as soon as possible because this has been in place for a year. So, we don't know what happens in the department. **Nikolic:** I would I think that would be a good referral for the personnel committee to follow up on. **Williams:** Wait, what just happened? What are you guys talking about? **Hardin:** These expenses are being noted, but the statement was told to us that the operation itself, the scope of the work has changed. So, we need to know to what degree. If the work has been sent, what amount of work has been set to Bedford Courts? How does that affect the staffing? And whether or not the two Clerks are still being utilized and what they're being utilize for. They might need them, I don't know. **Warren:** Well, more importantly, we see that the Mayor's Court wages started off at \$25,412.50 and they already spent \$7,906. **Davis:** That's what I was saying, it was almost \$8000 in one month. **Warren:** They only got \$17,506.06 for the rest of the year. This isn't only based on the unapproved budget. **Hardin:** That is why we need this one here or the Mayor. **Nikolic:** So, my suggestion Councilwoman Williams, was to refer it to the personnel committee. Because when she said we should do it, I was thinking in that regard if it's with the committee. Maybe the Committee can move that along without it being a "we" situation. It's in one place where they can follow up with that issue. **Williams:** We did already request that, so we are just waiting for it. We already requested you to give us the duties that they would be performing now with the change. **Nikolic:** Requested the job descriptions? **Williams:** Whatever their roles will be now that the Mayor's Court has changed. **Nikolic:** Is that on our request list? **Joseph:** It is on the request list. **Nikolic:** Okay, who was that to, the Chief? Or was that the requests to... **Davis:** I don't know if these budgets are just the same thing that we had last year in January. Is this the exact same one or is it a different rate? **Nikolic:** May we hear from our Finance Director? **Thompson:** Thank you Madam Chair, sorry for the confusion. I'm here to answer the questions you have. If you're looking at the closeout for the first of the year, I can start explaining some of detail. **Matlock:** Where

are you at now? **Thompson:** If you look at your statement of cash position, it shows all your fund balances. We began our year with the \$330,100 and we closed the beginning balance for the General Fund. Just to look at that fund in particular. We took in, month-to-date and year-to-date. Which would be the same because it's the same month, about \$783,000. Revenue spent \$693,000, ended with an unexpended balance of \$420,404. This is all on the first line of the cash report. After encumbrances, we ended with \$277,939. Some of the normal funds with the negative fund balance that I had there. I haven't processed any transfers. I'll probably do those by the end of March. I'll process transfers to see how some of these funds, whereas the SCMR. We have some expenditures for some street projects and ultimately those dollars would be coming back. A portion from the reimbursement process from the County. So, Ed had submitted some information for that. And we gave some canceled checks where we made the payments. So, those should be coming back into us. The Senior Center Fund is just the ongoing expenses for the fund. The capital improvement, we made some lease payments... **Hardin:** When you say ongoing fund, what do you mean? **Thompson:** Those are subsidized funds, the REC Center, the Senior Fund, and the Capital. We are always just pretty much curing those with the transfers during the year that you approve me to do. **Hardin:** Got it. **Thompson:** So, this is just the expenses through the first month and ultimately I'll have the authority to make the transfers. These are just normal like in the 401 Fund, I'm just making a lease payment. I have one lease payment in there. Then the other funds the SCMR, which is that second line item. Which shows like negative \$46,362, I had to pay for a street project. Ed has submitted the information for those dollars to come back. **Williams:** When you say cure, what do you mean by that? **Thompson:** Cure, like if you gave me say the Senior Fund. You give me authority to do a hundred thousand transfers. So, I'll just monitor it throughout the year and kind of push down the transfers quarterly. With the transfers of course when you put them in the fund. They don't come back to the General Fund. So, I kind like to analyze that on a quarterly basis before I do transfers. And the transfers are always your approval level from Council. **Williams:** So, when you say cure you just mean you're going to make a transfer. **Thompson:** Yeah, make it positive. **Williams:** These accounts that are negative, where are you expecting to get these funds from? The General Fund balances? Or are there... **Thompson:** The SCMR has a couple things. Ed will give me reimbursements and also the SCMR, I have transfers. Those are always scheduled... **Williams:** SCMR has funds coming in from another entity? **Thompson:** Reimbursements from the County. **Williams:** Okay, about how much? **Thompson:** I don't have exactly what Ed submitted. But it's just a net effect of things we do throughout the year and get reimbursed. So, I would have to go back and look at what he submitted to the County. I know I paid out for some projects so... **Williams:** So, you don't know if we have \$46,000 coming back? **Thompson:** Maybe not to a penny but I know the majority of it is. And I can get the information. **Williams:** Okay, and then the rest is going to come from the General Fund? **Thompson:** Yeah, in the end when you reconcile your funds. You will have a portion, yeah. So, Ed if he gave me \$40,000 back. Then I'll move \$6,000 down from the transfers and then I'll cure the fund. **Williams:** Are you saying at the end of the quarter, at the end of year, what is the end? **Thompson:** The end, for me, I like to monitor quarterly. Because of the fact I don't want to push down entries into there before the transfers are too many. So, I kind of look at it quarterly and, of course, when I reconcile my year end. That's my end for me. **Williams:** So, we already know these funds are negative. **Thompson:** Yes. **Williams:** So, if we add up all of these funds that are negative. Is that all coming out of the General Fund except for whatever's coming to SCMR? **Thompson:** You figure Senior, REC, Capital... **Davis:** Holiday Fund? **Thompson:** Yes, Sanitary Sewer... Sanitary Sewer is just a revenue we receive from ongoing collection of the City of Cleveland. For the sewer bills for

