

VILLAGE OF OAKWOOD  
WORK SESSION  
January 14<sup>th</sup>, 2025  
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-40(Amended) AN EMERGENCY ORDINANCE REAFFIRMING THE PROHIBITIONS AGAINST DISCHARGING, IGNITING OR EXPLODING FIREWORKS IN THE VILLAGE OF OAKWOOD AS SET FORTH IN CHAPTER 1519 OF THE CODIFIED ORDINANCES OF THE VILLAGE NOTWITHSTANDING THE PROVISIONS OF H.B. 172.**
- 2024-WS-43 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH CEP RENEWABLES OH, LLC FOR THE REDEVELOPMENT OF CERTAIN PROPERTY IN THE VILLAGE AS A SOLAR ENERGY PROJECT WITH ATTENDANT RECREATIONAL USES**
- 2024-WS-45 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRCT WITH CREtelligent AND DECLARING AN EMERGENCY**
- 2024-WS-48 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH LIBERTY FORD, INC., FOR THE PURCHASE OF A TRUCK AND CHASSIS AND DECLARING AN EMERGENCY**
- 2024-WS-49 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH ZORESCO EQUIPMENT COMPANY, INC., FOR THE PURCHASE OF A TRUCK UPFIT AND DECLARING AN EMERGENCY**
- 2024-WS-50 AN ORDINANCE REPEALING CHAPTER 149 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY**
- 2024-WS-51 AN EMERGENCY ORDINANCE ADOPTING AN AMENDED EMPLOYEE HANDBOOK FOR PERSONNEL OF THE VILLAGE OF OAKWOOD OTHER THAN FIRE AND NON-AUXILIARY POLICE**
- 2024-WS-52 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH A&S ANIMAL CONTROL AND DECLARING AN EMERGENCY**
- 2025-WS-01 A RESOLUTION DECLARING THE INTENT OF THE VILLAGE OF OAKWOOD, OHIO TO DISPOSE OF PERSONAL PROPERTY AS HAVING BECOME OBSOLETE, UNNECESSARY OR UNFIT FOR VILLAGE USE THROUGH INTERNET AUCTIONS DURING THE CALENDAR YEAR 2025 AND DECLARING AN EMERGENCY**
- 2025-WS-02 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A HEALTH INSURANCE CONTRACT RENEWING THE PRESENT ANTHEM BLUE CROSS/BLUE SHIELD HEALTH COVERAGE FOR ELIGIBLE OFFICALS AND EMPLOYEES OF THE VILLAGE AND DECLARING AN EMERGENCY**

2025-WS-03

**AN ORDINANCE FOR THE VILLAGE OF OAKWOOD SUPPORTING THE OHIO MUNICIPAL LEAGUE'S CHALLENGE OF AT&T's TARIFF APPLICATION AT THE PUBLIC UTILITIES COMMISSION OF OHIO.**

2025-WS-04

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT AND THE NORTHEAST OHIO REGIONAL SEWER DISTRICT TO PROVIDE U.S. EPA PHASE II STORM WATER SERVICES FOR THE 2025 CALENDAR YEAR, AND DECLARING AN EMERGENCY**

Municipal Complex	Hardin
Disaster Recovery Plan	Hardin
Human Resources	Hardin
Five Year Plan	Hardin
Requisition Approval Process	Nikolic
Recreation Budget & Events	Nikolic

5. Matters Deemed Appropriate
6. Adjournment

**VILLAGE OF OAKWOOD  
COUNCIL MEETING  
January 14<sup>th</sup>, 2025  
7:00 p.m.  
AGENDA**

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- 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/ Sam O’Leary
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. Hill	Building	Daniel Marinucci
		Engineer	Matt Jones
		Recreation	Carlean Perez

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- 4. Minutes-** March 28<sup>th</sup>, 2024, Special Meeting Minutes (tabled 11-26-24)  
April 9<sup>th</sup>, 2024, Finance Committee Meeting (tabled 12-10-24)  
October 8<sup>th</sup>, 2024, Work Session Minutes (tabled 10-22-24)  
October 8<sup>th</sup>, 2024, Council Meeting Minutes (tabled 10-22-24)  
December 10<sup>th</sup>, 2024, Tax Incentive Review Committee Minutes (tabled 12-30-24)

**5. Clerk Correspondence**

**6. Departmental Reports**

MAYOR-GARY GOTTSCHALK	FIRE-DAVE TAPP
LAW-JAMES CLIMER/ SAM O’LEARY	BUILDING-DANIEL MARINUCCI
FINANCE-BRIAN THOMPSON	0 HOUSING INSPECTOR N/A
SERVICE-TOM HABA	POLICE-MARK GARRATT
ENGINEER-MATT JONES	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**

**\*\* Proposed amendment to Resolution 2024-128 to be voted on by Council\*\***

**2024-128**

Introduced 10-22-24  
By the Mayor and  
Council as a whole  
1<sup>st</sup> read 10-22-24  
2<sup>nd</sup> read 11-4-24  
3<sup>rd</sup> read 11-26-24  
Tabled 11-26-24

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

**2024-129**

Introduced 10-22-24  
By the Mayor and  
Council as a whole  
1<sup>st</sup> read 10-22-24  
2<sup>nd</sup> read 11-4-24  
3<sup>rd</sup> read 11-26-24  
Tabled 11-26-24

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

**2024-137**

Introduced 12-28-24  
Council as a whole  
1<sup>st</sup> read 12-28-24  
2<sup>nd</sup> read 12-30-24  
3<sup>rd</sup> read 1-14-25

**AN ORDINANCE TO PREPARE FOR TRANSITIONS IN THE BUILDING DEPARTMENT  
OCCURRING AS OF JANUARY 1, 2025 AND REQUESTING THE MAYOR PROVIDE  
ADEQUATE NOTICE TO ALL BUILDING DEPARTMENT POSITIONS AND  
DECLARING AN EMERGENCY**

**Adjournment**

**AMENDED ORDINANCE NO. 2024-WS-40**

INTRODUCED BY COUNCIL WOMAN HARDIN

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

WHEREAS, the Governor, on November 8, 2021, signed House Bill 172, amending Ohio Revised Code 3743.45, effective July 1, 2022, allowing any person authorized to possess consumer grade fireworks to discharge, ignite or explode fireworks on their property or, if permitted, on another person's property on certain designated days of the year; and

WHEREAS, H.B. 172 also provides that, pursuant to home rule authority, a municipality may choose to restrict the days and times that a person may discharge, ignite, or explode consumer grade fireworks or may impose a complete ban on the use of consumer grade fireworks, and

WHEREAS, the Oakwood Police Department strongly recommends that the Council of the Village of Oakwood opt out of H.B. 172 and reaffirm the existing ban on discharging, igniting or exploding fireworks set forth in Chapter 1519 of the Codified Ordinances while making allowances for the celebration of our country's declaration of its independence; and

WHEREAS, this Council finds that the uncontrolled discharge of fireworks poses a significant danger to the public and may cause serious injuries as well as significant property damage and disturbance of the public peace, especially in densely populated residential and business areas; and

WHEREAS, this Council finds that continuing the prohibitions against discharging, igniting or exploding fireworks presently set forth in Chapter 1519 of the Codified Ordinances with limited exceptions for the celebration of our country's declaration of its independence to occur on the Fourth of July will best protect the public's right to the quiet enjoyment of their respective premises.

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

SECTION 1. That the Council of the Village of Oakwood expressly opts out of the provisions set forth in H.B. 172, and reaffirms the prohibitions against discharging, igniting or exploding fireworks as set forth in Chapter 1519 of the Codified Ordinances of the Village of Oakwood with an exception for the Fourth of July as provided hereinafter.

SECTION 2. That Oakwood Codified Ordinance 1518.05, which presently reads as follows:

• **1519.05 - Application.**

This chapter does not prohibit or apply to the following:

- (a) The manufacture, sale, possession, transportation, storage or use in emergency situations, of pyrotechnic signaling devices and distress signals for marine, aviation, or highway use;
- (b) The manufacture, sale, possession, transportation, storage, or use of fuses, torpedoes, or other signals necessary for the safe operation of railroads;
- (c) The manufacture, sale, possession, transportation, storage, or use of blank cartridges in

connection with theaters or shows, or in connection with athletics as signals or for ceremonial purposes;

(d) The manufacture for, the transportation, storage, possession or use by, or sale to the Armed Forces of the United States and the militia of this state of pyrotechnic devices;

(e) The manufacture, sale, possession, transportation, storage or use of toy pistols, toy canes, toy guns or other devices in which paper or plastic caps containing twenty-five hundredths grains or less of explosive material are used, provided that they are constructed so that a hand cannot come into contact with a cap when it is in place for explosion, or apply to the manufacture, sale, possession, transportation, storage or use of those caps;

(f) The manufacture, sale, possession, transportation, storage or use of novelties and trick noisemakers, auto burglar alarms or model rockets and model rocket motors designed, sold, and used for the purpose of propelling recoverable aero models;

(g) The manufacture, sale, possession, transportation, storage or use of wire sparklers.

(h) The conduct of radio-controlled special effect exhibitions that use an explosive black powder charge of not more than one-quarter pound per charge, and that are not connected in any manner to propellant charges, provided that the exhibition complies with all of following:

(1) No explosive aerial display is conducted in the exhibition;

(2) The exhibition is separated from spectators by not less than 200 feet;

(3) The person conducting the exhibition complies with regulations of the Bureau of Alcohol, Tobacco and Firearms of the United States Department of the Treasury and the United States Department of Transportation with respect to the storage and transport of the explosive black powder used in the exhibition. (ORC 3743.80)

be and hereby and hereby is amended to add the following subsection (i):

- (i) The possession of 1.4G consumer grade fireworks as defined in Ohio Revised Code Section 3743.01 during the period from June 15 through July 4 and the discharge, igniting or exploding of same on private property with the authorization of the property owner between the hours of 8:00 P.M. and 11:00 P.M. on July 4 provided said possession and use otherwise complies with the requirements of Ohio Revised Code Section 3743.45, regulations adopted pursuant to Ohio Revised Code Section 3743.45, other provisions of the Ohio Revised Code and the Oakwood Village Codified Ordinances.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions 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 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 provisions of H.B. 172 took effect on July 1, 2022 and, since that time, the Village has experienced an unacceptable increase in the usage of fireworks that has made it necessary to limit the possession and use of said fireworks so as to preserve the protections afforded the citizens of Oakwood by C.O. Ch. 1519, therefore, provided it receives two-thirds(2/3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

\_\_\_\_\_  
Erica Nikolic, Council President

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-43

INTRODUCED BY MAYOR

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

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

**WHEREAS**, Oakwood and CEP have agreed in principle to the terms of said Agreement as set forth in the document attached hereto and incorporated herein by reference and marked Exhibit 1.

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

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

**SECTION 2.** This Ordinance shall take effect from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_  
Erica Nikolic, President of Council

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

Presented to the  
Mayor \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor, Gary V. Gottschalk



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

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

**POSTING CERTIFICATE**

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

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_

## Exhibit 1

### DEVELOPMENT AGREEMENT

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

#### RECITALS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**VILLAGE:**

VILLAGE OF OAKWOOD, AN OHIO  
MUNICIPAL CORPORATION AND PO-  
LITICAL SUBDIVISION

\_\_\_\_\_  
By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

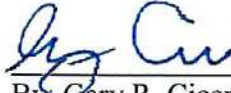
Approved as to legal form:

\_\_\_\_\_

Law Director/Assistant Law Director

**CEP:**

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



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By: Gary R. Cicero  
Managing Member

Date: September 4, 2024

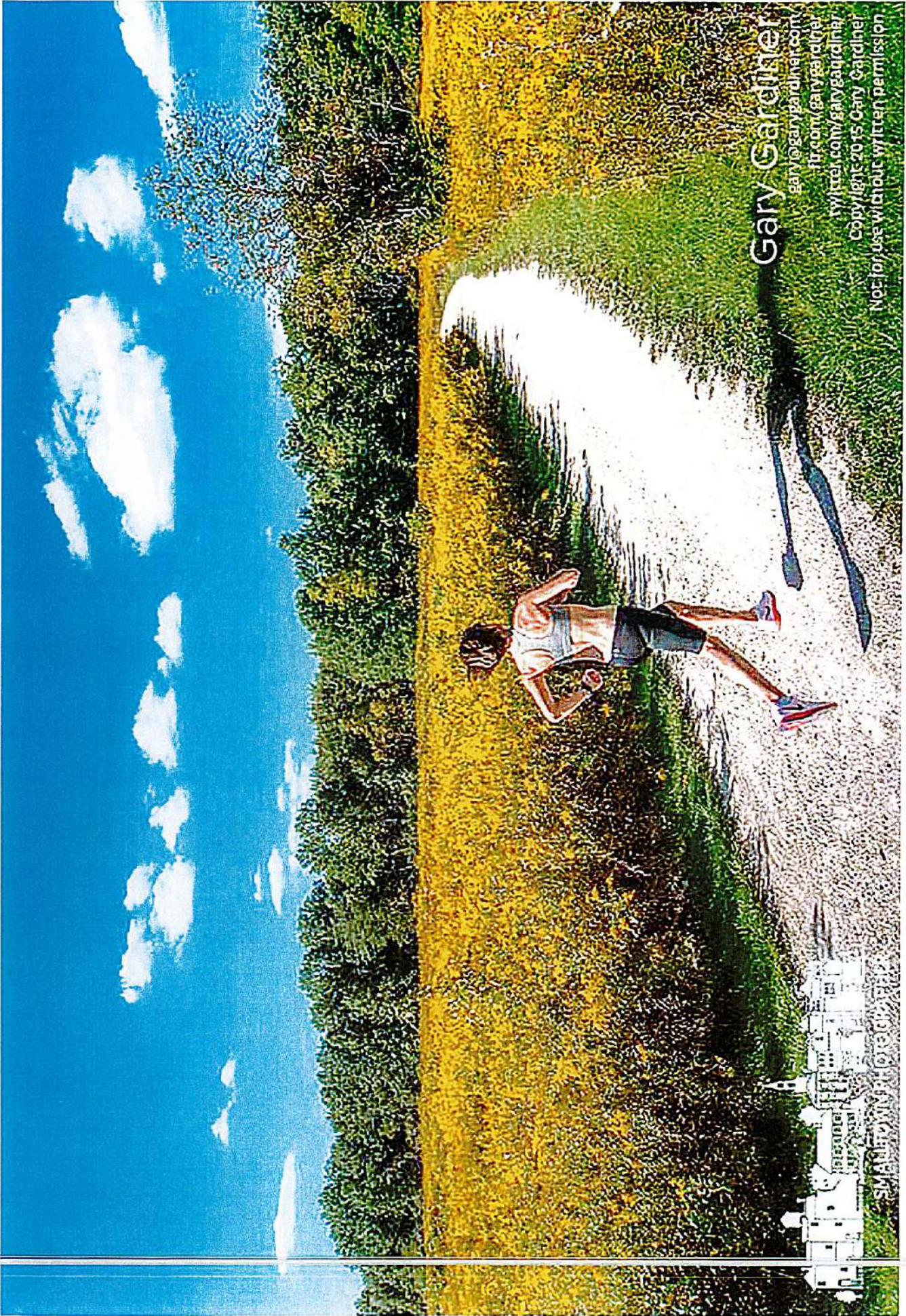
## Landscaped Recreation Trail for site of Seneca Engineering 26 Acre Solar Energy Project



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

Exhibit "A"





Gary Gardiner

[gary@garygardiner.com](mailto:gary@garygardiner.com)

[fr.com/garygardiner](http://fr.com/garygardiner)

[twitter.com/garygardiner](https://twitter.com/garygardiner)

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SMALLTOWNPHOTOGRAPHY



ORDINANCE NO. 2024-WS-45

INTRODUCED BY COUNCILPERSON NIKOLIC

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

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

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

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

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

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

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Erica Nikolic, President of Council

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

Presented to the  
Mayor \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor, Gary V. Gottschalk



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

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

**POSTING CERTIFICATE**

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

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_

## EXHIBIT A



2717 S. Arlington St., Suite C  
Akron, OH 44312  
[E.f.hamilton@cretelligent.com](mailto: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](mailto: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
<b>TOTAL ESTIMATED PROJECT COST</b>				<b>\$22,500.00</b>

This budget includes the following assumptions:

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

Oakwood Village  
January 8, 2024  
Page 4

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

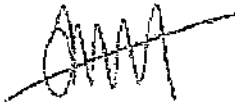
#### **SCHEDULE**

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

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

Regards,

CREtelligent



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

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

**Authorization to Proceed:**

Please sign below and include appropriate contact information.

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

**Billing Contact Information:**

Contact Name \_\_\_\_\_

Company Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

Proposal  
Preliminary Assessment  
Environmental Conditions  
Wright Ave, Oakwood Village

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
James A. Climer, Law Director

**CREtelligent**  
**General Conditions**

**1.0 BILLING**

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

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

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

**2.0 WARRANTY AND LIABILITY**

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

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

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

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

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

**3.0 GOVERNING LAW:**

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

**ORDINANCE NO. 2024-WS-48**

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH LIBERTY FORD, INC., FOR THE PURCHASE OF A TRUCK AND CHASSIS AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village Oakwood deems it advantageous to enter into a Purchase Agreement with Liberty Ford for a Ford F-550 4x4 Truck and Chassis for the Village of Oakwood's use; and,

**WHEREAS**, Oakwood and Liberty Ford 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 1.

**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 Purchase Agreement with Liberty Ford for one truck and chassis, a copy of which is attached hereto and expressly made a part hereof by reference and marked Exhibit 1.

**SECTION 2.** Council authorizes the expenditure of an amount not to exceed \$57,401.00 to effectuate the provisions contained in Section 1 hereof. The Director of Finance be and is hereby authorized and directed to issue payment for the purposes expressed in Section 1 hereof.

**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 a new truck and chassis is required equipment for the service department which helps provide for the safety of the citizens of Oakwood and it is necessary for the Village to place an order with Liberty Ford at the earliest possible time to expedite delivery of the vehicle to the extent possible, 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 in accordance with the Oakwood Village Charter.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_



LIBERTY FORD INC  
 5500 WARRENSVILLE CENTER ROAD  
 MAPLE HEIGHTS, OH 44137  
 TYLER GRIBBLE 216-438-7410 EXT 2446

GOVERNMENT  
 WORKSHEET

**EXHIBIT 1**

FORD FIN CODE: **QH160**

MODEL YEAR: **2024**

DESCRIPTION	MSRP	DESCRIPTION	MSRP
<b>F550 4X4 CHASSIS DRW</b>	\$57,250	SNOW PLOW PREP PACKAGE	\$250
145" WHEELBASE	\$0	40 GALLON AFT FUEL TANK	\$0
OXFORD WHITE	\$0	410 AMP ALTERNATOR	\$0
CLOTH 40/20/40 SEATS	\$100	EXTRA HEAVY DTY FRONT SUSPEN	\$115
MEDIUM DARK SLATE	\$0	FOG LAMPS/REMOTE START	\$0
EQUIPMENT PKG 660A	\$0	DUAL BATTERY	\$0
7.3L V8 GAS ENGINE	\$0	REAR VIEW CAMERA PREP KIT	\$415
10 SP AUTO TORQSHIFT	\$0	XL CHROME PACKAGE	\$225
225/70R19.5G MAX TRAC TIRES	\$215		\$0
4.88 LIMITED SLUP AXLE	\$395		\$0
PAYLOAD PACKAGE UPGRADE	\$815		\$0
PLATFORM RUNNING BOARDS	\$320		\$0
19000# GVWR	\$0		
50 STATE EMISSIONS	\$0		
120V/400W OUTLET	\$175		

DESTINATION & DELIVERY \$1,995

STATE CONTRACT #RSI018692	
BASE PRICE	\$54,489
BASE PRICE W/ OPTIONS/DELIVERY	\$57,447
TOTAL PRICE W/ CUSTOMER UPFIT	\$57,447

TOTAL MSRP	\$62,270
GOVERNMENT FLEET DISCOUNT	(\$600)
LIBERTY FORD DISCOUNT	(\$4,269)
FREE DELIVERY	

**\*\*UNIT COST\*\* \$57,401**

VIN 1FDUF5HN6RDA19795

STK# TD20489

**ADDITIONAL OPTIONS AVAILABLE:**

SWITCH TO DIESEL ENGINE

	PLEASE ✓
\$10,995	<input type="checkbox"/>
\$0	<input type="checkbox"/>
\$0	<input type="checkbox"/>
\$0	<input type="checkbox"/>
\$0	<input type="checkbox"/>
\$0	<input type="checkbox"/>

	PLEASE ✓
\$0	<input type="checkbox"/>
\$0	<input type="checkbox"/>
\$0	<input type="checkbox"/>
\$0	<input type="checkbox"/>
\$0	<input type="checkbox"/>

**\*\*QUOTE WILL REVISED AND RESENT WITH ANY ADDITIONAL OPTIONS SELECTED\*\***

**QUOTE MADE FOR:**

VILLAGE OF OAKWOOD  
 24800 BROADWAY AVE  
 OAKWOOD VILLAGE, OH 44146  
 CORY CRAIG. 440-232-6957

[CCRAIG@OAKWOODVILLAGEOH.COM](mailto:CCRAIG@OAKWOODVILLAGEOH.COM)

X

**PLEASE SIGN AND RETURN IF APPROVED**

**ORDINANCE NO. 2024-WS-49**

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH ZORESCO EQUIPMENT COMPANY, INC., FOR THE PURCHASE OF A TRUCK UPFIT AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village Oakwood finds it necessary to enter into a contract for an upfit for a Ford F-550 truck and chassis for the Village of Oakwood's use; and,

**WHEREAS**, Oakwood and Zoresco 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 1.

**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 Purchase Agreement with Zoresco for an upfit for a Ford F-550 truck and chassis, a copy of which is attached hereto and expressly made a part hereof by reference and marked Exhibit 1.

**SECTION 2.** Council authorizes the expenditure of an amount not to exceed \$45,350.00 to effectuate the provisions contained in Section 1 hereof. The Director of Finance be and is hereby authorized and directed to issue payment for the purposes expressed in Section 1 hereof.

**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 upfit for the Ford F-550 truck and chassis is required equipment for the service department, which helps provide for the safety of the citizens of Oakwood, and it is necessary for the Village to place an order with Zoresco at the earliest possible time to expedite the upfit to the extent possible, 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 in accordance with the Oakwood Village Charter.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_



Equipment Company  
[www.zoresco.com](http://www.zoresco.com)

REMIT TO: CORPORATE OFFICE PITTSBURGH  
 1241 Lower Rodi Road, Turtle Creek, PA 15145; Phone (412) 829-2120; FAX (412) 829-7286  
 EIN# 25-1342527

PITTSBURGH NORTH: Cranberry Township, PA; Phone (724) 935-6700; EIN# 25-1551820  
 ALTOONA: Zoresco Storage Solutions, Altoona, PA; Phone (814) 941-9922; EIN# 25-1854944  
 CLEVELAND: Oakwood Villiage, OH; Phone (440) 359-1010; EIN# 25-1884535  
 CINCINNATI: Monroe, OH; Phone (513) 360-2929; EIN# 25-1551820

# EXHIBIT 1

QUOTE #: 2024501920

TERMS: COD

PAGE #: 1

QUOTE DATE: 10/15/24

YEAR: 2024

ENGINE: 7.3L GAS

BILL TO: VILLAGE OF OAKWOOD

MAKE: FORD

TRANS: AUTO

END USER: VILLAGE OF OAKWOOD

MODEL: F-550

CA/WB: 60" CA

SALESPERSON: MNM

COLOR: WHITE

P&D: CUSTOMER

Furnish and install:

Rugby stainless steel Z-spec dump body, model SS2000, with the following:

- \* 9'7" dump body length / 96" overall dump body width
- \* 17" side height / 23" tailgate height
- \* 3/4 cab protector with screened window
- \* Dirt shedder sloping bottom rails
- \* Fully boxed top rail with two vertical side braces per side
- \* 10-gauge stainless steel double wall sides, and ends
- \* 3/16" AR400 crossmemberless steel floor
- \* Natural stainless steel finish
- \* 5" formed channel long sills
- \* EZ-latch tailgate hardware [stainless steel]
- \* Three panel tailgate
- \* S/T/T lights in rear posts and front marker lights
- \* Full height board gussets and tailboard gusset
- \* Mudflaps and steel splash shields [powder coated black]
- \* ICC bumper
- \* Backup alarm

Rugby SR4016 double acting hoist: less hydraulics

PTO central hydraulics to operate: hoist and spreader:

- \* Electronic dump hoist control with hoist safety interlock system
- \* Electronic spreader controls for auger/conveyor & spinner functions
  - Garmin GPS for proportional ground speed control
  - Automatically switches between manual & auto modes for uninterrupted spreading
  - Has functions for pre-wet system [pre-wet system not included in price]
- \* 304 stainless steel 15-gallon reservoir and valve enclosure
- \* Integrated valves mounted on the tank
- \* In-tank return filter assembly for oil refinement
- \* Shielded sight temperature gauge
- \* No hydraulic lines run into the cab

Plate hitch with d-rings

- \* Plate hitch rated at 20,000 lbs. M.G.T.W.
- \* Dual purpose pintle hook with 2-5/16" ball (20,000 lb. M.G.T.W.)

\*\*\* CONTINUED NEXT PAGE \*\*\*



Equipment Company  
[www.zoresco.com](http://www.zoresco.com)

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QUOTE #: 2024501920

TERMS: COD

PAGE #: 2

QUOTE DATE: 10/15/24	YEAR: 2024	ENGINE: 7.3L GAS
BILL TO: VILLAGE OF OAKWOOD	MAKE: FORD	TRANS: AUTO
END USER: VILLAGE OF OAKWOOD	MODEL: F-550	CA/WB: 60" CA
SALESPERSON: MNM	COLOR: WHITE	P&D: CUSTOMER

7-way spade trailer plug

Buyers stainless steel tailgate spreader, model 92420SS, with the following:

- \* 96" trough
- \* 304 stainless steel construction
- \* Hinged cover plate and bottom opening gate
- \* Quick detaching hardware
- \* Anti-flow plates [bolted on]
- \* Hydraulic motors to drive the spinner and auger
- \* Direct drive [not a chain drive]
- \* Spinner assembly with 18" polyurethane spinner disc

LED spreader work light with switch in cab

- \* Installed on streetside rear of vehicle
- \* Wired to OEM upfitter switch [if available]

3 light LED identification bar

- \* Installed on spreader and wired into truck parking lights

Western Pro Plus steel snowplow with the following:

- \* 9.0' blade width / 31.5" blade height
- \* 12-gauge steel blade
- \* Four [4] trip springs and two [2] shock absorbers
- \* Eight [8] vertical ribs
- \* Cast iron disc shoes
- \* Blade guides
- \* Steel cutting edge
- \* Ultra-mount mounting system
- \* Electric/hydraulic power unit
- \* Hand-held cab command control
- \* Nighthawk auxiliary halogen plow lights

Ecco amber strobe light mounted on cab protector

- \* Light will be centered on cab protector unless otherwise specified
- \* Strobe operated by OEM upfitter switch

Self-leveling bracket for strobe light

\*\*\* CONTINUED NEXT PAGE \*\*\*





Equipment Company  
[www.zoresco.com](http://www.zoresco.com)

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 1241 Lower Rodi Road, Turtle Creek, PA 15145; Phone (412) 829-2120; FAX (412) 829-7286  
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QUOTE #: 2024501920

TERMS: COD

PAGE #: 3

QUOTE DATE: 10/15/24	YEAR: 2024	ENGINE: 7.3L GAS
BILL TO: VILLAGE OF OAKWOOD	MAKE: FORD	TRANS: AUTO
END USER: VILLAGE OF OAKWOOD	MODEL: F-550	CA/WB: 60" CA
SALESPERSON: MNM	COLOR: WHITE	P&D: CUSTOMER

Ecco 6-corner strobe system, model ED3511A:

- \* [2] strobes installed on rear posts
  - One each side below S/T/T lights
- \* [2] strobes installed on front face of cab protector
  - One each side as wide as possible
- \* [2] strobes installed on each side of cab protector
  
- \* Strobe lights wired through factory OEM upfitter switch

\*\*\*\*\*  
 INDIVIDUAL PRICED ITEMS ARE BASED ON ALL ITEMS BEING EQUIPPED ON UNIT AT THIS TIME. ITEMS NOT PURCHASED NOW, BUT ADDED AT LATER DATE MAY NOT BE AT THE PRICE INDICATED IN THIS QUOTE DUE TO MANUFACTURING AND/OR INSTALLATION PROCESSES. PLEASE REVIEW THE ABOVE INFORMATION COMPLETELY. THESE SPECIFICATIONS AS SHOWN CONSTITUTE AN ORDER AND ANY CHANGES MUST BE MADE IN WRITING. IF THERE ARE NO QUESTIONS, PLEASE SIGN AND RETURN. WE MUST BE IN RECEIPT OF A SIGNED COPY PRIOR TO PROCESSING YOUR ORDER.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_ PO#: \_\_\_\_\_ DEALER CODE: \_\_\_\_\_

ZORESCO SHALL NOT BE LIABLE FOR FAILURE TO PERFORM OR FOR ANY DELAY IN PERFORMANCE DUE TO ANY ACTS OF GOD, STRIKE OR OTHER LABOR DIFFICULTY, ACT OF ANY GOVERNMENTAL AUTHORITY OR OF THE PURCHASER, FUEL SHORTAGE, WRECKS OR DELAYS IN TRANSPORTATION, INABILITY TO OBTAIN NECESSARY LABOR, MATERIAL OR MANUFACTURING FACILITIES FROM USUAL SOURCES OR FAILURE OF SUPPLIERS TO MEET THEIR CONTRACTUAL OBLIGATIONS OR DUE TO ANY CAUSE BEYOND ITS REASONABLE CONTROL. IF ANY SUCH EVENTS OCCUR, ZORESCO MAY EXTEND DELIVERY DATES BY A PERIOD OF TIME NECESSARY TO OVERCOME THE EFFECTS OF SUCH DELAY, ALLOCATE AVAILABLE PRODUCTS, OR CANCEL PURCHASE ORDERS. DUE TO FLUCTUATIONS IN MATERIAL COSTS AND AVAILABILITY, QUOTES PUBLISHED BY ZORESCO WILL BE HONORED FOR NO MORE THAN 30 DAYS FROM THE DATE OF ISSUE.

BASE PRICE	45,350.00
SALES TAX	0.00
TOTAL	45,350.00

**ORDINANCE NO. 2024-WS-50**

INTRODUCED BY COUNCIL AS A WHOLE

**AN ORDINANCE REPEALING CHAPTER 149 OF THE CODIFIED  
ORDINANCES OF THE VILLAGE OF OAKWOOD AND DECLARING  
AN EMERGENCY**

**WHEREAS**, Council worked with the Law Director to create a comprehensive Employee Handbook setting forth the policies, procedures, and directives that set forth protocols, minimum standards, and best practices regarding employment with the Village; and,

**WHEREAS**, Council has determined that the existing Chapter 149 of the Codified Ordinances of the Village of Oakwood is rendered superfluous and redundant by virtue of the adoption of the Employee Handbook; and

**WHEREAS**, to eliminate confusion, redundancy, or contradiction that could occur should both Chapter 149 of the Codified Ordinances of the Village of Oakwood and the Employee Handbook remain in effect simultaneously, Council has determined that Chapter 149 of the Codified Ordinances of the Village of Oakwood be repealed.

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

**SECTION 1.** Chapter 149 of the Codified Ordinances be repealed, in its entirety:

~~149.01 Physical exam following conditional offer of employment. —~~

~~At the time the Village grants full time employment to any individual, the offer of employment shall be conditional. In addition to any other conditions which may be imposed upon the offer of employment, the offer of employment shall be conditioned upon the successful completion of a medical exam which shall ascertain the individual's ability to perform the duties of the job for which employment has been conditionally offered. As part of such exam the individual must pass a drug and alcohol screen. In the event the individual successfully passes this physical exam and is determined to be capable of performing the duties of the job for which employment has been sought, the offer of employment shall become unconditional upon the satisfaction of any other condition imposed by the Village. At such time, the employee shall commence his or her probationary period as provided in Section 149.06 herein.~~

~~(Ord. No. 2005-34, 6-14-2005)~~

~~149.02 Physical examination subsequent to use of extended sick leave. —~~

~~After use of sick leave by an employee for five or more consecutive work days due to injury, the Mayor may require the employee to take an examination, conducted by a physician, or if deemed necessary by the physician, a psychologist, selected and paid for by the Village, prior to that employee assuming his regularly assigned duties. Upon request of the Mayor or head of the department, any employee absent two days or more due to illness shall provide a statement in writing by a doctor as to the reasons for absence.~~

~~(Ord. No. 2005-34, 6-14-2005)~~



~~149.03—Annual physical examinations for police officers.—~~

~~As a condition of their continued employment as a police officer within the Village, all police officers shall submit to a medical examination, and psychological examination, if deemed necessary by the physician, on an annual basis, conducted by a physician selected by the Village and at the expense of the Village.~~

~~(Ord. No. 2005-34, 6-14-2005)~~

~~149.04—Disciplinary procedure.—~~

~~(a) No form of disciplinary action will be taken against any full-time, non-probationary employee except for just cause. Except in instances where the employee is found guilty of gross misconduct, discipline shall be applied in a corrective, progressive and uniform manner. Progressive discipline shall take into account the nature of the violation, the employee's record of discipline, and record of conduct. (b) Whenever the Mayor determines that a full-time probationary employee is to be suspended, reduced in pay, reduced in rank, or terminated for disciplinary reasons, the Mayor shall notify the employee in writing of the exact charges and the form of discipline that is contemplated. The employee shall be further advised in that written notice of the date, time and location of a pre-disciplinary conference that shall be conducted by the Mayor or his designee. In cases of gross misconduct, the Mayor may immediately suspend the employee with pay pending the pre-disciplinary conference. (c) Such notice of charges and the pre-disciplinary conference shall be given to the employee at least 72 hours prior to the time of the conference. During the conference, the employee shall have the opportunity to offer an explanation for the alleged conduct and to respond orally to the charges prior to discipline being imposed. The employee may be accompanied by a representative of his choice at the employee's sole costs. (d) Within five calendar days after the hearing, the Mayor shall provide the employee with a written statement affirming or dis-affirming the charges against that employee and the nature of the disciplinary action. (e) Prior to the scheduled time of the pre-disciplinary conference, the employee may waive his/her right to such a conference by signing a "Waiver of Pre-Disciplinary Conference" form.~~

~~(Ord. No. 2005-34, 6-14-2005)~~

~~149.05—Appeal to Council.—~~

~~(a) Any regular, full-time, non-probationary employee of the Village who receives an order of suspension, reduction in rank, non-lateral transfer or dismissal for any reason, economic or disciplinary, subsequent to the pre-disciplinary conference, if applicable, or subsequent to his/her waiver of such conference, may appeal that order to Council by filing a written notice of appeal and request for hearing within five days of the receipt of the disciplinary order. The notice of appeal and request for hearing shall be filed with the Clerk of Council at the Village Hall, and the Mayor shall be served with a copy. The President of Council shall schedule a hearing within 30 days of the receipt of the employee's notice of appeal. The Clerk of Council shall provide the employee with written notice of the date, time and location of the hearing by certified mail to the employee's last known address, or by personal delivery to that employee. That notice shall be provided to the employee as soon as practical after the President of Council has set the hearing. The date of the hearing may be continued only by mutual agreement of the President of Council and the employee. (b) Council may reject and declare any appeal, if prior to its commencement, the Mayor establishes to Council's satisfaction that the dismissal, reduction in rank, or non-lateral transfer was economically related to the protection of the Village's finances. This determination will be made by Council exclusively. (c) The President of Council shall preside over the hearing on all matters and rule on all motions and objections made by the parties, subject to reversal by a~~

majority vote of all Council members present. The President of Council may also set reasonable time limitations on the presentation of each party. (d) The presentations of the parties shall begin with a brief opening statement of the Mayor or his representative, followed by the opening statement of the employee or his representative. Thereafter, the mayor shall present testimony and evidence relevant to the disciplinary action taken against the employee. At the close of the Mayor's presentation, the employee shall have a right to present testimony and evidence relevant to that employee's appeal of the disciplinary action. (e) Each party shall have the right to call and examine witnesses to testify in their behalf, and those witnesses shall be subject to cross-examination by the other party. (f) The Council Clerk shall receive all evidence admitted into the record at the time of the hearing, and preserve and keep such evidence for at least 45 days subsequent to the date of the hearing. Thereafter, all evidence shall be returned by the Clerk of Council to the respective parties who submitted that evidence, unless further litigation or appeals are instituted.

Subsequent to the close of the employee's presentation, the Mayor or his representative may present closing argument. Thereafter, the employee or his/her representative may present closing argument. Thereafter, the employee or his/her representative may present rebuttal closing argument.

(g) Subsequent to closing arguments, Council may adjourn to executive session, upon proper motion being made, for the purpose of deliberation of a personnel matter. Thereafter, Council shall, in open session, and upon proper motion being made, vote to reverse the decision of the Mayor, affirm the decision of the Mayor in its entirety, or affirm the decision of the Mayor to discipline the employee but amend the nature of the disciplinary action. The motion shall be carried by a majority vote of all Council members present. In the event of a tie vote, the decision of the Mayor shall be construed as being affirmed.

(Ord. No. 2005-34, 6-14-2005)

#### 149.06 Probationary period.

All appointments made to the position of full time employee shall be for a probationary period of 90 days continuous service, and no appointment shall become final until the employee has satisfactorily served the probationary period. Before the expiration of such period, the Mayor shall evaluate the services and record of the employee and thereafter determine whether the employee has satisfactorily served the probationary period and is efficient, courteous and competent. The probationary period set forth in this section is not applicable to patrolmen or firemen.

(Ord. No. 2005-34, 6-14-2005)

#### 149.07 Employee residency requirements.

(a) All full-time and part-time employees of the Village hired on or after the first day of March, 1992, shall reside within the Village during their tenure of employment. This section shall not apply to the Director of Law or the Village Engineer or their assistants. (b) Council may grant the Mayor permission to hire non-resident employees only after it is shown that the best efforts of the Mayor did not result in qualified applicants for the position from among Village residents, including advertisement throughout the Village, and the Mayor providing Council copies of resumes of disqualified residents. For the purpose of this section, "residence" means the place where the individual has the qualifications of an elector and maintains his/her domicile. (c) Council hereby and herein clarifies that subsection (a) and (b) hereof does not in fact repeal any and all prior residency requirements which may have been in effect at any time prior hereto, including but not limited to Ordinance No. 1980-71, or any other ordinance adopted relative to a ten-mile residency radius requirement.

~~(Ord. No. 2005 34, 6-14-2005)~~

~~149.08 Use of Village vehicles.—~~

~~(a) All Village vehicles assigned for exclusive individual use by any Village employee, excluding the Mayor and Police Chief, shall be designated clearly as Village of Oakwood property, by reason of the Village emblem or decals, permanently located on both sides of said vehicles. It shall be the obligation of the Service Director to arrange for the placement of Village emblems or decals on all Village vehicles within 30 days of the receipt of such vehicle or the inter departmental transfer of such vehicle. (b) The Mayor and Director of Finance shall require compliance with the Internal Revenue Service rules and regulations relative to vehicles provided by an employer to its employees as set forth in all Internal Revenue Service publications, rules and regulations, including but not limited to Publication 917, and including but not limited to the requirement that personal use of the vehicles be reported and documented for evaluation for income tax purposes. (c) The Mayor and any other Village employee to whom a Village owned or leased automobile has been issued is hereby authorized and directed to apply for registration of such vehicle under the provisions contained in Ohio R.C. 4503.16 upon the expiration of the vehicle's current registration. This subsection shall not apply to police vehicles used in undercover operations as the same may be approved by Council.~~

~~(Ord. No. 2005 34, 6-14-2005)~~

~~149.09 Employee Handbook.—~~

~~Council hereby adopts the Employee Handbooks for the Police and Fire Departments and for Administrative personnel, copies of which are included in Exhibit "A", attached to Ordinance 1997-06 and expressly made a part hereof by reference.~~

~~(Ord. No. 2005 34, 6-14-2005)~~

~~149.10 Exempted from overtime.—~~

~~The following positions are hereby declared to be executive or management positions and the persons employed therein shall not be entitled to overtime pay, but shall be entitled to all other benefits accorded full time employees of this Municipality:~~

~~Police Chief~~

~~Fire Chief~~

~~Director of Finance~~

~~Assistant Director of Finance~~

~~Director of Public Service~~

~~Clerk of Mayor's Court~~

~~Building Inspector~~

~~(Ord. No. 2005 34, 6-14-05)~~

~~149.11 Longevity.—~~

~~(a) Effective with the first pay in 1996, all full-time employees of the Village, except for Full Time Police Patrol Officers and Police Sergeants shall receive annual longevity payments after completion of the required length of continuous full-time service with the Village on their anniversary date of hire, pursuant to the following schedule:~~

~~After completion of:~~

~~5 years of continuous service \$ 350.00  
10 years of continuous service — 1,000.00  
15 years of continuous service — 1,675.00  
20 years of continuous service — 2,350.00~~

~~(b) Longevity payments shall be divided by the number of pay periods in the then current calendar year and included in the employee's regular payroll check. (c) Part-time employees of the Village who subsequently become full-time employees shall be credited for each year of continuous part-time service in determining said employee's longevity benefit as a full-time employee in accordance with the following: For each year a part-time employee of the Village averaged at least 20 hours of work per week, six months of continuous service shall be credited to said employee in calculating said employee's longevity benefit as a full-time employee. For each year a part-time Village employee averaged less than 20 hours of work per week, four months of continuous service shall be credited to said employee in calculating said employee's longevity benefit as a full-time employee. (d) Part-Time members of the Fire Department, who have at least five years of continuous service with the Village of Oakwood Fire Department, shall be entitled to an annual longevity benefit to be calculated as follows:~~

~~Gross amount of pay received~~

~~The year immediately preceding year longevity benefit is to be paid — Times two percent =  
Amount of longevity benefit for succeeding year~~

~~The method of payment of this longevity benefit shall be at the discretion of the Finance Director.~~

~~Part-Time members of the Fire Department, who have at least ten years of continuous service with the Village of Oakwood Fire Department, shall be entitled to an annual longevity benefit to be calculated as follows:~~

~~Gross amount of pay received~~

~~The year immediately preceding year longevity benefit is to be paid — Times 3.5 percent =  
Amount of longevity benefit for succeeding year~~

~~The method of payment of this longevity benefit shall be at the discretion of the Finance Director.~~

~~(Ord. No. 2005-34, 6-14-2005)~~

~~149.12 Bereavement leave.~~

~~(a) Employees of the Village may be entitled to bereavement leave due to a death in the employee's immediate family, as that term is defined in Subsection (c) hereof, as provided in this section. All non-probationary, regular full-time employees of the Village shall be entitled to up to three days of paid bereavement leave. All regular part-time employees who work less than 40 hours per week but more than 20 hours per week, shall be entitled, after their first 90 days of continuous service~~

with the Village, to up to two days of paid bereavement leave. All other employees of the Village are entitled to up to three days of unpaid bereavement leave. Employees may, at their Department Head's approval, use any available paid leave for additional time off as is necessary. Additional unpaid time off may be granted by the Mayor in special circumstances. (b) All paid bereavement leave shall be calculated on the base pay rate of the affected employee at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. (c) Employees who wish to take time off due to the death of an immediate family member should notify their Department Head immediately. Approval of bereavement leave shall be given in the absence of unusual operating requirements of the Village. (d) In the event that the deceased was an employee of Oakwood Village (present or former), or a member of a current employee's immediate family, authorization may be given to co-workers to attend the bereavement services if that service is scheduled during normal work hours. Authorization for up to four hours of paid leave will be freely granted, provided that staffing concerns or business requirements do not require that the employee's request be denied. All requests are to be submitted to the Mayor in writing, at least one day in advance of the bereavement services. (e) The term "immediate family" shall be defined as the employee's spouse, parent or legal guardian, child, sibling, grandparent, grandchild, spouse's parent or legal guardian, spouse's sibling, or spouse's child. (Ord. No. 2005-34, 6-14-2005)

#### 149.13 ~~VACATIONS.~~

(a) All full-time employees of the Village shall receive the following paid vacation allowance:

Years of Continuous Service    Vacation Allowance

Less than one year    0

After one year    Two weeks per year

After six years    Three weeks per year

After ten years    Four weeks per year

After 16 years    Five weeks per year

After 21 years    Six weeks per year

(b) The compensation to be paid for such vacation benefit shall be the hourly rate in effect on the date of such vacation, exclusive of time over 40 hours per week, during the calendar year in which such vacation shall have been earned. The compensation to be paid for such vacation benefit for salaried employees shall be the proportional share of their yearly salary. (c) The vacation benefit shall not apply or accrue for part-time employees. The vacation benefit shall not apply or accrue for employees of the Department of Law and the Department of Engineering. (d) The anniversary date of hire of each full-time or part-time employee who become full-time employees of the Village shall be the basis for computing vacation time. All vacation time earned shall be used prior to such employee's next following anniversary date, and such vacation time shall not be cumulative nor shall compensation be paid in lieu thereof. In exceptional circumstances an employee may carry forward a vacation allowance not to exceed one week of vacation benefit into his or her next benefit year or may be paid in lieu of vacation benefit in an amount not to exceed one week of vacation benefit. In either event, an employee must secure the written permission of his or her Department Head and the Mayor to avail himself or herself of this provision. (e) All vacation days must be scheduled and approved by the responsible Department Head in advance.