Village, and a large majority of that would be from Ed's reimbursements as well. The SCMR is going to be a large portion reimbursement from the County on certain projects. Also, it's going to be a portion of transfers. Now the REC Fund and the Senior Fund have a portion that just collects from all the programs they're doing. But the majority is going to come from the transfer. **Williams:** So, the only two funds that I see that are going to get, possibly, grants from somewhere else... **Thompson:** Reimbursements. **Williams:** Reimbursements from somewhere else, SCMR, and Sewer Fund. All the rest of these are coming out of General Fund. **Thompson:** Majority, yes. **Matlock:** And you said the Holiday Fund is the Sewer Fund? **Thompson:** No, the Holiday Fund that's... **Williams:** Okay, so the \$277,000 is going to be reduced by all of these negative funds? **Thompson:** Yeah, if I did them at this time, and uh... **Williams:** But you're going to do them eventually. So, essentially what we're seeing as \$277,000 is not really \$277,000 because we know these funds need transfers. **Thompson:** That's correct, I mean if I cured the same language this month. It would be \$277,000 minus the \$46,362, minus the \$8,294 minus the \$7,448, minus the \$29,118, and the \$18,753. So, it would still be positive, but you would have those in a positive state. **Williams:** And to be clear only SCMR and Sewer Fund are getting those reimbursements. And you said recreation and senior get a little bit. **Thompson:** Yeah, a little bit, not so much reimbursement. They get collections from the programs there. But the majority is going to come from the transfers. **Williams:** What is that 10%, 20%? **Thompson:** I say 10%. **Williams:** Okay. **Matlock:** So, the General Capital Improvement Fund that's coming from? **Thompson:** General Fund. But we do...you're looking at the General Capital Improvement? So, the 401 Fund, I schedule in some transfers for the year, with your approval. But also, we get a portion of property taxes that go into that fund. When they send me a settlement sheet from the County. They have listed bond, capital, and general. So, when they give me that breakout on that settlement sheet in the County, I'll post revenues there. But the dollars I do get from those property taxes. Is not enough to have enough revenue for that funds, so I put in a transfers. And you guys approve me every year as I assess what's going to be spent and what's going to be received. **Warren:** The thing that I have a concern about is the SCMR Fund. That apparently, and probably the Senior Fund. Those are probably carryovers from expenses of 2023. It's impossible to me, for those to the expenses that have accrued within the last thirty or even the last sixty days. So, those are deferred billing, those are actually related to 2023. **Thompson:** Well, even if they... I'd have to run a detail to see but... **Warren:** I mean, but you can look at it yourself that, it is net is next to impossible. Based on the function of the SCMR Fund. What sewer projects or whatever projects that we have in the month of January. That would cause us to be paying in February. **Thompson:** Yeah, your statement is somewhat correct. But the timeline of finishing those projects and Ed says, okay we reviewed it as the engineer and things look good. Then he'll send me out pay requests. So, it could be work from 2023. But even when I get the pay request and if it was from 2023. I paid it in 2024, then we'll send that information to the County. They'll still reimburse me for the payment. So, you are correct it could be from 2023. **Warren:** Now the question I have, a recommendation that we need to see. Going forward with a lot of these developments and projects like that. When we have projects, and the funds are going to be drawn from the County. We need to have a report, and I don't want to over report things. But we need to see when we get ready to start a project. What is the net out of the Village? You know, they would say the Village pays 10% and the grant is whatever. The Engineer should be in a position to tell you what the estimated cost of the project is. Even if there's change orders and the projects cost more money. But the estimated costs of a project, let's say you projected the lowest bill was \$420,000. So, the question becomes from the grant that we supposed to have in that. how much of \$420,000 out of pocket are we obligated to do? This should be something that Ed and you should be