(Ord. No. 2006-50, 10-10-2006)

#### 149.14 ~~Holidays; personal days.~~

All full time employees of the Village shall receive ten paid holidays per year, consisting of the following: ~~New Year's Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve and Christmas Day.~~ In addition to the ten paid holidays, each full time employee of the Village shall receive three personal days. The three personal days shall be at the employee's convenience with the Department Head's approval. Compensation for each paid holiday shall be computed on the basis of an eight-hour day. All regular part-time employees of the Village who work a minimum average of 20 hours per week shall receive seven paid holidays per year. Compensation for such paid holidays shall be computed on the average daily hours worked during the preceding 12 month period by each respective employee. These holidays shall be ~~New Year's Eve, New Year's Day, Martin Luther King, Jr. Day, Independence Day, Thanksgiving Day, Christmas Eve and Christmas Day.~~ No employee shall be entitled to a paid holiday until said employee has completed six months of regular employment. No employee shall be compensated for holiday pay unless he or she works his or her regularly scheduled work day next preceding and next following the holiday.

(Ord. No. ~~2006-50, 10-10-2006~~)

~~149.15 Uniform and clothing allowance.—~~

(a) ~~An annual clothing and uniform allowance shall be provided to the following employees in the amounts specified: (1) Members of the Fire Department .....\$300.00/year (2) Fire Chief .....750.00/year (3) Assistant Fire Chief .....450.00/year (4) Auxiliary Police Officers .....225.00/year (5) Full time members of the Service Department .....375.00/year (6) Full time dispatchers .....300.00/year (7) Part time dispatchers .....225.00/year~~ (b) ~~An account shall be established for each employee specified in Subsection (a) above. The Village shall annually allocate the specified amount to each account for the purchase of authorized clothing and equipment. Such purchases from these accounts shall be made only with the approval of the employee's Department Head or supervisor and in accordance with the purchasing procedures of the Village. The balance remaining in each such account at the end of each calendar year may not be carried forward from year to year.~~

(Ord. No. ~~2006-50, 10-10-2006~~)

~~149.16 Service Department personnel; overtime calculations; compensatory time off; other provisions.—~~

(a) ~~For the purposes of calculating the number of hours worked in determining overtime compensation for full-time members of the Service Department, hours worked include holiday leave, but does not include vacation leave, sick leave, compensatory time off, bereavement leave or personal leave.~~ (b) ~~As agreed between the Village of Oakwood and all full time members of the Service Department, at the option of a full-time Service Department employee, compensatory time off may be accumulated in lieu of paid overtime. Compensatory time off shall be accrued at the rate of one and one half hours for each hour of overtime worked and the maximum amount of accumulated compensatory time off shall not exceed 40 hours at any time. Accumulated but unused compensatory time off will be paid to the employee at the time of separation from the Village and shall be paid to the employee at the employee's current rate of pay. Compensatory time off will be granted with the approval of the Service Director in increments of not less than one hour. Compensatory time accumulation and use will be subject to the regulations contained in the Fair Labor Standards Act.~~ (c) ~~Service Department personnel shall be paid for all hours worked, with a minimum of two hours pay at their regular hourly rate, when called in on an emergency.~~ (d) ~~All Service Department workers who perform work for the Village during the second or third shifts shall be paid an additional \$0.25 per hour for all hours worked during such shift. This extra \$0.25~~

shall be added to the worker's base pay in effect at the time the work is performed. This premium pay shall be effective only during the period November 15 through April 15 of each year.  
(Ord. No. 2005-34, 6-14-2005)

~~149.17 Safety Department personnel; additional provisions. —~~

~~(a) Part-Time Dispatchers, after their first 90 days of service, shall be entitled to receive one and one half times their regular rate of pay for all hours worked on a recognized, regularly scheduled holiday. (b) Fire Department personnel shall be paid an extra two hours of pay at their regular hourly rate for every six hours of shift work on recognized holidays. Any Firefighter below the rank of Lieutenant shall receive an additional \$0.50 per hour for all hours worked while performing the function of the Officer In Charge.~~

~~(Ord. No. 2005-34, 6-14-2005)~~

~~149.18 Expenses. —~~

~~Any full-time, part-time and special employee who is required to use a personal vehicle in the performance of such employee's municipal duties, other than transportation to and from the employee's place of work, shall be reimbursed therefor at the rate of \$0.32 per mile, or the rate as the same may be adjusted by the Internal Revenue Service from time to time, upon submission to the Finance Director of a record indicating the date, time and purpose of such use and the number of miles driven. Any employee who, with the prior approval of their department head, is required to be beyond the limits of this Municipality in the performance of their municipal duties, or to receive training therefor, shall be reimbursed for the cost of their overnight accommodation and necessary meals consistent with reasonable rates prevailing, as approved by the responsible department head and Mayor.~~

~~(Ord. No. 2005-34, 6-14-2005)~~

~~149.19 Sick leave. —~~

~~(a) Each full-time employee of the Municipality shall be entitled to sick leave, with pay, as hereinafter provided. Sick leave shall be accrued at the rate of one and one fourth days for each month of full-time service with the Municipality with a maximum accumulation of 120 days. No accumulation of sick leave shall occur during the time period an employee is absent from work for any reason other than vacation leave. (b) All full-time employees shall be entitled to utilize three days of their accumulated sick leave for the death of the employee's spouse, child, mother, father, grandmother, grandfather, brother, sister, mother-in-law, or father-in-law. (c) Sick leave shall be applied upon the approval of the responsible Department Head against absence due to illness or injury to the employee. (d) Upon request of the Mayor or Department Head, any employee absent due to illness or injury shall provide a written statement by a doctor as to the medical reasons for the absence. (e) A full-time employee who retires from the Municipality who has served a minimum of ten years and is a member of the Police and Fire Disability Pension Fund or PERS may obtain compensation at the rate of pay being earned at the time of retirement for unused sick days at the ratio of one day for every three days not used, up to 120 days total accumulation.~~

~~(Ord. No. 2006-50, 10-10-2006)~~

~~149.20 Technology use policy. —~~

~~Editor's note — Pursuant to Resolution 2008-47, passed October 16, 2008, the Village has enacted a Technology Use Policy. Copies are on file at the Village Hall.~~

**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 it is incumbent that employees of the Village have clear guidance and direction as to the policies, procedures, and directives governing their employment, therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_  
Erica Nikolic, President of Council

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

Presented to the  
Mayor \_\_\_\_\_

Approved:  
\_\_\_\_\_  
Mayor, Gary V. Gottschalk

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

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

**POSTING CERTIFICATE**

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

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_



**AMENDED ORDINANCE NO. 2024-WS-51**

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN EMERGENCY ORDINANCE ADOPTING AN AMENDED 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;

**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 amended Employee Handbook substantially in 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 handbook 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 their handbook 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 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 - 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-52**

INTROUDCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH A&S ANIMAL CONTROL AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village of Oakwood and A&S Animal Control deem it advantageous to continue their contract for the year 2025; and,

**WHEREAS**, the Village of Oakwood and A&S Animal Control agreed to the terms of the new contract as set for in the document attached hereto and incorporated herein by reference and marked as "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 an agreement with A&S Animal Control, a copy which is attached hereto and expressly made a part hereof by reference and marked Exhibit "A".

**SECTION 2.** The Finance Director is authorized and directed to make payment pursuant to Section 1.

**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 continuation of the contract with A&S Animal Control is of paramount importance to the citizens of the Village of Oakwood to ensure the continued and uninterrupted availability of animal control services for 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 in accordance with the Oakwood Village Charter.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_

# A & S Animal Control



Oakwood Village

Animal Control Contract

January 1, 2025, to December 31, 2026

ITEM	COST
Monthly Retainer	\$775.00 year one, \$800.00 year two.
Regular Service Calls Hours of Operation	15 calls per month, extra calls \$30.00 per hour.
Emergency Service Calls	8 per month, any additional call will be \$35.00 per hour.
Nuisance Trapping (Mon-Fri excluding holidays) <u>Authorized by City</u> Setting Traps Checking & Baiting Traps Daily Removal & Disposal	\$50.00 per animal removed. Sick or injured wildlife removed and disposed of \$50.00 per animal removed
3 Days boarding for impounded dogs.	\$25.00 per day, for boarding. Dogs will be held 3 days, unless county is closed for weekend or holiday. Vicious Dogs \$35.00 per dog, per day.
If city requires additional boarding of dogs.	\$25.00 per additional day per dog. \$35.00 per additional day for vicious dogs.
**Owners claiming pets will be responsible for charges	If owners refuse to pick up, city will be billed owners' charges for dog removed by police order.

\*\* Parties may cancel the contract with a 60 day written notice.

**RESOLUTION NO. 2025-WS-01**

INTRODUCED BY \_\_\_\_\_

**A RESOLUTION DECLARING THE INTENT OF THE VILLAGE OF OAKWOOD, OHIO TO DISPOSE OF PERSONAL PROPERTY AS HAVING BECOME OBSOLETE, UNNECESSARY OR UNFIT FOR VILLAGE USE THROUGH INTERNET AUCTIONS DURING THE CALENDAR YEAR 2025 AND DECLARING AN EMERGENCY**

**WHEREAS**, pursuant to the Ohio Revised Code Section 721.15(D), the Village of Oakwood desires to adopt this Resolution expressing its intent to sell by internet auction personal property that has become obsolete, unnecessary or unfit for Village use by internet auction during the calendar year 2025; and

**WHEREAS**, Council finds that GovDeals, Inc. at govdeals.com is an appropriate internet auction site; and

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

**SECTION 1.** During calendar year 2025, the Village's personal property which is not needed for public use or which is obsolete or unfit may be sold at internet auction pursuant to Ohio Revised Code Section 721.15(D).

**SECTION 2.** The said internet auctions will be conducted by GovDeals, Inc. on govdeals.com and will be conducted in accordance with the Village's terms and conditions, which are attached hereto and incorporated as Exhibit "A".

**SECTION 3.** Each item will be offered for sale for not less than a minimum of ten (10) calendar days including Saturdays, Sundays, and legal holidays.

**SECTION 4.** The Clerk is hereby instructed to cause notice of adoption of this Resolution and the Village's intent to sell unneeded, obsolete or unfit personal property of the municipality by internet auction to be published in a newspaper of general circulation. The notice shall include a summary of the information provided in this Resolution and shall be published at least twice, all in accordance with requirements in the Ohio Revised Code Section 721.15.

**SECTION 5.** The Clerk is hereby further instructed to cause a notice containing a summary of the information provided in this Resolution to be posted continually throughout the calendar year 2025 in a conspicuous place in the Clerk's Office or Finance Office and the Village Council. A similar notice shall be posted on the Village's website throughout the calendar year 2025.

**SECTION 6.** All terms and conditions of sale, including but not limited to pick up and delivery, method of payment, sales taxes, and descriptions of the items, shall be specified for each item on the internet auction site.

**SECTION 7.** All items shall be sold without warranty in "AS IN" condition and Village of Oakwood makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential.

**SECTION 8.** This Resolution 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 the municipal departments and the need to authorize this Resolution to allow internet auctions in a timely fashion so that personal property already identified by the Village as being unnecessary, obsolete or unfit can be sold. Therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Resolution 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 Resolution No. 2025 - \_\_\_\_\_ was duly and regularly passed by this Council at the meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

**POSTING CERTIFICATE**

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Resolution No. 2025 -    was duly posted on the \_\_\_\_ day of \_\_\_\_\_, 2025, and will remain posted in accordance with the Oakwood Village Charter.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_



# EXHIBIT “A”

## Village of Oakwood

Oakwood Village, Ohio

### Online Sales - Terms and Conditions

**All bidders and other participants of this service agree they have read and fully understand these terms and agree to be bound thereby.**

**Guaranty Waiver.** All assets are offered for sale “**AS IS, WHERE IS.**” Village of Oakwood makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential.

**Description Warranty.** Seller warrants to the Buyer the property offered for sale will conform to its description. Any claim for misdescription must be made prior to removal of the property. If Seller confirms the property does not conform to the description, Seller will keep the property and refund any money paid. The liability of the Seller shall not exceed the actual purchase price of the property. Please note upon removal of the property, **all sales are final.**

**Personal and property risk.** Persons attending during exhibition, sale or removal of goods assume all risks of damage of or loss to person and property and specifically release the seller and GovDeals from liability therefore.

**Inspection.** Most assets offered for sale are used and may contain defects not immediately detectable. Bidders may inspect the property prior to bidding. Bidders must adhere to the inspection dates and times indicated in the asset description. See instructions on each asset page for inspection details.

**Consideration of Bid.** Seller reserves the right to reject any and all bids and to withdraw from sale any of the assets listed.

**Buyer's Certificate.** Successful bidders will receive a Buyer's Certificate by email from GovDeals.

**Buyers Premium.** If a Buyers Premium is shown on the auction page bidder box, then that amount (expressed as a percentage of the final selling price) will be added to the final selling price of all items in addition to any taxes imposed.

**Payment.** Payment in full is due not later than **5 business days** from the time and date of the Buyers Certificate. Payment must be made electronically through the GovDeals Website. Acceptable forms of payment are:

- PayPal
- Wire Transfer
- Visa
- MasterCard
- American Express
- Discover

PayPal and Credit Card purchases are limited to below \$5,000.00. If the winning bid plus applicable taxes, if any indicated, and the buyer's premium, equals more than \$4,999.99, PayPal and Credit Cards may not be used. If Wire Transfer is chosen, a Wire Transfer Transaction Summary page will provide payment and account information. The Wire Transfer must be completed within 5 days.

**Removal.** All assets must be removed within **ten (10) business days** from the time and date of issuance of the Buyer's Certificate. Purchases will be released only upon receipt of payment as specified. Successful bidders are responsible for loading and removal of any and all property awarded to them from the place where the property is located as indicated on the website and in the Buyer's Certificate. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will **Seller** assume responsibility for packing, loading or shipping. See instructions on each asset page for removal details. A daily storage fee of \$10.00 may be charged for any item not removed within the ten (10) business days allowed and stated on the Buyer's Certificate.

**Vehicle Titles.** **Seller** will issue a title or certificate upon receipt of payment. Titles may be subject to restrictions as indicated in the asset description on the website.

**Default.** Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all assets within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, **Seller** may exercise such rights and may pursue such remedies as are provided by law. **Seller reserves the right to reclaim and resell all items not removed by the specified removal date.**

**Acceptance of Terms and Conditions.** By submitting a bid, the bidder agrees they have read, fully understand and accept these Terms and Conditions, and agree to pay for and remove the property, by the dates and times specified. These Terms and Conditions are displayed at the top of each page of each asset listed on **GovDeals**. Special Instructions appearing on the asset page will override certain sections of the terms and conditions.

**State/Local Sales and/or Use Tax.** Buyers may be subject to payment of State and/or local sales and/or use tax. Buyers are responsible for contacting seller or the appropriate tax office, completing any forms and paying any taxes that may be imposed.

**Sales to Employees.** Employees of the **Seller** may bid on the property listed for auction, so long as they do NOT bid while on duty.

**ORDINANCE NO. 2025--WS-02**

INTRODUCED BY MAYOR

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A HEALTH INSURANCE CONTRACT RENEWING THE PRESENT ANTHEM BLUE CROSS/BLUE SHIELD HEALTH COVERAGE FOR ELIGIBLE OFFICIALS AND EMPLOYEES OF THE VILLAGE AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council of the Village of Oakwood deems it advisable to provide health insurance for eligible officials and employees of the Village; and,

**WHEREAS**, Council passed a motion at its meeting of December 30, 2024 authorizing the Mayor to extend the present health insurance coverage provided by Anthem Blue Cross/Blue Shield until such time as permanent health insurance is selected for 2025;

**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 extending the present Anthem Blue Cross/Blue Shield health insurance coverage for eligible officials and employees of the Village until such time as permanent health insurance coverage is selected for 2025 and the authority previously extended in said motion is hereby ratified.

**SECTION 2.** Council hereby appropriates and authorizes the expenditure of funds necessary for the payment of the premiums for said policy of insurance.

**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 health insurance policy for eligible officials and employees of the Village must be renewed pending selection of a permanent health insurance policy, 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. 2025 - was duly and regularly passed by this Council at the meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

**POSTING CERTIFICATE**

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2025 - was duly posted on the \_\_\_\_ day of \_\_\_\_\_, 2025, and will remain posted in accordance with the Oakwood Village Charter.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_

**ORDINANCE NO. 2025-WS-03**

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE FOR THE VILLAGE OF OAKWOOD SUPPORTING THE OHIO MUNICIPAL LEAGUE'S CHALLENGE OF AT&T'S TARIFF APPLICATION AT THE PUBLIC UTILITIES COMMISSION OF OHIO.**

**WHEREAS**, on December 18, 2024, the Ohio Bell Telephone Company dba AT&T Ohio ("AT&T") filed a Telecommunications Form related to a change in its tariff for "Construction Charges, Relocation of Facilities" with the Public Utilities Commission of Ohio (the "PUCO") in PUCO Case Nos. 24-1123-TP-ATA and 90-5032-TP-TRF (collectively referred to as "AT&T's Tariff Application");

**WHEREAS**, AT&T's Tariff Application proposes tariff changes which will require any municipalities in which AT&T is located in the municipality's public right-of-way to pay the full cost of any relocation or undergrounding of AT&T's facilities, regardless of the reason for the relocation. This is in direct contradiction of current Ohio law;

**WHEREAS**, AT&T's Tariff Application is subject to a thirty-day auto approval process, meaning that if the PUCO does not rule on the application, then the application is automatically approved, and the tariff change becomes effective on the thirty-first day after the filing of the application;

**WHEREAS**, if AT&T's Tariff Application goes unchallenged and becomes automatically effective, municipalities throughout Ohio (and, subsequently, constituents who may or may not be AT&T customers) would be required to pay for any relocation of AT&T facilities in the public rights-of-way, even if the relocation or undergrounding is required for health, safety, or public welfare purposes;

**WHEREAS**, any challenges to AT&T's application must be filed prior to January 17, 2025, to allow the PUCO to pause the automatic approval process, allow challengers to be heard through an evidentiary hearing, and consider legal argument; ,

**WHEREAS**, to challenge AT&T's Tariff Application, an interested stakeholder must file a motion to intervene with the PUCO showing that it has a real and substantial interest in AT&T's Tariff Application and the intervener is so situated that the disposition of the proceeding may, as a practical matter, impair or impede its ability to protect that interest; and

**WHEREAS**, the Ohio Municipal League has engaged counsel to challenge AT&T's Tariff Application.

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



**SECTION ONE:** Council of the Village of Oakwood finds that AT&T's Tariff Application directly changes and significantly impacts, to detriment of the Village of Oakwood, how the Village of Oakwood manages and administers its public rights-of-way;

**SECTION TWO:** Council of the Village of Oakwood hereby authorizes and agrees to participate in and to intervene in the proceeding at the PUCO in order to challenge AT&T's Tariff Application and any subsequent and/or necessary legal, administrative, legislative efforts; and

**SECTION THREE:** Council of the Village of Oakwood has been advised by the Ohio Municipal League that future financial and/or other support from the Village may be necessary to the success of a challenge to AT&T's Tariff Application and any related legal, administrative, or legislative efforts. The Village of Oakwood may take under consideration the specific amount or form of such financial and/or other support from Village at a subsequent meeting of this Council.

**SECTION FOUR:** The immediate necessity for this action is declared an emergency for the preservation of public peace, health, and safety, and for the reasons set forth above, and this ordinance shall take effect immediately upon passage.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Erica Nikolic, President of Council

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

Presented to the Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
Gary v. Gottschalk, Mayor

I, Tanya Joseph, Clerk of Council, of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Ordinance No. 2025- was duly and regularly passed by this Council at the meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

**POSTING CERTIFICATE**

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Ordinance No. 2025- was duly posted on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and will remain posted in accordance with the Oakwood Village Charter.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_



Introduced by	_____
Motioned by	_____
Seconded by	_____
1st Reading	_____
2nd Reading	_____
Third Reading	_____
Under suspension	_____

**RESOLUTION NO. 2025-WS-04**

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT AND THE NORTHEAST OHIO REGIONAL SEWER DISTRICT TO PROVIDE U.S. EPA PHASE II STORM WATER SERVICES FOR THE 2025 CALENDAR YEAR, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village of Oakwood is an operator of a small municipal separate storm sewers system (MS4) which was required to, and did obtain, by **March 10, 2003**, National Pollutant Discharge Elimination System permit (MS4 Permit) coverage, through the Ohio EPA, for storm water discharge as a result of U.S. EPA's Storm Water Phase II Rule; and

**WHEREAS**, the Storm Water Phase II Rule is part of the U.S. EPA's effort to preserve, protect, and improve the nation's water resources from polluted storm water runoff, Phase II is intended to further reduce adverse water quality and aquatic habitat conditions by instituting the use of controls on the unregulated sources of storm water discharges that have the greatest likelihood of causing environmental degradation. The Phase II rule automatically covers on a nationwide basis all small municipal separate storm sewer systems (MS4s) located in "urbanized areas" as delineated by the Census Bureau; and

**WHEREAS**, MS4s are required to design a storm water management plan to reduce the discharge of pollutants to the maximum extent practicable. The Phase II Rule defines a small MS4 storm water management program as comprised of six minimum control measures that, when administered in concert, are expected to result in reduction of the discharge of pollutants into receiving water bodies. Operators of regulated small MS4s are required to design their programs to do the following: reduce the discharge of pollutants to the "maximum extent practicable" (MEP), protect water quality and satisfy the appropriate water quality requirements of the Clean Water Act. Implementation of the MEP standard will require the development and implementation of best management practices and the achievement of measurable goals to satisfy each of the following six (6) minimum control measures (MCM):

**MCM 1. Public Education and Outreach**

Distributing educational materials and performing outreach to inform citizens about the impacts polluted storm water runoff discharges can have on water quality.

**MCM 2. Public Participation/Involvement**

Providing opportunities for citizens to participate in program development and implementation, including effectively publicizing public hearings and/or encouraging citizen representatives on a storm water management panel.

**MCM 3. Illicit Discharge Detection and Elimination**

Developing and implementing a plan to detect and eliminate illicit discharges to the storm sewer system (includes developing a system map and informing

the community about hazards associated with illegal discharges and improper disposal of waste).

**MCM 4. Construction Site Runoff Control**

Developing, implementing, and enforcing an erosion and sediment control program for construction activities that disturb one (1) or more acres of land (controls could include silt fences and temporary storm water detention ponds).

**MCM 5. Post-Construction Runoff Control**

Developing, implementing, and enforcing a program to address discharges of post-construction storm water runoff from new development and redevelopment areas. Applicable controls could include preventive actions such as protecting sensitive areas (e.g., wetlands) or the use of structural BMPs such as grassed swales or porous pavement.

**MCM 6. Pollution Prevention/Good Housekeeping**

Developing and implementing a program with the goal of preventing or reducing pollutant runoff from municipal operations. The program must include municipal staff training on pollution prevention measures and techniques (e.g., regular street sweeping, reduction in the use of pesticides or street salt, or frequent catch-basin cleaning); and

**WHEREAS**, the Village of Oakwood is a member of the Northeast Ohio Regional Sewer District (NEORSD) and the NEORSD is required to provide Phase II storm water regulation support services to member communities for MCM Nos. 1, 2, 3 and 6 and is further authorized to provide such services through service providers such as the Cuyahoga Soil and Water Conservation District (SWCD); and

**WHEREAS**, the NEORSD has recognized SWCD as a preferred service provider which will work with NEORSD and the Village to plan and provide a conservation program that includes public education and involvement, and which will implement the Public Involvement and Public Education (PIPE) program, which program meets and exceeds the requirements of MCM Nos. 1 and 2; and

**WHEREAS**, the Village desires to enter into a Memorandum of Understanding (MOU) with NEORSD and SWCD for a period of twelve (12) calendar months beginning in January 2025, and subsequent annual renewals, to retain the services of SWCD, and participate with SWCD, in meeting the requirements of MCM Nos. 1 and 2, and provide an annual report to the Ohio EPA, all as more fully set forth in the MOU, which is attached hereto as Exhibit A, and incorporated as if fully rewritten herein; and

**WHEREAS**, per the MOU, the Village agrees to grant an annual conservation appropriation to SWCD, in an amount not to exceed \$6,000.00 for the calendar year 2025, and NEORSD agrees to provide the Village with an appropriation in the amount of \$6,000.00, which the Village shall use to pay SWCD to implement the services set forth in the MOU for the calendar year 2025.

**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 is hereby authorized and directed to enter into the MOU with NEORSWCD and SWCD for the calendar year 2025, which is attached hereto as Exhibit A, and incorporated as if fully rewritten herein, and to grant an annual conservation appropriation to SWCD, in an amount not to exceed \$6,000.00 for the calendar year 2025, conditioned upon the Village receiving from NEORSWCD an appropriation in the amount of \$6,000.00, which the Village shall use to pay SWCD to implement the services set forth in the MOU for the calendar year 2025.

**Section 2.** 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 3.** This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the Village, and to allow the services set forth in the MOU to immediately commence, 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: \_\_\_\_\_

\_\_\_\_\_  
Gary v. Gottschalk, Mayor

I, Tanya Joseph, Clerk of Council, of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Ordinance No. 2025- was duly and regularly passed by this Council at the meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

**POSTING CERTIFICATE**

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Ordinance No. 2025- was duly posted on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and will remain posted in accordance with the Oakwood Village Charter.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_

Approved as to legal form:

\_\_\_\_\_  
James Climer, Director of Law

ATTEST: \_\_\_\_\_  
Tanya Joseph, Clerk of Council

Exhibit A follows:



November 25, 2024

**Letter by Email**

Hon. Mayor Gary Gottschalk  
Village of Oakwood

Re: One-Year Agreement for 2025 Renewal of PIPE Services

Dear Mayor Gottschalk,

In 2021, your community entered into a five-year agreement with Cuyahoga Soil & Water Conservation District (SWCD) for services related to your community's mandated Public Involvement and Public Education (PIPE) program (under the Ohio EPA Municipal Separate Storm Sewer System (MS4) Permit). Cuyahoga SWCD implements your annual program, at a cost of \$6,000.00, which is annually reimbursed by NEORS.

Under the MS4 permit, your community is required to develop, implement, and enforce a Stormwater Management Plan that addresses six Minimum Control Measures, two of which are:

- **MCM #1: Public Education and Outreach**
- **MCM #2: Public Participation and Involvement**

Together MCM #1 and #2 make up the PIPE Program (Public Involvement, Public Education). Criteria for the PIPE Program is to identify stormwater pollution concerns, have measurable goals, reach a variety of audiences, actively involve potentially affected stakeholder groups, and evaluate the program's success. All of this must be reported annually to Ohio EPA.

Cuyahoga Soil & Water Conservation District will continue to implement the PIPE Program and your community will be reimbursed for the program costs in 2025, providing we receive your acknowledgement (see attached for renewal letter template), and the annual fee of \$6,000.00 is paid to the Cuyahoga SWCD. **Once your annual payment is received by Cuyahoga SWCD, they will in turn submit the paperwork for your community's reimbursement from NEORS on your municipality's behalf.** NEORS will then process the request and submit the \$6,000.00 reimbursement directly to your city.

You may scan and email the letter of acknowledgement to Teresa Haendiges at [thaendiges@cuyahogawcd.org](mailto:thaendiges@cuyahogawcd.org) or mail to:

Cuyahoga Soil & Water Conservation District  
3311 Perkins Avenue #100  
Cleveland, Ohio 44114

In the meantime, the staff is wrapping up this year's PIPE activities and will prepare the annual report in early 2025. If you require assistance, please contact Teresa at 216-524-6580, ext. 1000.

Sincerely,

Executive Director, Cuyahoga SWCD

**AMENDED RESOLUTION NO. 2024-128**

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

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

**WHEREAS**, Tresca!, Inc., a Michigan corporation and a wholly owned subsidiary of Financiere Esterel, a French company (hereinafter Tresca!), has approached the Village of Oakwood to explore locating its operations within the Village of Oakwood; and

**WHEREAS**, Tresca! has solicited a Job Creation Tax Credit from the Village of Oakwood;

and

**WHEREAS**, The King Group through various of its companies, and including Access Point Properties II, LTD., an Ohio limited liability company, (hereinafter *King Group*) has developed facilities that have caused interest by Tresca! in locating its US headquarters in Oakwood; and

**WHEREAS**, R.C. Sec 718.15 permits municipalities to grant job creation tax credits; and

**WHEREAS**, the Council of Village of Oakwood has investigated this matter and has recommended the approval of this grant:

**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 Job Creation Grant Agreement in the form substantially similar to the one attached hereto, expressly made a part hereof by reference, and marked Exhibit "A".

**SECTION 2.** The Finance Director be and is hereby authorized to expend such funds of the Village pursuant to and in accordance with the terms and conditions contained in the attached Agreement.

**SECTION 3.** This Resolution 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 creation of job opportunities and other economic benefits for residents of the Village and surrounding areas for which time is of the essence, therefore, provided it receives two-thirds ( $\frac{1}{2}$ )<sup>2/3</sup> of the vote of all members of Council elected thereto, said Resolution 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 Amended Resolution No. 2024-128 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 Amended Resolution No. 2024-128 was duly posted on the \_\_\_\_ day of \_\_\_\_\_, 2024, and will remain posted in accordance with the Oakwood Village Charter.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_

EXHIBIT A

**JOB CREATION TAX CREDIT AGREEMENT**

This agreement made and entered into as of the last date of signature set forth hereinbelow, by and between the Village of Oakwood, Ohio, an Ohio municipal corporation, with its main offices located at 24800 Broadway Avenue, Oakwood Village, Ohio 44146 (hereinafter referred to as "Village" or "Oakwood") and Tresca!, Inc., a Michigan corporation with its main offices located at 8 rue del'Estrel, F-94150, RUNGIS, FR (hereinafter referred to as "Company").

**WITNESSETH:**

**WHEREAS**, Oakwood has encouraged the creation and retention of job opportunities throughout the Village; and

**WHEREAS**, the Company is desirous of leasing certain facilities located at Bldg. F, Ste A, 7730 First Place, Oakwood Village, Ohio 44146, to create employment opportunities (hereinafter sometimes referred to as the "Project") within the boundaries of the Village of Oakwood, provided that the appropriate development incentives are available to support the economic viability of said Project; and

**WHEREAS**, Access Point Properties II, LTD., an Ohio limited liability company, Donald M. King, managing partner (hereinafter "*King Group*") has developed facilities that have caused interest by the Company in locating its US headquarters in Oakwood; and

**WHEREAS**, the Village of Oakwood is desirous of providing the Company with incentives available for the development of the Project; and

**WHEREAS**, the Council of the Village of Oakwood has investigated this matter and has recommended the same on the basis that the Company is qualified by financial responsibility and business experience to create employment within the Village of Oakwood and improve the economic climate of Oakwood;

**NOW, THEREFORE**, in consideration of the mutual covenants hereinafter contained and the benefits to be derived by the parties from the execution hereof, the parties hereto agree as follows:

1. Description of the Project.

- A. The Company shall lease for a period of ten (10) years certain facilities located at Bldg. F, Ste. A, 7730 First Place, Oakwood Village, Ohio, 44146 for the location of its Cleveland operations. The Company is a leading world-wide supplier of calibration services in numerous industries including aerospace, food and beverage, telecommunications, automobile, and life sciences.

2. Job Creation and Retention.



- A. The Company shall create 32 jobs in the Village of Oakwood, by December 31, 2024, which will result in a minimum \$1,500,000.00 annual payroll subject to the imposition of the Village's Municipal Income Tax.

3. Issuance of Credit.

- A. The Village of Oakwood hereby grants a non-refundable Job Creation Tax Credit based upon the creation of new payroll and jobs in the Village of Oakwood, according to the schedule below.

Amount of Grant

7 years	Seventy-five percent (75%) of the actual withholding tax commencing in 2024 and, thereafter, for each year the grant is in effect up to a cumulative total credit of \$350,000.00 over the term of this Agreement provided the annual payroll is \$ 1,500,000.00 or more.
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- B. To receive a credit in any given year, the Company must make written application to the Village through the Mayor for such credit and provide the necessary documentation in support of its application. Based upon the information supplied to the Mayor, the Mayor shall recommend in writing to Village Council whether the credit should be given for any such year. Based upon Council's review of the information and documentation supplied by the Company together with the recommendation of the Mayor, Council shall either approve or deny such credit based upon compliance by the Company with the criteria set forth in this Agreement. This application must be made no later than February 28<sup>th</sup> of any year for which a grant is in effect.
- C. In the event the Company exercises its option to renew its lease agreement for the facilities described herein, Oakwood shall consider extending the Job Creation Credit dependent upon the increased level in the Company's annual payroll.

4. Credit Payments.

A. Initial Credit Payment.

Payroll levels as provided herein must be met by December 31, 2024. The initial credit payment shall be made by June 1, 2025 (the following year), provided that the Company files a Reconciliation of Village Income Tax Withheld RITA Form 17 by February 28, 2025.

- B. Timing of Annual Credit Payments. Annual credit payments shall be made by June 1<sup>st</sup> of the following year, provided that the company files its Reconciliation of Village Income Tax Withheld RITA Form 17 by February 28<sup>th</sup>. If the Company requests an extension for filing of its RITA Form 17, the Village shall make the credit payment

within three months of the extended filing date. It is the responsibility of the company to advise the Mayor of the filing of an extension.

5. Information for Annual Review. The Company shall timely provide to the Village any information reasonably required by the Village to evaluate the Company's compliance with this Agreement.
6. Certification as to Payments of Taxes. The Company certifies that at the time this Agreement is executed and during any time while this Agreement is in effect, the Company does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which the Company is liable under Chapters 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Ohio Revised Code, or, if such delinquent taxes are owed, the Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has not filed a petition in bankruptcy nor has such a petition been filed against the Company. For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the last day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.
7. Non-Discrimination Hiring. By executing this Agreement, the Company is committing to following non-discriminatory hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry. The Company further agrees to use a good- faith effort in giving preference in hiring to Oakwood Village residents provided they are otherwise qualified for the position available.
8. Transfer and Assignment. This Agreement is not transferable or assignable without the express, written approval of Oakwood Village Council. The Village hereby consents to the assignment of some, or all of the incentives described herein from Tresca! to Access Point Properties II, LTD., an Ohio limited liability company. The Village further acknowledges that it would be unreasonable to withhold such consent in the event of a proposed transfer or assignment to any parent, subsidiary or affiliate of the Company or to any third party so long as, with respect to all or any of such proposed transfers or assignments, the proposed transferee or assignee adequately and sufficiently demonstrates to the Village's reasonable satisfaction, its financial ability, business experience and intentions to continue its operations of the Facility and Project in a manner similar to that of the Company in all pertinent respects.
9. Termination of Grant
  - A. This Agreement shall expire December 31, 2031 unless otherwise extended except that credits accumulating for the year 2031 shall be paid in 2032 according to the schedules set forth hereinabove.
  - B. If the Company fails to submit required information and/or reports as set forth above, the Village may terminate or modify this Agreement and deny or modify future

grants heretofore granted from the date of the Company's breach or default. In the case as provided in this Subsection, the Village's termination or modification of this Agreement may be instituted only if the Company fails to cure any breach of any term of this Agreement as determined by the Village within ten (10) days of receiving written notice of such failure from the Village or, if cure of the breach cannot be completed within ten (10) days, if the Company has not made a good faith start of the cure, and/or not diligently pursued same.

- C. Oakwood may terminate or modify this Agreement and may also require the repayment of the full amount of grant payments awarded under this Agreement, if the Village determines that the certification as to delinquent taxes required by this Agreement is fraudulent or untrue, or if the Company otherwise breaches this Agreement.
- D. Oakwood will terminate or modify this Agreement and will also require the repayment of 100% of the full amount of the grant payments awarded under this Agreement, upon the occurrence of the following:

The Company vacates the leased premises located at Bldg, F, Ste. A, 7730 First Place, Oakwood, Ohio and moves the Project out of the Village of Oakwood or terminates its operations at the leased premises altogether during the term of this Agreement ending December 31, 2031.

- E. In determining whether or not to modify this Agreement the Mayor of the Village of Oakwood and Village Council shall consider the effect of market conditions on the Company's project and whether or not the Company is closing its operations, relocating its operations outside the Village of Oakwood or relocating its operations within the Village of Oakwood. After making the determination, the Mayor shall recommend to Village Council any modifications to this Agreement. The Village Council may adopt or modify this recommendation at its discretion. The Company agrees to reimburse the Village of Oakwood any grant refunds as provided above within fifteen (15) days of the date of the notice to refund grant funds is provided to the Company as detailed herein.

10. Any notices, statements, acknowledgments, consent approvals, certificates, or requests required to be given on behalf of either party shall be made in writing addressed as follows:

If to the Village to: Village of Oakwood  
24800 Broadway Avenue  
Oakwood Village, Ohio 44146  
Attn: Mayor

With a copy to: Director of Law - Village of Oakwood  
24800 Broadway Avenue  
Oakwood Village, Ohio 44146

If to the Company to: Trescal, Inc.  
Bldg. F, Ste. A  
7730 First Place  
Oakwood Village, Ohio 44146

11. Condition Precedent. The Company and Oakwood acknowledge that this Agreement must be approved by formal action of the legislative authority of the Village of Oakwood as a condition for this Agreement to take effect.

**IN WITNESS WHEREOF**, the parties hereto, after first being duly authorized, have executed this Agreement on the date first written above.

WITNESSED BY:  
OAKWOOD

VILLAGE OF

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Gary V. Gottschalk                      DATE  
Mayor  
Village of Oakwood

WITNESSED  
BY

TRESCAL, INC., a Michigan corporation

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Title                      DATE

Approved as to legal form:

\_\_\_\_\_

James A. Climer,  
Director of Law  
Village of Oakwood

This Agreement has been authorized by Amended Resolution No. 2024-128, adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

Tanya Joseph, Clerk of Council

**RESOLUTION NO. 2024-128**

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

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

**WHEREAS**, Trescal, Inc., a Michigan corporation and a wholly owned subsidiary of Financiere Esterel, a French company (hereinafter Trescal), has approached the Village of Oakwood to explore locating its operations within the Village of Oakwood; and

**WHEREAS**, Trescal has solicited a Job Creation Tax Credit from the Village of Oakwood; and

**WHEREAS**, The King Group through various of its companies, and including Access Point Properties II, LTD., an Ohio limited liability company, (hereinafter *King Group*) has developed facilities that have caused interest by Trescal in locating its US headquarters in Oakwood; and

**WHEREAS**, R.C. Sec 718.15 permits municipalities to grant job creation tax credits; and

**WHEREAS**, the Council of Village of Oakwood has investigated this matter and has recommended the approval of this grant:

**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 Job Creation Grant Agreement in the form substantially similar to the one attached hereto, expressly made a part hereof by reference, and marked Exhibit "A".

**SECTION 2.** The Finance Director be and is hereby authorized to expend such funds of the Village pursuant to and in accordance with the terms and conditions contained in the attached Agreement.

**SECTION 3.** This Resolution 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 creation of job opportunities and other economic benefits for residents of the Village and surrounding areas for which time is of the essence, therefore, provided it receives two-thirds ( $\frac{2}{3}$ ) of the vote of all members of Council elected thereto, said Resolution 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 Resolution No. 2024-128 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 Resolution No. 2024-128 was duly posted on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and will remain posted in accordance with the Oakwood Village Charter.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_

## EXHIBIT A

### JOB CREATION TAX CREDIT AGREEMENT

This agreement made and entered into as of the last date of signature set forth hereinbelow, by and between the Village of Oakwood, Ohio, an Ohio municipal corporation, with its main offices located at 24800 Broadway Avenue, Oakwood Village, Ohio 44146 (hereinafter referred to as "Village" or "Oakwood") and Trescal, Inc., a Michigan corporation with its main offices located at 8 rue del'Estrel, F-94150, RUNGIS, FR (hereinafter referred to as "Company").

#### WITNESSETH:

**WHEREAS**, Oakwood has encouraged the creation and retention of job opportunities throughout the Village; and

**WHEREAS**, the Company is desirous of leasing certain facilities located at Bldg. F, Ste A, 7730 First Place, Oakwood Village, Ohio 44146, to create employment opportunities (hereinafter sometimes referred to as the "Project") within the boundaries of the Village of Oakwood, provided that the appropriate development incentives are available to support the economic viability of said Project; and

**WHEREAS**, Access Point Properties II, LTD., an Ohio limited liability company, Donald M. King, managing partner (hereinafter "**King Group**") has developed facilities that have caused interest by the Company in locating its US headquarters in Oakwood; and

**WHEREAS**, the Village of Oakwood is desirous of providing the Company with incentives available for the development of the Project; and

**WHEREAS**, the Council of the Village of Oakwood has investigated this matter and has recommended the same on the basis that the Company is qualified by financial responsibility and business experience to create employment within the Village of Oakwood and improve the economic climate of Oakwood;

**NOW, THEREFORE**, in consideration of the mutual covenants hereinafter contained and the benefits to be derived by the parties from the execution hereof, the parties hereto agree as follows:

1. Description of the Project.
  - A. The Company shall lease for a period of ten (10) years certain facilities located at Bldg, F, Ste. A, 7730 First Place, Oakwood Village, Ohio, 44146 for the location of its Cleveland operations. The Company is a leading world-wide supplier of calibration services in numerous industries including aerospace, food and beverage, telecommunications, automobile and life sciences.
2. Job Creation and Retention.



- A. The Company shall create 32 jobs in the Village of Oakwood, by December 31, 2024, which will result in a minimum \$1,500,000.00 annual payroll subject to the imposition of the Village's Municipal Income Tax.

3. Issuance of Credit.

- A. The Village of Oakwood hereby grants a non-refundable Job Creation Tax Credit based upon the creation of new payroll and jobs in the Village of Oakwood, according to the schedule below.

<u>Years</u>	<u>Amount of Grant</u>
7	Seventy-five percent (75%) of the actual withholding tax commencing in 2024 and, thereafter, for each year the grant is in effect provided the annual payroll is \$ 1,500,000.00 or more.

- B. To receive a credit in any given year, the Company must make written application to the Village through the Mayor for such credit and provide the necessary documentation in support of its application. Based upon the information supplied to the Mayor, the Mayor shall recommend in writing to Village Council whether the credit should be given for any such year. Based upon Council's review of the information and documentation supplied by the Company together with the recommendation of the Mayor, Council shall either approve or deny such credit based upon compliance by the Company with the criteria set forth in this Agreement. This application must be made no later than February 28<sup>th</sup> of any year for which a grant is in effect.
- C. In the event the Company exercises its option to renew its lease agreement for the facilities described herein, Oakwood shall consider extending the Job Creation Credit dependent upon the increased level in the Company's annual payroll.

4. Credit Payments.

A. Initial Credit Payment.

Payroll levels as provided herein must be met by December 31, 2024. The initial credit payment shall be made by June 1, 2025 (the following year), provided that the Company files a Reconciliation of Village Income Tax Withheld RITA Form 17 by February 28, 2025.