able to know right off the bat for every project or all of these situations. Because if you're saying that you waiting on Ed to tell you how much the reimbursement was. For me, if he told me, well I'm gonna make the request for the reimbursement from the County. I am going to say, how much is it?

Thompson: Now that process does happen every year. That's how I get the SCMR budget and that's how I get the Sewer. Now Ed sent you guys a preliminary projection of those numbers you're talking about for 2024. I think it was back in October when he sent it. So, he's showing the project, he showing the grants, he showing out -of -pocket for the Village, so he does do that. **Warren:** But we want to see the actual. **Williams:** What he saying is, we should know of this \$46,000, what we're going to be reimbursed. You should know that number. **Thompson:** Yeah, if it's a part of the reimbursement. I would have the documentation. **Matlock:** Do you have the documentation?

Thompson: Yeah, because he sends it to me on a pay request. Then once I make the pay request, he'll ask me for the cancel check because we got to pay it first. Then I'll give him the cancelled check.

Then he binds his report. It may be something additional, but he ends up sending it to the County.

Warren: So, actually you're the one that gives him the information for the cost. As it relates to each project's out -of -pocket expense of the Village prior to us getting reimbursed. **Thompson:** No, he...

you know I had a first estimate or an actual pretty actual from what they did... **Warren:** I know but

I'm just talking about the checks. You just said that he calls you and asks you what checks we paid towards project XYZ. And you say I'll look at my thing and this is how much we paid towards XY

and Z. **Thompson:** Yeah. **Warren:** Right, so what I am saying is that he actually gets the information from you. You're not waiting on him to give you the information, you're giving it to him. **Thompson:**

No, it's a little different because say the project is \$140,000. Ed comes along, he's giving me these tiered pay requests. As whatever engineering inspection he is doing. So, the \$150,000 project, he said, okay Brian, go ahead and pay \$40,000. This is pay request one. So, he'll compile the paid request one, I'll pay him \$40,000, then you still got that \$100,000 out there. So, he's probably still doing some engineering assessment for that end result of pay number two. Or it's going to be a pay number three.

But he is compiling as he sends me those pay request. Now, the pay requests for all of them. Should pretty much, I would say 99% come back to his spreadsheet that he sent you on October. The actual cost of the project is going to be there. So, that's kind of how it works when he sends me information.

But I can provide you with the pay request which will show the reimbursement. **Williams:** We don't need all of that. This is what we need you to do. We need to come prepare when we have these meetings. To tell us, of these negative amounts, what is going to be reimbursed. SCMR how much are you waiting for of this \$46,000. Because then we can look at that, look at the ending balance, and say, okay, those funds, we don't have \$277,000. If we're getting \$30,000 as a reimbursement for this fund, that means we are going to owe \$16 ,0000. We can reduce that, like we do not have an accurate picture. So, you should be able to come to us and tell us recreation, senior, even if it's a very close estimate. Here's what is going to be reimbursed or collected. Here's what we are actually going to have to take from that General Fund balance. Without us knowing that, these funds just sitting in the negative. We have to be able to add that up and take that out of that General Fund balance. You have the come with that information, we need to know that. **Thompson:** Okay. **Scruggs:** I just want to