- B. Timing of Annual Credit Payments. Annual credit payments shall be made by June 1<sup>st</sup> of the following year, provided that the company files its Reconciliation of Village Income Tax Withheld RITA Form 17 by February 28<sup>th</sup>. If the Company requests an extension for filing of its RITA Form 17, the Village shall make the credit payment

within three months of the extended filing date. It is the responsibility of the company to advise the Mayor of the filing of an extension.

5. Information for Annual Review. The Company shall timely provide to the Village any information reasonably required by the Village to evaluate the Company's compliance with this Agreement.
6. Certification as to Payments of Taxes. The Company certifies that at the time this Agreement is executed and during any time while this Agreement is in effect, the Company does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which the Company is liable under Chapters 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Ohio Revised Code, or, if such delinquent taxes are owed, the Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has not filed a petition in bankruptcy nor has such a petition been filed against the Company. For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the last day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.
7. Non-Discrimination Hiring. By executing this Agreement, the Company is committing to following non-discriminatory hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry. The Company further agrees to use a good-faith effort in giving preference in hiring to Oakwood Village residents provided they are otherwise qualified for the position available.
8. Transfer and Assignment. This Agreement is not transferable or assignable without the express, written approval of Oakwood Village Council. The Village hereby consents to the assignment of some or all of the incentives described herein from Trescal to Access Point Properties II, LTD., an Ohio limited liability company. The Village further acknowledges that it would be unreasonable to withhold such consent in the event of a proposed transfer or assignment to any parent, subsidiary or affiliate of the Company or to any third party so long as, with respect to all or any of such proposed transfers or assignments, the proposed transferee or assignee adequately and sufficiently demonstrates to the Village's reasonable satisfaction, its financial ability, business experience and intentions to continue its operations of the Facility and Project in a manner similar to that of the Company in all pertinent respects.
9. Termination of Grant
  - A. This Agreement shall expire December 31, 2031 unless otherwise extended except that credits accumulating for the year 2031 shall be paid in 2032 according to the schedules set forth hereinabove.
  - B. If the Company fails to submit required information and/or reports as set forth above, the Village may terminate or modify this Agreement and deny or modify future

grants heretofore granted from the date of the Company's breach or default. In the case as provided in this Subsection, the Village's termination or modification of this Agreement may be instituted only if the Company fails to cure any breach of any term of this Agreement as determined by the Village within ten (10) days of receiving written notice of such failure from the Village or, if cure of the breach cannot be completed within ten (10) days, if the Company has not made a good faith start of the cure, and/or not diligently pursued same.

- C. Oakwood may terminate or modify this Agreement and may also require the repayment of the full amount of grant payments awarded under this Agreement, if the Village determines that the certification as to delinquent taxes required by this Agreement is fraudulent or untrue, or if the Company otherwise breaches this Agreement.
- D. Oakwood may terminate or modify this Agreement and may also require the repayment of 100% of the full amount of the grant payments awarded under this Agreement, upon the occurrence of the following:

The Company vacates the leased premises located at Bldg, F, Ste. A, 7730 First Place, Oakwood, Ohio and moves the Project out of the Village of Oakwood or terminates its operations at the leased premises altogether during the term of this Agreement ending December 31, 2031.

- E. In determining whether or not to modify this Agreement the Mayor of the Village of Oakwood and Village Council shall consider the effect of market conditions on the Company's project and whether or not the Company is closing its operations, relocating its operations outside the Village of Oakwood or relocating its operations within the Village of Oakwood. After making the determination, the Mayor shall recommend to Village Council any modifications to this Agreement. The Village Council may adopt or modify this recommendation at its discretion. The Company agrees to reimburse the Village of Oakwood any grant refunds as provided above within fifteen (15) days of the date of the notice to refund grant funds is provided to the Company as detailed herein.

10. Any notices, statements, acknowledgments, consent approvals, certificates, or requests required to be given on behalf of either party shall be made in writing addressed as follows:

If to the Village to: Village of Oakwood  
24800 Broadway Avenue  
Oakwood Village, Ohio 44146  
Attn: Mayor

With a copy to: Director of Law - Village of Oakwood  
24800 Broadway Avenue  
Oakwood Village, Ohio 44146

If to the Company to: Trescal, Inc.  
Bldg, F, Ste. A  
7730 First Place  
Oakwood Village, Ohio 44146

11. Condition Precedent. The Company and Oakwood acknowledge that this Agreement must be approved by formal action of the legislative authority of the Village of Oakwood as a condition for this Agreement to take effect.

**IN WITNESS WHEREOF**, the parties hereto, after first being duly authorized, have executed this Agreement on the date first written above.

WITNESSED BY: VILLAGE OF OAKWOOD

\_\_\_\_\_  
By: \_\_\_\_\_ DATE  
Gary V. Gottschalk  
Mayor  
Village of Oakwood

WITNESSED BY

TRESCAL, INC., a Michigan corporation

\_\_\_\_\_  
By: \_\_\_\_\_ Title DATE

Approved as to legal form:

\_\_\_\_\_  
James A. Climer,  
Director of Law  
Village of Oakwood

This Agreement has been authorized by Resolution No. 2024-128, adopted the \_\_\_\_\_ day  
of \_\_\_\_\_, 2024.

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Tanya Joseph, Clerk of Council

**RESOLUTION NO. 2024-129**

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

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

**WHEREAS**, Trescal, Inc., a Michigan corporation and a wholly owned subsidiary of Financiere Esterel, a French company, has approached the Village of Oakwood to explore locating its operations within the Village of Oakwood; and

**WHEREAS**, Trescal has solicited a Net Profits Tax Credit from the Village of Oakwood; and

**WHEREAS**, R.C. Sec 718.15 permits municipalities to grant net profits tax credits;

**WHEREAS**, the Council of Village of Oakwood has investigated this matter and has recommended the approval of this credit:

**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 Net Profits Tax Credit Agreement in the form substantially similar to the one attached hereto, expressly made a part hereof by reference, and marked Exhibit "A".

**SECTION 2.** The Finance Director be and is hereby authorized to expend such funds of the Village pursuant to and in accordance with the terms and conditions contained in the attached Agreement.

**SECTION 3.** This Resolution 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 creation of job opportunities and other economic benefits for residents of the Village and surrounding areas for which time is of the essence, therefore, provided it receives two-thirds ( $\frac{2}{3}$ ) of the vote of all members of Council elected thereto, said Resolution 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 Resolution No. 2024-129 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 Resolution No. 2024-129 was duly posted on the \_\_\_\_ day of \_\_\_\_\_, 2024, and will remain posted in accordance with the Oakwood Village Charter.

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

DATED: \_\_\_\_\_

EXHIBIT A

**NET PROFITS TAX CREDIT AGREEMENT**

This agreement made and entered into as of the last date of signature set forth hereinbelow, by and between the Village of Oakwood, Ohio, an Ohio municipal corporation, with its main offices located at 24800 Broadway Avenue, Oakwood Village, Ohio 44146 (hereinafter referred to as "Village" or "Oakwood") and Trescal, Inc., a Michigan corporation with its main offices located at Parc d'Affaires Silic, 8 rue de l'Estrel, F-94150, RUNGIS, FR., and a wholly-owned subsidiary of Financiere Esterel, a French company (hereinafter referred to as "Company").

**WITNESSETH:**

**WHEREAS**, Oakwood has encouraged the creation and retention of job opportunities throughout the Village; and

**WHEREAS**, the Company is desirous of leasing certain facilities located at Bldg. F, Ste. A, 7730 First Place, Oakwood Village, Ohio 44146, developed by Access Point Properties II, LTD., an Ohio limited liability company, Donald M. King, managing partner, to create employment opportunities (hereinafter sometimes referred to as the "Project") within the boundaries of the Village of Oakwood, provided that the appropriate development incentives are available to support the economic viability of said Project; and

**WHEREAS**, the Village of Oakwood is desirous of providing the Company with incentives available for the development of the Project; and

**WHEREAS**, the Council of the Village of Oakwood has investigated this matter and has recommended the same on the basis that the Company is qualified by financial responsibility and business experience to create employment within the Village of Oakwood and improve the economic climate of Oakwood; and

**NOW, THEREFORE**, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Description of the Project.
  - A. The Company shall lease for a period of ten (10) years certain facilities located at Bldg. F, Ste. A, 7730 First Place, Oakwood Village, Ohio, 44146 for the location of its Cleveland operations. The Company is a leading worldwide supplier of calibration services in numerous industries including aerospace, food and beverage, telecommunications, automobile and life sciences.
2. Job Creation and Retention.



- A. The Company shall create 32 jobs in the Village of Oakwood, by December 31, 2024, which will result in a minimum \$1,500,000.00 annual payroll subject to Oakwood's net profits tax.

3. Issuance of Grant.

- A. The Village of Oakwood hereby grants a non-refundable net profits tax credit based upon the creation of new payroll and jobs in the Village of Oakwood, according to the schedule below.

<u>Years</u>	<u>Amount of Grant</u>
5	Fifty percent (50%) of the actual net profits taxes owed to Oakwood by the Company commencing in 2024 and, thereafter, for each year the grant is in effect provided the annual payroll is \$1,500,000.00 or more.

- B. To receive a credit in any given year, the Company must make written application to the Village through the Mayor for such credit and provide the necessary documentation in support of its application. Based upon the information supplied to the Mayor, the Mayor shall recommend in writing to Village Council whether the credit should be given for any such year. Based upon Council's review of the information and documentation supplied by the Company together with the recommendation of the Mayor, Council shall either approve or deny such based upon compliance by the Company with the criteria set forth in this Agreement. This application must be made no later than February 28<sup>th</sup> of any year following the year for which a credit is sought.

4. Credits

- A. Credit.

Payroll levels as provided herein must be met by December 31, 2024. The credit shall be made by June 1, 2025 (the following year), provided that the Company files a Reconciliation of Village Income Tax Withheld RITA Form 17 by February 28, 2025.

- B. Timing of Annual Credit Payments. Annual credit payments shall be made by June 1<sup>st</sup> of the following year, provided that the Company files its Reconciliation of Village Income Tax Withheld RITA Form 17 by February 28<sup>th</sup>. If the Company requests an extension for filing of its RITA Form 17, the Village shall make the grant payment within three months of the extended filing date. It is the responsibility of the Company to advise the Mayor of the filing of an extension.

5. Information for Annual Review. The Company shall timely provide to the Village any information reasonably required by the Village to evaluate the Company's compliance with the Agreement.
6. Certification as to Payments of Taxes. The Company certifies that at the time this agreement is executed and during any time while this agreement is in effect, the Company does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which the Company is liable under Chapters 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Ohio Revised Code, or, if such delinquent taxes are owed, the Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has not filed a petition in bankruptcy nor has such a petition been filed against the Company. For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the last day prescribed for payment without penalty under the Chapter of the Revised Code governing payment of those taxes.
7. Non-Discrimination Hiring. By executing this Agreement, the Company is committing to following non-discriminatory hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry. The Company further agrees to use a good-faith effort in giving preference in hiring to Oakwood Village residents provided they are otherwise qualified for the position available.
8. Transfer and Assignment. This Agreement is not transferable or assignable without the express, written approval of Oakwood Village Council. The Village acknowledges that it would be unreasonable to withhold such consent in the event of a proposed transfer or assignment to any parent, subsidiary or affiliate of the Company or to any third party so long as, with respect to all or any of such proposed transfers or assignments, the proposed transferee or assignee adequately and sufficiently demonstrates to the Village's reasonable satisfaction, its financial ability, business experience and intentions to continue its operations of the Facility and Project in a manner similar to that of the Company in all pertinent respects.
9. Termination of Grant
  - A. This Agreement shall expire December 31, 2029 unless otherwise extended except that credits accumulating for the year 2029 shall be paid in 2030 according to the schedules set forth hereinabove.
  - B. If the Company fails to submit required information and/or reports as set forth above, the Village may terminate or modify this Agreement and deny or modify future credits heretofore granted from the date of the Company's breach or default. In the case as provided in this Subsection, the Village's termination or modification of this Agreement may be instituted only if the Company fails to cure any breach of any term of this Agreement as determined by the Village within ten (10) days of

receiving written notice of such failure from the Village or, if cure of the breach cannot be completed within ten (10) days, if the Company has not made a good faith start of the cure, and/or not diligently pursued same.

- C. Oakwood may terminate or modify this Agreement and may also require the repayment of the full amount of credits awarded under this Agreement, if the Village determines that the certification as to delinquent taxes required by this Agreement is fraudulent or untrue, or if the Company otherwise breaches this Agreement.
- D. Oakwood may terminate or modify this Agreement and may also require the repayment of 100% of the full amount of the grant payments awarded under this Agreement, upon the occurrence of the following:

The Company vacates the leased premises located at Bldg. F, Ste. A, 7730 First Place, Oakwood, Ohio and moves the Project out of the Village of Oakwood or terminates its operations at the leased premises altogether during the term of this Agreement ending December 31, 2029.

- E. In determining whether or not to modify this Agreement the Mayor of the Village of Oakwood and Village Council shall consider the effect of market conditions on the Company's project and whether or not the Company is closing its operations, relocating its operations outside the Village of Oakwood or relocating its operations within the Village of Oakwood. After making the determination, the Mayor shall recommend to Village Council any modifications to this Agreement. The Village Council may adopt or modify this recommendation at its discretion. The Company agrees to reimburse the Village of Oakwood any grant refunds as provided above within fifteen (15) days of the date of the notice to refund grant funds is provided to the Company as detailed herein.

10. Any notices, statements, acknowledgments, consent approvals, certificates, or requests required to be given on behalf of either party shall be made in writing addressed as follows:

If to the Village to: ~~the~~ Village of Oakwood  
24800 Broadway Avenue  
Oakwood Village, Ohio 44146  
Attn: Mayor

With a copy to: Director of Law - Village of Oakwood  
24800 Broadway Avenue  
Oakwood Village, Ohio 44146

If to the Company to:

Trescal, Inc.  
Bldg. F, Ste. A  
7730 First Place  
Oakwood Village, Ohio 44146

11. Condition Precedent. The Company and Oakwood acknowledge that this Agreement must be approved by formal action of the legislative authority of the Village of Oakwood as a condition for the agreement to take effect.

**IN WITNESS WHEREOF**, the parties hereto, after first being duly authorized, have executed this agreement on the date first written above.

WITNESSED BY:

VILLAGE OF OAKWOOD

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Gary V. Gottschalk      DATE  
Mayor  
Village of Oakwood

WITNESSED BY:

TRESCAL, INC. a Michigan corporation

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Title      DATE

Approved as to legal form:

\_\_\_\_\_  
James A. Climer,  
Director of Law  
Village of Oakwood

This Agreement has been authorized by Resolution No. 2024-129, adopted the \_\_\_\_ day  
of \_\_\_\_\_, 2024.

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Tanya Joseph, Clerk of Council

**ORDINANCE 2024-137**

INTRODUCED BY COUNCIL AS A WHOLE

**AN ORDINANCE TO PREPARE FOR TRANSITIONS IN THE BUILDING DEPARTMENT OCCURRING AS OF JANUARY 1, 2025 AND REQUESTING THE MAYOR PROVIDE ADEQUATE NOTICE TO ALL BUILDING DEPARTMENT POSITIONS AND DECLARING AN EMERGENCY**

**WHEREAS**, Council and the Mayor began discussions about necessary changes in staffing to improve the operations of the Building Department in approximately June 2024; and,

**WHEREAS**, Council requested the Mayor begin staffing transitions in September 2024 and the Mayor requested these staffing changes be delayed until January 1, 2025; and,

**WHEREAS**, Council passed Ordinance 2024-130 to provide services, as required by Ohio Revised Code, for the proper management and efficient operations of the Building Department beginning January 1, 2025.

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

**SECTION 1.** Beginning January 1, 2025 Council shall not authorize any appropriations for Building Department wages and related employee wage expenses.

**SECTION 2.** Council requests the Mayor to provide written notice to each Building Department employee of this legislation and appropriate actions to return all village-owned equipment and documents.

**SECTION 3.** Council shall authorize appropriations for Building Department healthcare expenses for full-time Building Department employees currently authorized to receive healthcare benefits through January 31, 2025.

**SECTION 4.** Council hereby authorizes appropriations for Building Department employees to receive no more than 2 weeks' severance pay at the rate currently authorized in each employee's pay ordinance to be issued during the last pay period of 2024 and the Finance Director to provide a written report to Council documenting said payouts no later than the first regular council meeting of 2025.

**SECTION 5.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the Village, the reason for the emergency being the same that relates to the daily operation of a municipal department and the ability of the village to provide uninterrupted services to the citizens of the Village, therefore, provided it receives the two-thirds vote of all members of Council elected thereto. Said ordinance shall be in full force and effect immediately upon its adoption by this council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Erica Nikolic, President of Council

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

Presented to the Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
Gary v. Gottschalk, Mayor

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Resolution No. 2024- 137 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 Resolution No. 2024-137 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: \_\_\_\_\_





the revenues are higher than the expenses. So, I gave you a summary sheet on the last page. Where we can peruse back through it. If you look at that last page, 52 of 53. So, I went back and amended things. I showed the year 2024 revenues for the special revenue funds. Then I showed them the appropriations. The revenue funds is \$5.5 million, the appropriation of \$3.9 million. Then I did the general funds in the same manner, so, \$11 million four. Then the general fund appropriations, which we have requested each year at \$5.3 million and some change. Then I summarize both the general fund and special revenue. It's like \$17,023,000 and the permanent appropriation for 2024 is 9,330,000. **Davis:** You said the last page may I ask? **Thompson:** Yeah, the last page, I just did like a summary. **Williams:** All right, I have some specific questions because I did look at the last one in detail. And so, I believe I know where the changes were. So, if we look at page 23, in the budget. The revenue for page 23, the SCMR. And I'm just talking about this one right now is 835,290.99, right? **Thompson:** Yeah. **Williams:** But if we look at what we're appropriating right now it's \$620,000. But that exceeds the 50% level. **Thompson:** Yeah, there are some obligations I have to pay. That miscellaneous contractual based on the legislation you approve or some of Ed's projects. So, I mean, I got it at half, but the \$835K is more revenue than the (inaudible). And that can always be amended. Just wanted to make sure that we didn't lose any grants or anything. Per our compensation from Matt, in making expenditures for some projects. **Williams:** So, the conversation with Matt, what I would have thought would have been important is what needs to be paid through June 30th. **Thompson:** Right. **Williams:** Did he give you this exact \$419,000? Did he give you these figures? **Thompson:** What I did, in standing force of duress. I just took the amount from previous year and did a half. **Williams:** Okay, but we also have to be sure that. Since it's 50%, that our 50% is not exceeding 50% of what we expect to have incoming, right? So, if the revenue was only \$835,000, half of that would be \$417,645.50. So, our \$620K shouldn't exceed that. Unless, the Engineer has confirmed that there are specific amounts. Up and through June 30th that we need to go over to that figure. If he hasn't confirmed that, then there is no reason for us to exceed the 50%. **Thompson:** On the special revenues, you got to look at it holistically. I know you're honing in on one line. But I set the revenues in place that would cover these various expenses. **Williams:** Yeah, but... **Thompson:** We would be in compliance with the \$800,000, even though that \$419,000 may not be the final number from Matt. To make sure, we had to come back and amend it. **Williams:** So, here's the question because we only want to amend what we're going to amend. For very specific reasons, not just to make accommodations. If we don't need to pay all of these. If this \$620,000 is not going to be expended by June 30th. Then it needs to be at the \$417,645.50, it needs to be 50% of that revenue. So, we will make an amendment here. I don't know if you can get him on the phone. But what we need to know is if you need in excess of 50% of this revenue number. Because that's where the threshold should be for right now. We can amend it any time at any meeting. We can call a special need to amend it, so we can make changes. And that's what I'm going to recommend. That if we need to amend next week we do that. But that we set everything at the 50%. So, we're clear that no more than 50% will be spent. **Hardin:** Madam Chair, if I'm not mistaken, I think you asked the Finance Director if to include those numbers and we were made fully aware of. That is due now, remember he said certain amounts were due right now, before June. **Thompson:** Before June, coming into June. **Hardin:** Yes, he he told us what those were, yes? So, we do know what those are. **Thompson:** Matt is going to give me a summary, I didn't get a chance. **Hardin:** Okay, but you... **Thompson:** There was like \$1.4 million in terms of what you had to pay. So, this is really a small portion. **Williams:** It was but what he was saying was that. Some of that wouldn't be due until the later

end of the year. And some of that I do remember him saying some of it will be due in April or May. But it wasn't nowhere near the \$417,000, I think it was \$284,000. So, let's do that, let's set it at 50%. So, that we're all on the same page. And we don't have these certain funds that are off or out of that range. Let's set everything a 50%, so let's make that the limit. And then if we need to come back here next week and do a special meeting to change something, that's due. We know nothing is due next week. That'll give you a little bit of time to get back in touch with him. And let him know the urgency of what is going to be due by June 30th. **Thompson:** Okay. **Williams:** What needs to be in this SCMR fund. **Thompson:** Okay. **Williams:** And then I saw another one that was out of that 50% range. **Hardin:** Ma'am. Chair, can I make sure I understand what you're saying? So, the \$419,500 is the 50% number, and that's the only number we're going with? **Williams:** The 50% is \$417,645. **Hardin:** Right, isn't that what I say? **Williams:** That's 50%, no you said something else. It doesn't matter if it's 50% of this \$835,290. **Hardin:** Okay, thank you. **Williams:** And so, another one I see like that is page 37. The ambulance bill fund, we definitely want to make sure we have some restrictions around that. Because we haven't gotten the detailed receipts for that fund in the past several years. That we are able to review just yet. So half of that is \$172,500, and it's at \$182,271.08. **Nikolic:** Where are you at Councilperson Williams? **Williams:** Page 37. **Thompson:** (inaudible). **Williams:** And if we have specific things then we just need to know where we're at and why. And what those specific things are. **Thompson:** I had some (inaudible) I had to commit to. The year-to-date already I have \$43,600 so... **Hardin:** Going out? **Thompson:** Yeah, in February, this would be one that I'd make sure I check. Because those lease payments kind of come up semi-annual. So, \$345K divided by (inaudible), we can drop it. And then if I confirm those lease payments, then we can amend it. **Williams:** Okay, so page 42 is another one. **Hardin:** Can I go back? So, what should it be? **Thompson:** She wants to put it at \$172,500 on the appropriation side, which is half the revenue. We're pretty much going through the concepts. She is identifying funds which total revenues and then go half of what revenue we get. **Williams:** So yes, it's half of the appropriations for last year. But it also needs to be no more than half of our revenue as well. **Hardin:** Thank you, Madam Chair. **Nikolic:** And so, the number you're looking at is \$124,550 is incorrect? **Williams:** It's the \$182,000, the \$182,271.08 is more than half of the \$345,000. So, if our revenue for that account is only going to be \$345,000, 50% of that is \$172,500. So, in addition to being 50% of our 2023 appropriations. It also needs to be 50% of our revenue for that specific account. So, some of these may be off a little bit. But we don't want to spend more than half of that account at half of the year, essentially June 30th. **Thompson:** You get to \$172,500; it could be several (inaudible) more than likely, at least slightly. **Nikolic:** But all of the revenues that are in here are estimated, right? **Thompson:** Yes. **Nikolic:** Okay. **Williams:** Which means that, yeah, they could be less or more. Page 42, the Opioid settlement only has \$20,000. So, we just have the appropriation of that \$10,000. **Hardin:** Would you repeat, Madam Chair? **Williams:** Opioid settlement, page 42, our total for that is going to be \$20,000. But we have our appropriation set at \$11,000. So, it just needs to be reduced to \$10,000. **Hardin:** Yes, ma'am. **Matlock:** You said it's at \$20,000? **Williams:** It's at \$20,000. **Matlock:** I thought it was at \$22,000. **Williams:** That's last year's appropriation. **Matlock:** Oh, this year is \$20,000, (inaudible), okay. **Williams:** And then could you talk us through page 44 the bond retirement? **Thompson:** Yeah, with the revenues categories and real estate taxes, (inaudible) I set the transfer-in at half of what it was last year. And the note and bond proceeds, we're going to have our note coming up a little earlier this year. So, I'm going to have to receipt the funds then pay it out per the bond counsel's levels. So, I really didn't want to have that too low. Because those bond

payments will be really important. But I can check the bond counsel and see what the exact dollar is. And confirm if it needs to be reduced. But this is one I really didn't want to play around with. **Nikolic:** What's receipt the... you said receipt the funds. Can you clarify what that means? **Thompson:** Yeah, we were just talking about the receipt that goes into that bond fund. And there's certain tax rates that's been voted years ago. When they give me my settlement sheet. A portion of those receipts go into the bond fund. So, that's what I have pretty much for the real estate and the trailer. The transfer-in is pretty much the additional support needed to make the payments for the general fund. So, that's my transfer-in, and that \$135,000 you can see on the page with the general fund. It is the exact amount coming down to that fund. And the note and bond what they do, they go out to market. They'll go out for the note, sell the note, and I'll receive the funds. But then it'll be short of what the payment is. Because I'm paying down, because I'm trying to get that note paid down more and more. So, I have a portion to pay on the note as well. So, those receipts are just a summary of all the receipts coming in so I can make the payment. **Williams:** So, very specific question, bond counsel fees. Do they go to Stuczynski? Is that his name? **Thompson:** No, it's Mike Sharb. **Williams:** Who's that? **Thompson:** The bond counsel. **Williams:** They do something different than Stuczynski? **Thompson:** Yeah, when those legislations come before you. He usually reviews all that information and adjusts the amounts according to what we're going to do. You know, we'll go out to market to sell and he plays a major role in that. Just looking over the form for the legislation. **Williams:** And so, is his fee paid according to a percentage of something? Or is that just a fee, that he just tells you that's the fee and we pay it? **Thompson:** No, they have a fee worked in when they sell the notes for the proceeds. **Williams:** Do you know typically when you have to pay him that fee? **Thompson:** Pretty much when the deal happens that day, they get dispersed their fees. **Williams:** And do you know when this deal should be taking place? **Thompson:** Usually, it's in September but I am pretty sure we're moving it up to June. **Williams:** So, the September date that it typically happens falls beyond June. But now you're saying there's going to be moved into June. Is that because we just set this at 50%? **Thompson:** It was because they didn't want to... in the past we've had some timing issues. In terms of when Council ends for the summer, and they go on break. So, they wanted to move back a little earlier in the year. That was the reason for that. **Williams:** For us to get through the process. **Thompson:** Yeah, do the note earlier in the year. **Williams:** Talk to me about when the principal and the interest typically are due. **Thompson:** Some of that personal interest is semi-annual. **Williams:** So when would you typically pay? **Thompson:** Like July and December. **Williams:** Okay, so July is after June 30th. So, we may not even need this \$1,800,000 or \$47,000 until after June 30th... **Thompson:** It's going to be about maybe \$1.6 million, you have... **Williams:** You got appropriated \$1,800,000, right? **Thompson:** Right and that count for upcoming... I usually pay it a little bit early in June, that first semiannual payment. **Williams:** Okay, so you have enough appropriated here. Sounds like you said it was at \$1.6 million. You have here \$1.8million, but you're saying it won't come due till July... **Thompson:** June into December, I usually pay that first semiannual a little bit earlier. **Williams:** June or July? **Thompson:** June. **Williams:** And last year you paid it in June or July? **Thompson:** June, it's on that (inaudible). **Williams:** Okay, so the dates are June 1st and December 1st? **Thompson:** Yes. **Williams:** Okay, and you know for a fact that these are good? Because you said (inaudible) first and then you switch to June. **Thompson:** I know it's going to be June and December. **Williams:** Okay, because what I'm looking at is 50% and that would be \$1,357,000. So, we got about \$500,000 extra in there. This is what I'm trying to get a handle on for us right now as we do this. Is not having any accounts or funds padded in such a way that you

can move fluidly through the funds. We have more control and awareness of what exactly is being spent where. So, I just want to be sure that if we have moneys in an account that exceeds the 50%. But we have very specific reasoning as to why we need more than 50%. **Thompson:** I understand that. **Hardin:** With that being said, how can we make certain. If we allow for that, I guess, fluff to be there. How can we make certain that it isn't moved before we look at it? **Thompson:** The fund, I wouldn't call it fluff... **Hardin:** Well, I'm not trying to say... **Thompson:** This is a very serious fund right here. And if you default in your payments or something. It could be detrimental for us. **Hardin:** Right. **Thompson:** Those payments will be shown in June and July. If you want to lower it down... **Williams:** June and July? **Thompson:** I'm sorry, I'm sorry, June and December that's when my annuals are coming. So, we really need to be on point with making those deadlines. It's a serious payment I have to make. **Matlock:** So, let me ask you another question. **Thompson:** Yeah. **Matlock:** When or before it becomes due. Is there any way, for instance, if you need more. That you can give us information... **Hardin:** (inaudible) Transfers is what we're talking about. **Matlock:** Right. **Hardin:** Any and all transfers, that's the only way we... **Matlock:** That you need more ahead of time. So, Candace would know what the reasoning is. And then we can kind of we can make do on this at the time that is due to make sure we are not defaulting in any areas. **Thompson:** Right, if it's the pleasure of Council you could lower it. But we definitely need to act and raise it. I'll go back and summarize payment, interest, and counsel fees. Really give me some type of information. **Matlock:** You need to make sure we're not defaulting in anything on a bond. **Thompson:** Right, so if we lower, we definitely need to come back. Maybe even safely in May or, you know, sometime late April. **Williams:** I'm okay with that, we're working diligently on the budget. So, we're going to be okay. **Matlock:** I'm fine with it. **Williams:** Okay, so let's set it at 50%. **Scruggs:** Can you put on your calendar in May. Maybe either the first meeting or the second meeting in May. To present information to us of what you think is upcoming. So, that we will already be ready to talk about it in May. And know what we need to have ready for you for June. **Thompson:** Yeah, sure, they usually give me like a real nice summary of what we're going to be doing and the fees. So, I'll have the Bond Counsel forward that to you with exact. For the time being, we can lower it to 50%. **Williams:** Okay, and then just a follow up question. I heard you say June 1st and December 1st. Are you invoiced and then you have a net 30 so you can pay within 30 days? **Thompson:** No net 30, I get a invoice. **Williams:** Invoices due on that day. **Thompson:** Yes. **Williams:** So, you submit electronically that day to pay? **Thompson:** Yeah, I do. **Williams:** Those are the only accounts that... **Hardin:** So, what is the number? Is this half, where we are? **Thompson:** Yeah, half the revenue for that fund would be... **Williams:** \$1,357,701.61. **Hardin:** Thank you. **Williams:** Looking at page 47, the revenue, the receipts for that fund is going to be \$120,000. You have our appropriation set at \$120,000. Can you walk us through that? **Thompson:** A portion of some of these bond payments is for this 501 fund. So, it can be on the same aspect. We can lower that to \$60,000 and I'll get the information for exact payment. Because it's got to (inaudible) payment as well. **Williams:** We don't intend to belabor this. We're going to come back and meet every Monday in April. And make sure we move through all of these funds and line items again. **Thompson:** Okay. **Williams:** So, that we can begin to look at increases, pay ordinances. So, we're not going to wait until June 30th, that's our intention. So, you shouldn't be up against any deadline. But that doesn't mean we want you to wait. We would like for you to get us these for the street projects, ambulance billing fund, the Bond Counsel. We would like for you to know exactly what needs to be expended by June 30th, as soon as possible. We don't want to delay on getting that information. **Thompson:** Okay. **Nikolic:** So, what was the situation on page 47? The

appropriations don't look like they're half at the bottom of the page. **Thompson:** Yeah, 47, the revenue was projected a little over \$120,000. So, I'll take the same concept as we're paying the bonds. And there is a steady payment out of this fund. So, we're just going to lower it to \$60,000 and I'll acquire the information needed to support to come back. So, I'm saying (inaudible) your memo to make sure we don't have any delay in payment. **Nikolic:** Okay, so the \$60,000 will be on the final line? **Thompson:** Yeah, on the on the bottom half in the appropriations. **Williams:** If we take a look at page 48 the same, it's very similar. And I'm guessing that these are payments that NEOSD or whoever bills us. Bills are very specific time frame. It's at \$335,000, half of that would be \$167,500, and we're appropriated at \$218,000. So, do you have fees that you know will come in excess of that 50% by June 30th? **Thompson:** This is going to be another one I'll consulted with Matt. This is all contingent upon some of these sewer projects they're projecting. So, I'll get that same summary as I'm going to do for the street SCMR. And the exact amount and time it needs to be paid. So, we'll follow through with the same concept. To lower, you pay \$48,000 to half of \$335,000. **Nikolic:** So, the idea is we're going to make these changes, and we need to come back to approve before that. **Thompson:** I know we (inaudible) floor, but we're we looking to pass tonight? Or are you just submitting them on the floor. **Nikolic:** You have to make the changes first? **Thompson:** Yeah, I can change the exhibit. **Williams:** We'll need to amend these on the floor tonight. We will expect that you will amend these as we go back and rehash and restate. And we'll expect that what you submit to the County. **Thompson:** Yes. **Williams:** I don't see why there would be any reason because we have other pieces of legislation. Could you change these and get the exhibits back to us tonight before we leave? And we can make this the final piece of legislation. **Thompson:** Yeah, I can go to my office. **Williams:** On page 50, can you walk us through this? Because I was a little unclear about some of the language here. Like this deposit return, I'm guessing it's for people to receive money back. But I see it's exceeding the 50% for the actual receipt. **Thompson:** Yeah, I think about a thousand. But this is where we take the money for the senior center rental fund. And a portion gets returned, so (in audible) returns next year. **Williams:** When you say senior center rental, you mean using the community center? **Thompson:** Yeah, sorry. **Williams:** So, we'll set that at \$4,000. **Thompson:** Okay, I'm not sure what the meadows escrow is for on page 51. **Thompson:** Yeah, it is a small balance in there. Years ago, there was a development agreement where they set aside some money (inaudible) meadows. In that fund right now it is \$825, so, I just set it at that balance for expenditure. **Williams:** Has that money been sitting there since 2008? **Thompson:** Yeah, the final balance has in terms of the receipts and expenses. So, this is the last portion of the... **Williams:** Last year, we appropriated \$3,800. Did we spend any of those funds last year? **Thompson:** No, you pretty much have to set that appropriation with the fund balance. I think there was something, sometimes with Tommy, like if he has a mailbox or something. That may have gotten tornd down, we'll made expenditures. So, all we have left now is the \$825. Having said that, the fund balance that we started this year. **Williams:** (inaudible). **Nikolic:** So, Brian is money still coming into that account. **Thompson:** No, no it's done. That's why I just set it as the level of the fund balance. We're not going to get any more dollars in that fund. I just set it at the correct fund balance. **Nikolic:** Do we need to appropriate it to something that's finished? **Thompson:** I appropriated the full amount, it's only \$825.20 in the fund balance. So, that's all you can spend. It's okay to set it at \$412.60. **Nikolic:** Can't we just move that back to the general fund? Or do we need to... I'm just trying to figure out... **Thompson:** It has specific use, (inaudible) spend the money and then close out the fund. **Nikolic:** Okay, so if the money's still there. It has to sit there until it's used and then the fund can be closed? **Thompson:** Yes. **Nikolic:**

Okay. **Davis:** Does it get interest each month, I mean, every year? **Thompson:** I mean, for all funds on the books, it's in total dollars. So, I do invest the dollars in (inaudible) Ohio because they're very aggressively giving like a 5% interest now. So, like when you look at your cash report, you see all the dollars. I invest some of those dollars in (inaudible) Ohio. So, if you do get the interests, I mean, it can't be closer to a certain fund. **Davis:** Are they aware that we have this one still? **Williams:** We are now. **Hardin:** You said that it was based on the developer? **Thompson:** Yeah, developers agreement, it was legislated probably back in 2008. You can probably find the history on that. **Hardin:** Well, if you look, I think if you look at how it how we dealt with it in the past. After so many years, it does go to the general fund, does it not? **Thompson:** (inaudible) no claimed funds. **Hardin:** So, we had vote and remember. There was a period of time that we looked at those funds and we closed them out. **Thompson:** Yeah. **Hardin:** So, look it up and see how long it sits there. **Davis:** Just to validate, yeah. **Nikolic:** (inaudible) point of clarification, Brian, so I think what confused me is because we said that these were estimated revenues. But what you're saying is, it was the exact amount that's sitting in the account. So, I can't really... **Thompson:** Most of them are estimated but some of these funds are coming to an end of balances. It wouldn't be an estimate, I'm kind of just setting that amount. You know, I got 3 or 4 of them on the books, it's like \$100,000. So, I know no more money is coming in. So, I'll just have the amount of the fund. So, you're right about that. It's not an estimate on that particular one, it's the actual funds. But I could probably go through and note that to add some more clearly. **Williams:** Maybe it will help if you explain to her why some are estimates and why some actually have balances. **Thompson:** Yeah, pretty much according to budget process. Because the revenues you're not leaning on. You never know what you're going to collect on income tax or real estate and stuff. So, we kind of put the estimates in place. The estimates should be higher than the expenses. So, when I turn in my certificate to the County. They give me a DNE, you know the "do not exceed." So, that's some of the process, that's why we have estimates. But when I put that certificate together, I'm doing these estimates. And when I get to the funds that have just these pretty much end of use on the fund. They just got the small balance, that's all I'll list. And I won't put any new income coming in. **Williams:** But we can also never appropriate more than we have received in an account. That is a black and white finding. So, we have to be sure that when we appropriate, whether it's estimated or not. We are not appropriating more than what we're going to receive in our accounts. **Thompson:** That's correct. **Williams:** All right, page 53, can you walk us through. **Thompson:** It's a clearing fund, sometimes we have these PC deposits from developers and contractors. The Building submits to us, they will make a deposit. And it's kind of like a customer bond your holding on to you. And once the Building Department gets to a point where the project is done. They send up a sheet saying, okay, we went through everything on the project. Go ahead and give the bond back to the contractor. So, this is where I make those expenditures. **Williams:** So, I'm assuming that in 7799.59110, is that the DEP period? Is that deposit? Is that what that stands for? **Warren:** Customer bond deposit. **Thompson:** Yeah, I mean, the deposit (inaudible) revenue. But it probably could be customer bond expense. **Williams:** That's what was confusing to me. **Thompson:** Yeah, so I can amend that. **Williams:** Or customer bond deposit refund or something. But it was confusing to me. **Thompson:** Yeah, deposit refund would probably be more appropriate. So, I'll make the adjustment on that explanation. **Williams:** So, are we expecting to receive \$11,373 in that particular fund? **Thompson:** Um, just kind of estimating, I think I just sent that to Ed. That particular one, I just set it... actually, correction not estimated. I just kind of said at the fund balance. We will probably get some revenue depending on projects

that come from the Building Department. But for that particular one, I just set it, like the one we just talked about; with the beginning balance. **Williams:** Okay, can you go through the additional lines you have? **Thompson:** Yeah, just wanted to add a little more clarity. Because the point you're making to the body Council. Just wanted to show you that if you add up all these special revenue funds on the revenue side. And if you go down and add the expense. You can see that the revenue is way higher than the expense. And also, I did it for the general fund. Of course, with some of these changes. These appropriation level is going to be down. But it will still be under the estimations and beginning fund balances for 2024. **Williams:** You were just kind of putting a summary... **Thompson:** Yes. **Williams:** It's not related in any way? **Thompson:** No. **Williams:** Can we start that at the 50%, the \$8,250? **Thompson:** Okay. **Williams:** I have \$5,686.75. **Thompson:** Okay, you want half of the revenue and not the \$8,250. **Williams:** And then our last three pages, well for me. They're at the end of mine, pages 26, 27, 28. Page 26 does not seem to be at all... it looks like we appropriated the entire amount. **Thompson:** Page 26 is recreation budget and what I was trying to do is, I did half of it. Since we had to have half in the appropriations. Where I did half of it, it was only \$54,500 transferred in. So, I had to make that one balance. You know, so it's below the \$75,000 anticipated for me to receive funds. **Hardin:** Is that realistic, though? I mean, are you saying... **Thompson:** Oh yeah, yeah with the recreation activity now. It's pretty close to somewhat estimate of what we had last year. (inaudible). **Hardin:** I remember last year we did not increase it, remember? **Thompson:** You're talking about the Rec. Fund in total. **Hardin:** In total. **Thompson:** We actually reduced it. **Hardin:** Okay. **Williams:** Is this the newest number the \$223,000? **Thompson:** Yeah, that transferred in and I put half of it. So, when I did the half. There was no way I could have those expenditures, you know, higher than that. And then if you take the revenue \$75,254.14 and divide that by two. You'll be down to \$37,000... **Williams:** I mean, this is one of the funds that we would definitely like to go through expenses more. So, I definitely don't want to appropriate more than 50%. And have things be spent before we get a chance to say, yeah, that will be on this year's budget. **Thompson:** Okay, I guess if you lowered it. If anything, we won't have a summer camp expenses until you know, later. **Davis:** It starts June. **Nikolic:** It doesn't start until June, right? **Thompson:** Yeah, June, July or something like that. The summer camp line, if you look at it holistically. Only thing I'll just keep a close monitor on is just the salaries. It sounds like we're not looking to prolonged all the way to June. If I have to make an amendment so... **Williams:** So, just to note the beginning balance is \$4, essentially, and we transferred in \$54,000. **Thompson:** Last year, was like a hundred something thousand; so I cut it in half. **Williams:** What level were we going to set this at? **Nikolic:** Would he be doing the \$54,000 or half at the \$75,000? **Thompson:** Well, his rec program he presented to you was quite a bit more. I thought it was like a hundred something thousand, this is just half. That's how much I had to adjust it. Because when I reduce that transfer, it was only \$54,500. So, I made the fund balance for the expenses. Because it couldn't have been half, it couldn't have been half of \$223,000, from last year. **Williams:** So, tell me what the \$75,000 is representing. Because I'm not sure I'm clear. **Thompson:** On the revenue side? **Williams:** Yes. **Thompson:** Okay, they pay, you know, residents, for some of these recreational activities. I have to get the list from Carlean. There is a nine-week summer program charge. Something dealing with the kids. I'm sure it's during the camp time. Where they have like one of the camp counselors do this epic year program. I'm pretty sure those two were during the camp period. Carlean has to elaborate more. But what they do is, they pay to have their kids watched or something. While they are going through the program. **Nikolic:** I'm sorry, it was the \$75,000 for? **Williams:** What does that number represent? **Thompson:** You looking

up top, the \$75, 254? **Williams:** Yes. **Thompson:** Oh, that's the total of the total revenues. The \$54,000, the \$4, the \$750, that's just a summary of all of what will be anticipated in the fund. **Nikolic:** Of those top? **Thompson:** Yeah, so you add the \$3,000, the \$17,000, \$750, \$4.14, and \$54,000. **Warren:** So, we should have a total or something down at the bottom. **Nikolic:** Okay. **Thompson:** Yeah. **Williams:** So, this is typically a fund that we transfer a whole lot of money into. Where do we want to set the levels at? **Scruggs:** \$37,000 half of the \$75,000. **Nikolic:** Because essentially the program doesn't start until July. Is it July that you said? **Scruggs:** Maybe it is the end of June. **Thompson:** Did he leave a flyer over there? **Scruggs:** No, he took it. **Thompson:** I think it's at the end of June, kids are out of school. **Matlock:** When do kids go out of school? Like May? **Thompson:** Depends on... **Matlock:** Is it right after May? **Scruggs:** It is June. **Warren:** Do we have to make advance payments or something towards certain functions or something like that? **Thompson:** When he does go into the grant program. There are some advanced payments to some of those instructors that are affiliated with John Carroll. So, we do make some advance payments. **Nikolic:** But you wouldn't exceed half of \$75,000, would it. **Hardin:** If you only put that much there, then that's where it stops. **Thompson:** (inaudible) the Mayor would know, he pretty much got some of these people in line to get a number. **Williams:** Here's what's confusing to me. This is 204 we're talking about, right? **Thompson:** Yes. **Williams:** The other day we received something that said the total expenses for wages were \$82,151. But here you have \$39,397. 50. **Davis:** \$82,000 is what she received in 2023. **Thompson:** No what happens is, when the Mayor goes into this summer camp program. He likes to have like one line for summer camp, it's all of the activities and the camp counselors. But I have to explain to him that we're not (inaudible) accounts. The payment for those counselors had to stay in that wage line item. So, it's just a matter of making sure that lines up properly. That's why I was like \$82,000, because it's Carlean and all those camp counselors. That I have to put in my wage line item. **Nikolic:** So, then this year when you did the budget, it was like \$55,000. So, you took... **Thompson:** Yes. **Nikolic:** But you took the counselors out? **Thompson:** Yes, and that's why it was lower than \$82,000. **Nikolic:** But there was no line item for them. **Thompson:** For them... **Nikolic:** The counselors. **Thompson:** They're just in wages, you have to get a payroll report. And you can see it in that summary I gave for you for year end. You can probably see that department who was the camp counselors. **Nikolic:** On that budget that we looked at. I didn't see a line item for camp counselors. **Thompson:** I mean, I'll have to create a new charging account to say camp counselors. **Scruggs:** What he's saying is, that's where the camp counselors money is dumped into the wages. There is no additional line item. **Nikolic:** No, I know, but for this year he took it out because it said \$55,000 instead of \$88,000. But it wasn't indicated on the line items where it went under recreation. **Williams:** Okay, so let's do this right now. What would be helpful is a department wages and summer camp wages were separated. **Nikolic:** Right. **Williams:** Because we know that is an area we definitely want to be able to monitor closely. Who in the recreation department is receiving what. As in terms of who's full time, as opposed to who may be seasonal. So, maybe you should have two separate line items. Department wages, summer camp wages, department PERS, summer camp PERS, department Medicare, summer camp Medicare. So, that we are very clear about those full time throughout the year and who is seasonal for summer camp. **Davis:** Because the ones you gave us on PERS for the budget. The PERS on your wages, only totaled \$7,759. But here you got \$12,000 appropriations for the PERS. So, that's a whole different number. **Thompson:** Give us some (inaudible) to separate those in the wage area. So, I can get more clarity and then we'll charge directly there. And spell out the payment for PERS and Medicare. So, I'm just going to have to create some new accounts.