make sure that I'm understanding. This \$277,939.80, is all that we have to support everything? For even paying the staff, all of that, that's what this total is right here? For the year, as it stands right now? **Thompson:** Yeah, right now. **Scruggs:** So, what I did was I went down and added up all of the

ones that were in parentheses that were negative. Which turned out to be a total negative, if we don't think about what we're going to get back as reimbursement. That was \$102,104.65 that is in the

negative. Then we have a current available balance right now as we stand without any reimbursement

of \$175,834.43 to operate on as of right now. **Thompson:** Yes. **Williams:** That's how we need to be communicated. Like that is what we need to know. Because we are operating in the blind without that type of clarity. That is the conversation we needed to have in these meetings. The overview is great but you need just start to drill down into these funds are negative. Where is this money coming from? And if it's from the General Fund then we are not looking at \$277,000. **Thompson:** At this current period, you also got to keep in perspective the full projection for the whole year as well. **Williams:** We have to balance that though, right? It's a balancing act of where we are at right now and where we're going to be at the end of the year. But we need that type of clarity. **Thompson:** Right, okay. **Matlock:** But right now, that \$46,000, you said you have that balance. You know exactly what Ed... **Thompson:** Yeah, between reimbursements and my transfers, yes. **Matlock:** And you have that balance in your office? **Thompson:** From what is coming back? Yes, he gave me the pay request. **Matlock:** And you can put your hands on it right now? **Thompson:** Yes. **Matlock:** Okay, do me a favor, go get your hands on it. **Scruggs:** So, just for clarity, the \$175,000 roughly, that would be available. Would be for us, right now, to operate everything that's on the sheet, right? **Nikolic:** What is the ARPA Community Grant Fund? Johnny, do you know? **Warren:** Nope, where do see it at? **Scruggs:** 252 Fund. **Nikolic:** ARPA Community Grant Fund, it's right here on the front, it's \$500,000. **Howse:** Those are federal dollars, from the government. **Nikolic:** How can it be used? Do you know? **Hardin:** There is a list of things, it's restricted. **Warren:** This is the grant. **Nikolic:** It is government funds? Please, go ahead... **Williams:** It is the American Rescue Plan Act funds. **Howse:** I just wanted to say to answer your question, Taunya. All the other funds, 200 they are restricted. So, therefore that means that they can only be spent for what it's titled for. And then the General Fund is for operations. **Scruggs:** Okay, thank you. **Howse:** There are some like in the SCMR. I think that he pays some of the Service Department Director, which you can do that. Because it's related to streets and repairs and stuff like that. But for the most part, majority of all general operations, salaries, benefits, all of that is paid out of the General Fund. **Scruggs:** I think we're losing... **Williams:** But we also make our transfers for these not to be in the negative from that General Fund. **Howse:** You just can't do the opposite. You just can't take the money out the special revenue fund and transfer it to anywhere else. **Thompson:** Yeah, I never transferred out of special. This is the example coming from Cuyahoga County. This is just example for the 2024 road maintenance. You can see at the bottom where they are anticipating not to exceed \$47,700. So, I mean I have to go back and I'll bring in a detail on these projects and reimbursement. It was in that October email. **Williams:** I don't think... **Thompson:** The communication is coming, if you read the bottom on how they're going to reimburse us. **Williams:** This says your total reimbursable cost may not exceed \$47,700. **Thompson:** Right, I just wanted to share the communication that we get these reimbursements. I'd have to go back into this detail and bring back the expenditure and the reimbursement. But this is the type of communication I get from the County. **Williams:** The question is, is this \$47,700 what's going to be reimbursed into the SCMR Fund? **Thompson:** Yeah, that type reimbursement goes in SCMR, when it's a street project. Because it is for the road maintenance. It's like patching the holes and things out on Broadway. **Williams:** So, this is the money that you're talking about. That's going to reimburse or... **Thompson:** Yeah, throughout the year, yes. **Williams:** Okay. **Hardin:** Throughout which year? **Thompson:** They said 24 -road program. **Williams:** But that's the total amount, right? You just don't know what's coming in next as the reimbursement. **Thompson:** I'm going to give you a full detail what I anticipate. It's in that communication from October too, but I know it's kind of hard to read. **Williams:** She asked you if you could put your hands on that amount. But this is the total amount that's going to come over the year. **Thompson:** Yes. **Williams:** Okay. **Thompson:** And I also mentioned that it would be