**Howse:** You already have, just use... **Thompson:** That camp counselor line? **Howse:** Yeah, use that (inaudible). **Thompson:** He's using that for like activities. **Howse:** But use 3342, as the code to identify that that's summer. Then you can use 51110 for your wages and things like that. That way you separate it, but it is still in that same budget. **Thompson:** Yeah, for summer camp, yeah okay, thanks for that. So, that's what I'll do, I take I'll create those new accounts. And put it under a department code. **Williams:** Yeah, and with recreation you just need to be very clear with them. Because I don't know what you guy's process is. If they're giving you things and they're under the wrong category. So, when you get them that you're coding them wrong. Or if you're just coding them and they're getting all mixed up. I'm not sure what's happening. **Thompson:** But when they come in as seasonal, and they fill out the application. **Williams:** Yeah. **Thompson:** And we distinctively know they're camp counselors. And we put them in wages, but we know they're part time camp counselors. Because they're all seasonal, none of them are permanent. **Williams:** So, what goes in your summer camp line? **Thompson:** Those are like straight activities. **Williams:** Okay, so everything outside of summer camp wages, PERS, and Medicare. Everything spelled summer camp would go into 3342.52155? **Thompson:** Yes. **Williams:** Okay. **Thompson:** But I'll break out those salary codes where you have summer camp. **Nikolic:** We didn't get the details (inaudible) did we? **Thompson:** No, not yet, she was compiling it though. She was getting her signature pages when I seen her last couple of days. So, I'll let her know the urgency so we can get that next week. **Davis:** Brian, can I ask you then, how do we go from wages of \$55,425 Tuesday to \$39,000? **Thompson:** Because I was just pretty much taking Carlean out. I'm going to make it fully clear. Because all you're going to have on under there, we'll have Carlean solely. We'll put her on that wage line, anybody that's her full-time assistant. Then we'll take the methodology for this 3342 that Mrs. House is discussing with us. Separate those codes, you're going to have a clear understanding of who those people are. This right here is kind of convoluted. So, I'll get it real clear for you. **Williams:** So, we want you to set that 50% at \$37,500 for that fund. **Thompson:** Okay. **Williams:** I don't know what you're looking at. But I would just recommend everything dealing with summer camp be where you start to reduce from. Because summer camp should not happen before we go back in a bit. So, you should be safe to eliminate that from the budget for the time being. and then page 27 looks to be good. I just had a question on page 28. Because it doesn't look like we're at 50%. I know we typically do a lot of transfers in. **Thompson:** (inaudible). **Williams:** Council any suggestions as to where we want to set that? 50%? **Hardin:** For? **Williams:** Page 28. **Thompson:** Yes, the seniors budget. **Thompson:** You want to reduce the \$77,500 divided by two right? **Williams:** I've got \$38,750, but are we okay with the 50% there as well? **Warren:** The \$77,500, half is what you're saying? **Thompson:** Half would be \$38,750. **Warren:** Right. **Thompson:** Which should be fine I mean, that launch total is kind of scaling out throughout the year. So, we can set it at \$38,750. **Davis:** May I ask, this is not \$38,000 to spend from now until June? **Thompson:** Yes. **Davis:** Was \$38,000 what we were supposed to spend from January to June? **Thompson:** Yeah, January to June. **Hardin:** And how much have you currently spend out of this? **Thompson:** We got \$64,163 rounded but we'll cut it down to \$38,750. **Davis:** Okay. **Williams:** She's asking for expenses. **Davis:** Expenses on what they (inaudible). **Thompson:** (inaudible) \$18,000. **Davis:** So, you have \$10,000 a month. **Williams:** So, we're at about 50% on the \$38,000, nearly, around. **Thompson:** Yeah. **Nikolic:** Just one other thing, I see there's appropriations for Rose Center for Aging. Isn't that no longer exist in existence? **Davis:** Yes. **Thompson:** Yes, so that has to be part of my reduction. I'll have to wiped (inaudible) to zero. **Davis:** So, that will bring your total down too. **Thompson:** We'll still be at \$37,000, I'll reduce to

six, and then I have to get the rest. **Williams:** I can tell you for anywhere in here you found Mount Zion. In any of these accounts we're talking about reducing. You can wipe it out.

**Thompson:** Yeah, okay. **Williams:** You can take it from there. **Thompson:** All right. **Davis:** And also, we talked about Time Warner and Electric or whatever Internet stuff being together?

**Thompson:** Yeah. **Davis:** Direct and Time Warner, I know you haven't had time. But we...

**Thompson:** Yeah (inaudible) combine those to get the best results. **Davis:** Okay, thank you.

**Williams:** So, just to recap, because we can move on with the rest. And allow you to go make the necessary changes where we need to be. **Thompson:** Okay. **Williams:** I know that we asked you to amend the title page to 2024 permanent appropriations; which we have. Page 23, it's going to be reduced to \$417,645. Page 26, is going to reduce to \$37,627.07. Page 28, is going to be reduced to \$38,750. Page 37, is going to be reduced to \$172,500. Page 44, will be reduced to \$1,357,701.61. Page 47, we're at \$60,000 and page 48, \$167,500. Page 50, we're at \$54,000. Page 51, we're at \$412.60, and page 53, we're at \$5,686.75. So, any additional edits? **Nikolic:** Page 21, I know we talked about this, the Recreation Center fitness rebate program. A small thing, but I thought the rebate program... This is what we pay taxes, right? **Thompson:** Yeah.

**Nikolic:** Someone comes in okay with their rebates, okay gotcha. **Scruggs:** Could you just explain really quickly? **Thompson:** Page 45, is pretty much used for our lease payments on our vehicles we have. In the past we've done these deals with legislation. So, that's just to make the payments in that fund. **Williams:** I'm sorry, I missed that one. **Scruggs:** Yeah, that one it's not 50%. **Thompson:** Yeah. **Williams:** Thank you... **Thompson:** This would be one of the accounts that I'll summarize the lease payment. Because they have an amortization scale as well.

**Williams:** Okay, so you're going to get us that schedule? **Thompson:** Yeah. **Williams:** So, we will reduce after \$79,000, page 45. **Thompson:** Okay. **Hardin:** And we're waiting on the amortization schedule to just attach to kind of track it, too? **Thompson:** Right, yeah you could see they have specific dates for payments. **Davis:** Now, I still have a question on this REC. How could we approve \$39,000 for wages? Or half of whatever we got, and we don't even know who we are paying. If that is the summer camp counselors or just Ms. Carlean. **Thompson:** So, I mean, yeah, well, we were taking steps to reduce that. **Davis:** Yes, I know, but we don't know whose wages these all are. That's just her? I mean... **Thompson:** It's always going to be her and...

**Davis:** But if it's other people besides her, that could be covered. But if it's just her, that's a large amount. **Williams:** Remember, we requested specific detail on this. **Davis:** We need to know that before we can vote. **Thompson:** You're saying all expenses? **Williams:** We did say all the expenses. But she is asking specifically about... **Davis:** The wages, especially because wages, PERS, and Medicaid that's different than what you asked for; this page 26. **Williams:** So, we (inaudible) that in 2023. And we expect to charge to that in 2024. **Davis:** And I don't know if this \$19,000 is just for her or half of it. Or if that \$19,000 is for her, plus summer camp counselors or not. **Thompson:** Okay. **Nikolic:** One other things, and I don't know if this is just for clarity purposes. Because here it says revenue, would it be possible to say estimated revenue. And then a column that says like actual balances. Then put those two funds that have it. So, we know exactly the accounts that have that amount of money in them. **Thompson:** I mean, I could go down and... **Nikolic:** is it a lot of them? **Thompson:** The ones that are estimates I can put estimate. And the ones that's just an ending balance. I could probably put that language in there in the same column. **Nikolic:** Yeah, or something just because right now it just says revenue. So, it should say estimate. **Williams:** She's asking for estimated revenue and actual revenue is what she's asking for. **Nikolic:** Right. **Thompson:** I wouldn't know to ask you on 24. **Nikolic:** No, no, for the ones that have the exact balance in the account. Just so we can familiarize yourself with

which funds have an actual balance. And potentially closing them out at some point. **Thompson:** You want me to go through the whole report tonight to change that? **Nikolic:** I mean, I don't know how many are there. **Thompson:** Or is that something again, when we come back for the amendment. The ones with the final balances. You figure it's about 7 or 8 and then the rest would be estimated. So, I could do those sounds like. **Williams:** You're saying there's only seven actual? **Thompson:** Not actual, it's maybe final fund balance, that's what it is. **Williams:** So, can you add it to those 7 or 8 things. **Thompson:** Yeah, okay so amend those columns with the headings, do the rest of estimate, change these numbers come down to half. **Williams:** You're going to do final funds tonight and estimate you can have for us at the next meeting. So, at least we'll know these are final funds. **Thompson:** Yeah, these would be, you know, we'll have this reflected in my notes once I go back and change them. **Williams:** Okay, and then you're going to reprint for all of us. So, that we can begin to work through these before the next (inaudible). **Davis:** Okay, I have a question now. We only spent, instructors, we still have \$15,000. We're keeping track of that amount. But we never said we were going to give all that money for Instructors. Because we don't have anybody but Carlean right now. I mean, we don't have anybody from January through to now, but Carlean. That should be included in the wages as far as I am concerned. Wages during the daytime, so... **Thompson:** Well, we're going to rectify, (inaudible) miscellaneous contractual we need to combine. Whatever comes to that you approve for her base salary. But she is planning to have fitness instructors. **Davis:** Yeah, but we don't have anybody. I mean, she's been the only one. Do you know what we spent already this year? **Thompson:** Yes, she's in 1099's as herself. (inaudible), which she got. **Davis:** She made \$10,900? **Nikolic:** I think the payout for fitness for her is about \$1500 a month. **Williams:** Councilwoman Davis, that has to be reduced by \$37,000. So, what do you want to reduce that to? Because that can be a part of the line item he reduces. **Davis:** Do we know how much we spent? Did we pay already? **Thompson:** Yeah. **Davis:** Because we wanted part of her job. **Thompson:** I mean cut it in half maybe. **Williams:** Cut it in half. **Davis:** Yes, please. **Williams:** But in addition to that... **Thompson:** Still get it to the level that we talked about. **Williams:** It has to be at the level of \$37,627.07. But in addition, our Recreation Director, we're not authorizing you to pay her as a fitness instructor separate from her salary. Not at this time, she should not receive any payment. **Thompson:** So, she has to shut that down. **Williams:** Yes, she does not, she has to find other instructors. Or, she has to do that within her Recreation Director salary. She is not to receive any additional until we make a final decision about that. Because there's no contract for that. **Davis:** Even miscellaneous contractual she shouldn't be taking out of that either. **Williams:** We are only authorizing you to pay her salary within the department wages. **Thompson:** Right, okay is that it? **Howse:** I was trying to understand what Erica, your question. What were you asking him to insert? **Thompson:** Like when I began the year, like, a fund may only have \$4.19. It's not going to get any more revenue. So, I can't even estimate any more revenue. So, she wants me to put a notation saying that that's the final revenue we're going to have. **Howse:** Okay. **Thompson:** Yeah, any suggestions? **Howse:** I just don't understand what you said, that's all. **Thompson:** It's the beginning fund balance, I'm not going to receive no more money in the fund. **Howse:** So, it's an inactive fund, is that what you are saying? **Thompson:** Yeah, exactly, but you still have that balance there. **Warren:** In other words, you carry an over a balance from the existing fund. But it's not going to have any. **Howse:** So yeah, it's an inactive fund that you're rolling over. **Thompson:** Yeah, but even with the (inaudible). I mean, the dollars are there, I could still spend it. **Howse:** I don't know if that's correct to say final. It's just the beginning balance that's rolled over to the next year. If you don't appropriate, it just sits there.

And then the way you handle that is, at some point you say this is an active account. There's two ways to do it. You have to either go get a court order to move it to the general fund. Or depending on, you know, restricted or unrestricted. But I wouldn't put final. **Thompson:** Okay. **Williams:** What she's asking is how would a new council person. Identify what's actual revenue, what's estimated, what will have nothing else going in? Do you have recommendations? **Howse:** Well, I would say your summary of your cash that you receive. You receive that there's a carry balance from one year to the other, right. It's actually your beginning balance that's carrying into the next year. That's what that balance is, and they will continue to roll over like that. As long as you have no activity on it. So, you just leave it because until the Auditors asks if it's inactive. Or if they rename the purpose of it. Which they've been doing that. Saying there's no purpose of having this fund, you need to roll that up into the general fund. Only on their instruction, but I wouldn't... **Williams:** Are you okay with... **Howse:** So, if you look at your summary cash, the next time you look at it. That balance, for example, that \$856 for the developers or something. You'll see that number in the beginning balance of that column. Your salary cap, you'll see that number there. **Nikolic:** Right, I'm just trying to figure out. As we look at this, how do we know which funds are in that status? So, is there a way where you can indicate that? Just like a parental right here, just saying like, you know... **Howse:** So, in some of these I noticed that he did have like in some of these special revenue funds. You have the beginning balance, is that what's missing from some of them? **Thompson:** Yeah, missing on some, some of them I just had the you know estimation. But on those I put in the beginning balance because that's all I have in that fund. **Howse:** Yeah, I would just say beginning balance. Because we want to make sure we have enough time to get everything else in. If you make sure that, so when they have this for the future. That you just reference beginning balance. **Thompson:** Okay, I could change those eight tonight. **Williams:** I think she's saying don't change that header. What I think would be most helpful if we don't want to change the entire thing is. Can you just create a list that states these are the funds that will not have any additional receipts. **Nikolic:** Yeah, however you want to do it. **Howse:** Just say these funds are inactive, inactive funds. **Nikolic:** Just to familiarize me, once I see it once, it'll be fine. **Howse:** Yeah, inactive funds, so that way you know these funds don't have any activity. **Nikolic:** Right, there'll be no more money. **Williams:** You don't need to do that tonight. But by Monday, can she just have the sheet. So, yeah, they're clear about which funds only have this amount and are not receiving any additional revenue. **Thompson:** Okay. **Nikolic:** While he's doing that, why don't we move on. Unless there's any discussion that we'd like to have before he comes back? Should we move through the items? Why don't we move through? And then if there's additional discussion. You can have it when he comes back. Agenda item number five City of Solon Contract. I don't believe I saw an email coming back from... **Hardin:** One came back today. **Williams:** They made a decision to remove that from all contracts that they had. And the only reason they provided that provision in the contract was for the pandemic. To, you know, support the municipalities a little more. And they made a Council, I think they took a Council vote to remove it from all contracts. **Nikolic:** All right, moving on to agenda item number six. So, I guess when we go through, we need to have discussion now. Or we can discuss it when it's time to get to the legislation. Because I believe that is legislation 2024-16. **Williams:** It is. **Nikolic:** So, we can, let's hold discussion until we can have a discussion when we get to the legislation. Agenda item number seven, legislation to approve forensic audit files again so we can have a discussion to get to the legislation. Okay, and number eight, may I have a motion to go into executive session?

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

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

**MOTION PASSED**

Enter executive Session at 6:26

Motion to adjourn 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, Williams

**MOTION PASSED**

Exited executive Session at 6:32p.m.

**Nikolic:** Okay, moving on to agenda item number nine, legislation.

### *Legislation*

*(Read by Councilman Warren)*

**2024-11**

Introduced 3-26-24

By Mayor and

Council as a whole

1<sup>st</sup> read 3-26-24

2<sup>nd</sup> read 3-28-24

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF SOLON REGARDING THE CUSTODY, SUPERVISION, CONFINEMENT AND BOARD OF PRISONERS AND DECLARING AN EMERGENCY**

**Nikolic:** Okay, this is on second read. Was there indication that the Chief wanted this to be passed immediately? **Warren:** Yes it was. **Nikolic:** Okay.

Motion to suspend rules for legislation 2024-11 made by Scruggs seconded by Warren

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

**MOTION PASSED**

Motion to adopt legislation 2024-11 made by Hardin seconded by Matlock

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

**MOTION PASSED**

**2024-14**

Introduced 3-26-24

By Mayor and

Council as a whole

1<sup>st</sup> read 3-28-24

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF OAKWOOD TO ENTER INTO A CONTRACT WITH THE OHIO AUDITOR OF STATE KEITH FABER TO CONDUCT A SPECIAL AUDIT OF THE VILLAGES'S NONPAYROLL DISBURSEMENTS FOR THE PERIOD JANUARY 1<sup>ST</sup>, 2017, TO MAY 31<sup>ST</sup>, 2022, AND DECLARING AN EMERGENCY**

**Williams:** I would like to make a comment on that. The wrong legislation is attached. The Law Director sent the correct legislation. And I do not believe that's what I'm seeing here. But I don't see it at all. So, 2024-14 should have a section one and a section two. And I'll just state this on

the record. The only changes to 2024-14 as it appears in this current legislation. That is not the actual legislation that should be here. Is that Section one in this legislation should actually be section two. And Section one actually reads "The Mayor be and hereby is authorized to execute the engagement letter substantially in the form attached hereto and incorporated herein as exhibit A", and exhibit A gets attached. So, our Council Clerk will have to add this to the agenda. So, that it's correctly posted. **Hardin:** Okay, and since we're getting those corrections. By tradition, we always state it's introduced by Mayor and Council as a whole. We want you to verify that he will participate and sign it. So, it should say introduced by Council if that's what is the case or is it by Council and Mayor. **Warren:** But mostly all of our legislation is by Mayor and Council. **Hardin:** Now that we know that my point is this... **Warren:** You asked a question I was just responding. **Hardin:** Yeah, well, I did ask a question, I made a statement. I want to make certain that this is something that this Council is initiating. Unless he wants to participate, but if you want to leave it the way it is, that's fine with me. **Nikolic:** It has to be changed by the Clerk, so... **Hardin:** That's correct. **Warren:** The thing is the Mayor has to sign it too. **Hardin:** Johnny listens to me again. Legislation can be introduced by a member of Council, by the Mayor or both. Traditionally, because of the way the charter reads. We have a strong (inaudible) council. So, it always said Mayor and Council. It's just a point of order, if he doesn't want to participate or if you don't want to ask him. I see what you're saying, I understand it. **Nikolic:** Alright, how about this... **Williams:** Let me just... **Hardin:** No, I withdraw my comment. **Williams:** I wanted to open it back up. Because I want to see what the Law Director sent, if he amended that area. **Hardin:** Okay, if he didn't that's fine. **Williams:** So, in what the Law Director sent. It does say introduced by Mayor and Council as a whole. So, it's still the same. **Hardin:** Okay, as long as he is aware. I want to make sure this Council is making every effort to make sure we get the stuff right. Okay, and the fact that we have some legislation that hasn't been signed. I'm not going to keep going round and round. I wanted it known that this is Council trying to get this (inaudible). **Nikolic:** So, we need to wait until we have the actual legislation that we're signing in here. Before we pass this, because right now it's not in the form that... **Williams:** We need to make sure that the Clerk posted the correct legislation to it. **Hardin:** Right, and post it the way it's brought, by the Mayor and Council as a whole. **Warren:** We've approved legislation before as amended. And we're talking about it here as a matter of record. So, we're going to just put that as a contingency as amended by the Law Director. **Nikolic:** Well, since it is so important. Shouldn't we have to make sure that it has all of the language and everything in front of us. So, we don't have any complications with... **Warren:** Well, this is just simply an issue of authorizing the Auditor of state. If somebody wants to bring it up, then we'll talk about it later. But we could pass it now and it's not something like a Schade deal where it's memorial. You know what I mean? This is something that could be amended if it needs to be. But we can pass it based upon amendment. **Nikolic:** So, pass it as it is now here in front of us. **Warren:** No, no, pass it as amended. **Nikolic:** Right, so we wait until we get the legislation in front of us exactly how it should read before we pass it. **Williams:** No, we have it, it's been read. **Hardin:** So, can we pass it? **Nikolic:** So, motion to adopt, I mean this is first read. So, motion to suspend the rules for legislation 2024-14. **Warren:** As amended. **Williams:** It's not, I think that's what we need to be clear about. Because we cannot amend in a special meeting. This is just the wrong legislation that's been included. The Law Director sent what should be the correct one, I just don't... And if you want me to reread. But this is just not the right one in front of us. And I did ask the Council Clerk to make sure the correct one was posted. And also included with the agenda. **Nikolic:**

Well, me personally, I would only approve something that I see in front of me. So, we can continue on.