reimbursements and also the transfers you approve. So it could be a combination of both. **Davis:** This is \$46,000 already; we haven't even started the roads yet. So, we have not spent them yet. **Thompson:** Just let me come back to you, I'll do a nice spreadsheet for you. I will show the expenditures and I'll show you what is reimbursable. So, I can show you the details. **Davis:** Back to Recreation, how did you get \$8,200 for one month behind? We didn't have any REC programs in January, besides the Super Bowl. That was a two-hundred-dollar project. **Nikolic:** Go into your ledger. **Davis:** Yes, but it has wages for the Recreation Director for classes. So, that's for one month for her for classes? **Thompson:** That's pretty much the total or the expenses. It's the salary, the PERS match... **Davis:** So, she's already gone way past her amount of allotment that we allowed. Because with \$8,000 every month would be... **Warren:** \$96,000. **Davis:** Yeah, I mean, just for her. **Thompson:** If you look at it right now, the 204 fund. You gave me a temporary budget of a third. So, you figure \$8,000 times three is only \$25,000. So, it is not going over. **Davis:** It did go over because we only had \$4.14 in there. Now it is \$8,294 negative is what I meant. **Thompson:** It was negative for the month, but it was on the lines of the same conversation with the transfers. I mean, if you kind of drilled it out for a temporary budget that was only for January through March. If we took the \$8,000 she spent here today times three. She would be under this third of the budget, which we put \$55,000 in there. So, she wouldn't be over the appropriations. But because we got the expenditures, I haven't pushed out any transfers this short. **Davis:** Now the other one I have is the Senior Center Fund. All we spent on was senior lunches and senior enrichment. What did we do for senior enrichment for one month for \$11,000? **Nikolic:** \$18,000. **Warren:** \$18,317. **Davis:** The amount you spent this month. It says \$11,457 for senior enrichment and almost \$5,000 just for a senior lunch for one month. **Nikolic:** Do you have the expense transaction ledger? **Thompson:** That's what I'm looking for. **Nikolic:** Councilwoman Davis do have you expense transactions ledger? It will show you, go to 208 in your expense transaction ledger. **Davis:** Why do we have that high of a... **Nikolic:** This will tell you the detail of what they spent. You can start page 21 of 24, look at 208 because 208 is the fund. **Thompson:** When the Mayor gave me that vitamin D program, \$12,000 was to buy those pills. **Matlock:** Huh? **Thompson:** Yes and he puts it in his budget. If you go back to your exhibits when he shows you what he's spending. He puts the Vitamin D pill purchases that he hands out to the seniors for free. That's why it was that much. **Davis:** So, the senior enrichment is the Vitamin D? **Thompson:** That was the majority of it. **Warren:** You know what, speaking personally I take Vitamin D every day, two pills a day. And I get a bottle of 500 pills, so... **Thompson:** Well, that's what he's doing. **Williams:** Can you get us the purchase order on that with the details. Who are we paying? Where are we buying from? **Thompson:** Yeah, Purity products. **Nikolic:** Purity products, vitamins for \$11,000. **Warren:** You got an invoice for that? **Thompson:** Yes. **Warren:** Can you get that? Who is the company? **Thompson:** Purity Products. **Warren:** Where's Purity Products at? **Thompson:** It might be out in Texas if I'm not mistaken. I'll check it out, I will pull the purchase order. **Warren:** What we would like to do if it's okay with everyone. All of the funds that are in the negative. I would like to see the invoices and the record of payment for the SCMR fund, REC fund, and General Capital Improvement fund. This may help us to understand why we have \$8,000 over here. We just want to see the invoices and things that add up to that expenditure. **Thompson:** Your expenditure detail kind of shows that. But if you... **Warren:** I know, I just want to make it simple. **Davis:** The Mayor's court wages, Mr. Thompson. Who is still working in the Mayor Court? Because I thought that was dissolved. **Thompson:** I don't think it was all the way dissolved. The Chief can tell you if you need to. But you got Carolyn Jones, she sits in the back, and Yvonne Jones. **Davis:** Okay, so that amount for that is those two people only, Deputy Clerk and Clerk of Courts? **Thompson:** Yes, salaries in that

area is just for those, two. **Nikolic:** About the ARPA funds, what's the plan for those funds? Is there any plan? **Thompson:** Yeah, Ed's going to be using those for some street projects. I know he had it laid out for \$250,000. He does have it in that spreadsheet, but it's street funds. **Nikolic:** Okay, Any other questions for the finance question? **Davis:** What I requested was for the Huntington Bank statements. From what I got; you gave me January through June. And I will need July, August, September, October, and then you've got November here. You only gave it to the end of June. From January 1st to June 30th, and I didn't get July... **Thompson:** You talking about last year of course? **Davis:** Yes, of 2023, July, August, September, and October. Because you just gave me November. We don't have December's. I mean I know you pay in December, but we don't have December statement also of last year. **Thompson:** Okay, I'll check for you. I swear she gave you a whole year, but I'll check. So, you need July through the end of the year? **Davis:** Yes of the Huntington credit card statements. **Nikolic:** Is the Vitamin D program ongoing, or is that? **Thompson:** Yeah, he's been doing that for the last, maybe two, three years. He did bring in his exhibit for his senior department and showed that expenditure to Council. **Nikolic:** But is this \$11,000 the total for a year, or would there be more? **Thompson:** That's for that year. **Nikolic:** Okay, this is the total purchase of the Vitamin D that he'll be distributing throughout the year. **Thompson:** Yes, this is December 2023 in January here Ms. Davis. If you look at the closing dates because the transactions are always kind of a month behind. So, you got to look at the closing dates. I gave January and December, December last year and I gave you the current one. **Davis:** Okay, so I need July, August, September, October, and November too, please. **Williams:** As a follow -up to her credit card request. We don't have the detail for Home Depot. **Thompson:** There were no purchases. We made a payment, and we didn't buy anything. That's why you don't see anything. **Williams:** Is there something we're paying on? **Thompson:** Yeah, the credit card. Tommy usually uses it the most, every now and then the Fire Department. **Williams:** We don't pay this off every month? **Thompson:** Yeah I do, it's paid off every month. I think that one might be all auto -paid. **Williams:** So, where is the detail for what we paid for. **Thompson:** It would have been the month prior. I was trying to provide you the current statement. So, I'd have to get you, you know, they're always kind of behind. **Williams:** So, yes, we need to get caught up with that. Then we're still waiting on Amazon details. **Thompson:** Well, we are current with our payments. (inaudible). **Williams:** What we are asking for and have been asking for. Are the details from the credit card statements. That actually shows us what's being purchased for us to see a payment. We can see that in the other transaction histories, which is good. But we also would like to see them detailed. **Thompson:** Right. **Williams:** We are still waiting on Amazon's. We see where the credit card is being paid through Huntington. We do not see what purchases are being made through Amazon. That is what we need. **Nikolic:** Brian, really quickly, the historical summary of income tax collections. Which Council member requested that in what was the... **Thompson:** Yeah, Ms. Hardin, without knowing the change. I know we collected about \$7.9 million dollars last year. If you look at that exhibit, the big part, of course, with corporate taxes. Then you have your net profits, and then you had your individual. I think the individual comes in at about \$340,000 a year. So that graph is showing you all three. The blue is the company's withholding. Then you got the withholder individuals in the Village. Then the top part being that profit. We had about \$7.9 million dollars. If you look back at your December report you can see the total. **Nikolic:** Are there any other questions for the Finance Director? **Hardin:** Madam Chair, because of what I see we need, and we need it soon. The finance meeting usually starts at six. Maybe at some point in time we might want to consider having additional meetings. Until we get everything we need. **Thompson:** That's fine, just advise

when you want to do those meetings and I will be available. **Nikolic:** May I have a motion to adjourn?

Motion to adjourn made by Davis seconded by Warren

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

MOTION PASSED

Adjourned at 7:01p.m.

Approved _____

Tanya Joseph, Clerk of Council

Erica L. Nikolic, President of Council