2024-16  
Introduced 3-26-24  
By Mayor and  
Council as a whole  
1<sup>st</sup> read 3-28-24

**AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF JAMES  
SCHADE**

Motion to suspend rules for legislation 2024-16 made by Warren seconded by Matlock

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

**MOTION PASSED**

Motion to adopt legislation 2024-16 made by Hardin seconded by Warren

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

**MOTION PASSED**

**Nikolic:** Okay, just to let you guys know, he said throughout the document where he made changes, it's highlighted in a dark gray. **Williams:** Where's the first page? **Nikolic:** He had the first pages printing out after all of them. So, he's going to bring that over later. I just brought these copy so we could start. **Hardin:** So, we can get it really old stuff. And keep the cover page from the first one. **Williams:** You said he's going to bring another? **Nikolic:** He's bringing it, I think he just printed it like at the end of all the other copy. So, it's going to come out last. So, let's just start verifying he made the changes in this stack that we have here. **Warren:** I know I wasn't here in the beginning. I don't know the specific line-item stuff. **Nikolic:** Right, I'm actually just going through page by page to see if I see any gray boxes. **Warren:** I don't see any gray boxes. That's what I started looking for. Oh, here's one down at the bottom. The gray boxes are down at the bottom line. I see one for recreation, \$37,627.07, page 26. **Nikolic:** The first one I see is on page 23 the SCMR. And I guess we're just make sure that it was half of the revenues that was listed. That appears to be correct. The next one will be page 26. He was 37, that appears to be correct. Back on page 28, the senior center. \$38,750 half of the \$77,500, that's correct. **Thompson:** I tried (inaudible) on the changes. **Matlock:** On page 42, was it supposed to be \$10,000 or at \$11,000? **Williams:** Ten. **Nikolic:** 37, the ambulance billing is correct. **Nikolic:** I see page 43; he still has for ARPA \$500,000 in appropriations. Did we go over that? **Williams:** This is supposed to be zeroed out at by September 2021 I believe. **Nikolic:** But on this budget it should be... Because I guess they haven't used the \$250,000 for Oakleaf yet. So, technically that money's still there. **Williams:** You talking about (inaudible) or ARPA? **Nikolic:** 43. **Williams:** ARPA is correct. **Matlock:** They're using the balance of those funds. **Nikolic:** They already used \$250,000 for Fair Oaks. Well, we can ask when it comes back. **Williams:** They appropriated it, they haven't spent it. **Nikolic:** They haven't spent it for Fair Oaks yet, okay. **Williams:** You just said page 42? **Matlock:** Yeah, that was that opioid fund. **Williams:** Okay. **Nikolic:** And that should be \$10,000 you saying? **Matlock:** Yes. **Nikolic:** And page 44 the G.O. Bonds, that correction appears to be correct. Page 45 The leases for one capital improvement, that's correct. Now, this is what I'm confused on. And Karen, you could probably help me. So, the Tiff revenue on page 46. Wouldn't this be an example of account balances where the money's there? We're not

appropriating to these TIF funds, are we? **Howse:** It's an active account. **Nikolic:** It's an active account, right. But do we appropriate, these are based on what he expects is coming in. **Howse:** So, he's telling you that your anticipated revenue is \$146,174. **Nikolic:** Where are you? \$156,000? **Howse:** Yeah, you see above (inaudible) and then he has half of that \$156,000 in expenditure. So, he's saying of the \$156,000 in revenue, he budgeted 50% of that estimated revenue. **Nikolic:** Okay, so that's how much will be available. Oh, Brian, can you double check the, I did half of the total TIF funds revenue. It looks like... **Thompson:** Oh yeah, she didn't tell you that one. **Williams:** If they were less than 50% we left them. **Thompson:** Yeah. **Nikolic:** Okay. **Williams:** The special revenue funds header sheet that I'm about to pass you. Goes after page 22 and before page 24. **Nikolic:** So, my final question is, I know there were some questions about what was appropriated. And where we were at in terms of whether or not we were passing a half. I just wanted to make sure that passing this 50% for the rest of the year is within the O.R.C. guidelines. Did you clear that with the Law Director? **Thompson:** Apparently you can do it and submit it to them. It's just a reduced budget. We'll definitely have to come back to amend. As I advised you on those certain funds. **Nikolic:** So yes? **Thompson:** Yes. **Nikolic:** Did anyone see any additional changes? Is there any additional discussion for legislation 2024-15? Have all corrections been made? Are we satisfied with what's been presented by the Finance Director? Any objections? Hearing none...

2024-15  
Introduced 3-26-24  
By Mayor and  
Council as a whole  
1<sup>st</sup> read 3-28-24

**AN EMERGENCY ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF OAKWOOD, OHIO FOR THE YEAR 2024**

Motion to add the word "Permanent" to the preamble of legislation 2024-15 made by Hardin seconded by Matlock

**YES VOTE:** Hardin, Matlock, Nikolic, Warren, Williams

**MOTION PASSED**

Motion to suspend rules for legislation 2024-15 made by Hardin seconded by Matlock

**YES VOTE:** Hardin, Matlock, Nikolic, Warren, Williams

**MOTION PASSED**

Motion to adopt legislation 2024-15 made by Warren seconded by Hardin

**YES VOTE:** Hardin, Matlock, Nikolic, Warren, Williams

**MOTION PASSED**

**Nikolic:** Any discussion for 2024-14? We had the amended legislation. We added in section one and attached exhibit A, which was the contract. Are there any other changes or comments/discussions on 2024-14? Hearing no further discussion on 2024-14.



Motion to suspend rules for legislation 2024-14 made by Hardin seconded by Warren  
**YES VOTE:** Hardin, Matlock, Nikolic, Warren, Williams  
**MOTION PASSED**

Motion to adopt legislation 2024-14 made by Hardin seconded by Warren  
**YES VOTE:** Hardin, Matlock, Nikolic, Warren, Williams  
**MOTION PASSED**

*Note:*

*~Councilwoman Davis left at 6:17p.m.*

*~Councilwoman Scruggs left at 6:45p.m*

Motion to adjourn made by Hardin seconded by Matlock  
**YES VOTE:** Hardin, Matlock, Nikolic, Warren, Williams  
**MOTION PASSED**  
Adjourned at 7:24 p.m.

Approved \_\_\_\_\_

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

\_\_\_\_\_  
Erica Nikolic, President of Council

**VILLAGE OF OAKWOOD  
FINANCE COMMITTEE MEETING MINUTES  
2024-4-9**

**ATTENDANCE**

Erica Nikolic, President                      Brian Thompson, Finance Director  
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**

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

\*Arrived after roll call

\* Chair of Finance Committee

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Meeting opened at 5:15pm by Williams

Pledge of Allegiance

Roll Call taken

**Williams:** Mr. Thompson, you said you have some reports for Mrs. Davis. **Thompson:** Councilwoman Davis asked for a more descriptive, thing of everything on the Huntington credit card. So, I show and told her every month, we tie in the payment on the credit card. To every single receipt happened in that month. And, documentation always comes pretty thick like this. So, I'm just trying to figure out, like, this is a lot to copy. Or should I just make it available for you to come in and review it at your leisure? Maybe put them in a box. If not, you have to copy at least eight thick of these, every month if you want. **Williams:** Who would like paper copies? **Davis:** I do. **Williams:** Of credit cards reports? **Thompson:** Yeah, I'm trying to figure, like, if I could just make these accessible. Because we can have it to make sure they stay together as well. Just for upcoming audit and everything. So the thing is like, do you want nine copies of these every month? **Williams:** We don't, for now only Councilwoman Davis wants a physical copy. **Nikolic:** I'll take one. **Williams:** Councilwoman Hardin, we were discussing a preference for credit card statement report with the invoices attached. Would you like a copy? **Hardin:** Yes, please. **Matlock:** So, is that for one month? **Thompson:** Yes, it's thick because you're receiving a lot more little detail of every single receipt. **Scruggs:** Can you also make one available for us somewhere we can come in and check it out? **Williams:** Well, I was going to ask once you do the copy, because you'll have to copy. Can you have it scan in for the rest of us. **Thompson:** Okay, all right. Okay. **Williams:** So, that is the monthly data of credit card statements with the corresponding invoices and receipts. So, we have a number of reports that we look at now. It may be better for us to try to assign where someone is looking. We can all look at them because we'll all receive them. Councilwoman Davis already said she like to continue to look at the

account statements in detail. And then she can point out, hey, I think we need to look at this. Then maybe we get an extra copy. Is there anybody else that would like to do the monthly detailed credit card statements with the corresponding invoices and receipts? **Hardin:** So, you have two eyes looking at the same thing. Is that the objective? **Williams:** Yes. **Hardin:** That's fine. **Matlock:** Just send me one electronically. So, we can actually take notes. Because if I see a discrepancy, I can always print that one page out and then bring it. **Hardin:** Madam Chair, all kidding aside, I'm backing up. You two work together since you are close. Come up with something else. **Williams:** Okay, I'm about to run through the list right now. This is not because we won't get them. This is just because when we get all these reports. What we've often discussed is, there's so much to look at and so little time before meeting. This way, maybe everybody, you can look at anything you want. But also, specific people we know are looking at line by line at specific things. **Hardin:** Yes, ma'am. **Williams:** So, there's an up-to-date payroll register. **Hardin:** I'll do it. **Williams:** The statement of cash report. **Hardin:** How many reports are they all together, Madam Chair? **Williams:** We have 15 right now, but only about 4 or 5 of them are like quarterly or every few months. Some of them are not every time we meet. **Hardin:** Okay, so the ones that we're looking at, we're going to look at, weekly or it's often. Are we going to have continued have our meetings every Monday? **Williams:** It sounded like everybody's Mondays were free. So, if we could pick just one Monday, either the second or fourth. So, another concern was that we have a meeting. And then there's such a lapse between having that meeting and the next meeting. That we are not continuing the conversation. So, maybe we do a Monday, second or fourth Monday right before the finance and Council meetings? We'll have to determine that. **Hardin:** Okay, Madam Chair, what I understood, or I thought we had agreed. Until we really get a get a feel for or a grasp on things. We're going to do it every Monday. That's what I thought. **Williams:** We're doing it all Mondays in April. **Hardin:** That's what I thought. **Williams:** Are you saying you want to continue all Mondays into May? **Hardin:** I thought, that's what we're going to do for a little while. **Williams:** I mean, we hadn't to make a decision after April, so we can have that conversation. **Hardin:** Alright, and then that way, whatever you assign us. We'll be proficient in that area, so to speak. **Williams:** So, we're saying every Monday at 5:30 p.m. until we decide we're good. Alright, statement of cash? I'm going to skip it if nobody is, and we'll come back to it. The detailed revenue report? **Scruggs:** I can look at that. I was trying to write it down. **Williams:** I am going to make a list of these too. So, there's the up-to-date payroll registrar, so that was myself and Councilwoman Hardin. The statement of cash, nobody took. The detailed revenue report you took that one. The detail expense report. I'll take that one, anyone else? **Nikolic:** I'll take the expense report. **Scruggs:** I'm trying to take one that would be easy for me to understand. I'm trying to listen what the options are. **Williams:** There's the check payment line report, ordered by fund. **Nikolic:** I'll take that one. **Davis:** I never saw that; did we see this one? **Williams:** It hasn't been sorted by fine yet, but that's the payment line report. You want to do that one? **Davis:** Yes, please, thank you. **Williams:** The detail encumbrance report? **Hardin:** I'd like to do that one. **Williams:** We have the monthly invoices for the law department. **Scruggs:** I can take that. **Williams:** The quarterly 941 form quarterly IRS 941. **Hardin:** Are those caught up? **Thompson:** Yeah, we have them up to date. **Williams:** We'll go through that. Anybody want to take that? It's four times a year. **Matlock:** I (inaudible). **Hardin:** Because you're familiar with those. **Williams:** Councilwoman Matlock, what else did you take? I missed you oh, that the credit card statements. The debt schedule, which... how often, that's semiannual. **Thompson:** Yea, semiannual. **Williams:** And then I'll let Councilman Warren, know (inaudible) as well. We asked for an event expense detail after every event. From now on,

knowing which expenses are attributed to which event. **Nikolic:** I'll take that, I asked for it. **Williams:** The vacation and sick leave accruals. We took the up-to-date payroll register. **Hardin:** You know, a couple things, Madam Chair. Because we wanted to make certain that it was accurate. And certain people that have been contacted to make sure that they know that there is a change. Whoever takes it would be responsible for making sure those contacts were made and documented. Can we do that as a committee? **Williams:** Can it also go through your HR committee? **Hardin:** Okay, that's fine. **Williams:** So, if we're checking the payroll register. Do you also just want to take that as well? Since I'm also on that committee. **Hardin:** Okay. **Williams:** The special audit investigation, just as an update. And then the health insurance claims is the next one. **Hardin:** I'd like to do that. **Davis:** Are we allowed to see the health claims? **Thompson:** No, not the actual claims. **Davis:** Okay. **Hardin:** So, when it occurs, a report is generated? When a claim is filed. **Thompson:** The way it is now, before I paid strictly by claims reports. But now I pay one full amount for the fully insured plan. **Nikolic:** We've paid out \$35,276 in claims from 1/1/24- 2/29/2024. **Thompson:** What happened was we had that run off that we paid for. When you switched those plans. **Matlock:** That's what I thought, but (inaudible) like a couple months. **Thompson:** Yeah, a couple of months, so those would be those actual claims. And when we started doing a new action plan. I'm just paying off a fixed, fully insured cost every month. Which is about fifty something thousand now. The claims, they would have to run me. Before they were running claims. They say, hey, you got 40,000 claims and they would list all the individuals. Which they still had their claims report in the background. But right now I'm just paying, you see that fifty something thousand every month. You're not paying for the plan. So, I'm just giving you the amount I'm paying every month. I'm just paying the fifty so it's not fluctuating now. Because it's not a stop loss situation because we're fully insured. So, I'm just paying fifty something thousand every month. **Davis:** In premium? You're talking about a premium? **Thompson:** For the plan. **Davis:** Okay. **Hardin:** So, were in a "not to exceed" situation. Is that where we are? **Thompson:** It is out of pocket for, you know, certain individuals like \$2, 500- \$5,000. But after that, they pick up all the claims. When you put your individuals amount out of pocket. **Matlock:** So, let me ask you a question. When you're picking out those individuals for out of pocket. Who's paying out of pocket? **Thompson:** The (inaudible) as we agreed this year. **Matlock:** Who agree? **Thompson:** Well, administration put in place. We gave the individuals, single, and family, just a stipend to offset. **Matlock:** Who approved the stipend? **Thompson:** Administration with the Mayor. **Matlock:** But who approved that? Aren't we supposed to approve the stipend? **Williams:** Yes. **Matlock:** It was supposed to come through Council for the stipend. Because my thing is, you're saying that the stipend was approved through administration. **Thompson:** Yes. **Matlock:** That defeats the whole purpose of us getting a health care plan. Where they paid part of their deductible. And really, the deductible part of that is not until you do what? Go to a hospital or something, because basically. **Davis:** So, they have to pay when they go to the doctor's, or prescriptions, or whatever. They pay the first two thousand something out of their own pocket. And then after that they're covered (inaudible). **Matlock:** But he said something that we're paying, we're paying right now. **Thompson:** We're not paying the total out-of-pocket. We just came up with portion for their HSA accounts. **Matlock:** How much did you give a portion. What is that portion that you get? **Thompson:** We had to cut our recommendation with the insurance company. Police are separate from, at will employees. So, the Police is like \$6,000 for a year. And then the at-will employees were based on single family. So, about \$624 and like \$500. So, I have to go back, and I will look at my records. But that's what it was for the first year only. **Matlock:** For the first year, the city is

paying how much? **Thompson:** Contribution to the HSA. **Hardin:** Can I, can I say something? This is part of what gets me upset. These things are just said, and we don't. I don't know about you. I'm not understand. **Thompson:** You had it on paper when Jim Love came here. **Hardin:** Okay. **Williams:** Y'all did not have it on paper. He gave us a verbal report, and he was supposed to get us a report with all those figures on paper. Neither you did nor did he, still as of this day. So, it was not on paper. It was a verbal report. And you guys ran down 79 numbers to us and that's all we got. **Thompson:** I thought we would send to report. **Williams:** No, you did not send the report. We asked for all those figures that you... **Matlock:** And if that was something that we were supposed to be paying a stipend. That should have come to Council first to approve the stipend. They need to stop sticking you with this stuff. Or telling you to pay these individual claims or stipend or whatever. When you haven't even come to the Council to see, if this is okay. **Scruggs:** I have a question about when its it being paid. **Williams:** The HSA amounts? **Scruggs:** The \$625 for the family and the \$500 for the single if that's where it goes I'm not sure. Is it paid after they've already paid their \$2,500. And then the stipend is supposed to kick in? Or is this something that's happening in the midst of what they're already... **Matlock:** I don't think it works that way. He's saying when they pay prescriptions, whatever. But Blue Cross Blue Shield prescription is already there. Regardless to the fact when you get the prescription when you go into the pharmacy. **Williams:** He's not fully explaining it. The HSA account is essentially an account that holds money for your health care. You can only spend it on health care expenses. That the government has said yes, this is what you can spend it on. The money essentially goes into a pot. So, it's up to us how we pay that. Brian how did you all determine how that was being paid out? Because Council didn't authorize anything. **Thompson:** Council did not authorize; it was given administration. It came from Mr. Love and working with the insurance companies to determine the amounts. **Williams:** But how are you all paying? **Thompson:** The stipend like if you were getting the 1000 for a year. You still had to cover your out-of-pocket past that's a thousand. So, we gave it to them for the first month. In a second were going to do it in June. **Williams:** So, you all paid out these... **Thompson:** We paid half of it, we had to fund the Police because they have a union. At will employees at (inaudible). **Williams:** So, what line item did you put that under? **Thompson:** (inaudible). **Williams:** You said you put that in the health care claims? **Thompson:** Yeah, claims. **Williams:** Why wouldn't you have a separate HSA line? That's not an insurance claim technically. **Thompson:** It doesn't at this point, we don't have an account created under there. **Williams:** So, you need to create... So, when you all made the decision to do that without our authority. You need to have clear funds established. That's not a claim, so that's why we're talking about expenses in places where Council really can't see what it is. Because that is not a claim in any way, shape, or form. That is HSA that is strictly defined by the federal government. **Thompson:** It is, I mean, it's going to be paid for claims ultimately in the end. **Williams:** That should have it's own line. **Thompson:** I mean, they going to use that for claims and... **Williams:** No, they are not. **Thompson:** Yes they can... **Williams:** They use that for... **Thompson:** (inaudible). **Williams:** Yeah, but that's not a claim. That's paying their medical bill. **Thompson:** But even the claims that they billing me. Is still in the same category that they can use the HSA for the medical. **Williams:** HSA is very strictly defined by the government. There are very strict prescriptions, equipment that's medical, there's very specific things. There is a medical bill, but it's not a claim that's different. A claim is something that's different. So, we can't swap language. Where the language ... that just does not fit there. **Thompson:** Okay. **Davis:** So, we started a health savings account for every employee besides Police. **Thompson:** Yes. **Davis:** So, that money, the \$625 per family, \$500 per single. It's already in their accounts?

**Thompson:** Yes. **Davis:** And the premiums are paid by our city completely 100%. So, they're not paying this... it's not their money for this health savings. Is it just for the offset their deductible? **Thompson:** Correct. **Davis:** Okay. **Williams:** So, two things when we go back to amend the budget. We need to make sure that summer camp, all of those expenses got amended as we asked. And then you need to create a separate line item for HSA. It doesn't matter if it's one year, two years, six months, it needs to go in its own line item. **Thompson:** Okay. **Nikolic:** I had a question about insurance, Madam chair. **Nikolic:** So, what about the Affordable Care Act? How many people? I was told that some people you can get off. Where we would not have to pay for pursuant to the Affordable Care Act. So, I'm not familiar with it, but I was told that one way to decrease our insurance bill. Was to put some people on the Affordable Care Act. **Thompson:** I think it would be up their decision on that on the Obama plan. But I know also, they can go to Medicare. **Nikolic:** Is that Medicare? **Thompson:** No, Medicare and Obama plan is different. **Nikolic:** This is the Obama plan? **Thompson:** Well, you said Medicare, right? **Nikolic:** No, I said Affordable Care Act. **Thompson:** Affordable care is more like the Medicaid. That could be, which is separate from Medicare. **Williams:** The Affordable Care Act is different than Medicaid. Medicaid is entirely different than the Affordable Care Act. **Nikolic:** Okay. **Thompson:** Normally when you deal with the Affordable Care Act, you're on Medicaid. **Williams:** those are separate things. **Nikolic:** So, my question is can we explore whether it's possible. To look at people being serviced pursuant to affordable care. **Williams:** Can you enlighten me? **Howse:** So, Affordable Care Act is if you have employees that work 30 hours or more. They must be on health care; you must provide health care for them. If they are not on health care, if they're working less hours than that. Then they choose to decide whether they want to get supplemental health care. It's not in lieu of or an alternative, if they are full-time employees. We must offer full health care coverage for them. There're no in-between offerings between that. As far as the HSA, that you guys have. It should have been passed legislatively, one. Two is, are the employees paying that back over time? Or we just outright giving the money for employees to cover any expenses relative to health care expenses. Such as prescriptions, the difference when they receive a bill, when they are charged for services, and the difference? If you just say you're a 20, they can fill the 20%. They can use the HSA for that as well. But it is supposed to be like... If anybody's familiar with that Aflac. The HSA is supposed to help subsidize what's not covered. But typically, a lot of government entities are not giving free money. They divide what they owe over time. Over their pay periods, to get the money back. To pay the Village back that money. But since you guys don't know how that was set up, that's a good question. So, are we using we're giving just giving away money and paying employers, and you said it in the police contract? **Thompson:** The Police contract has certain language where their benefit level should be. So yeah, they had a separate HSA contribution. We gave it to them for the first year. That was it, you're not due to pay back those HSA contributions. We gave them in the first year. **Howse:** What first year? When you say you... **Thompson:** Well, this year because it was such a change from \$5 family a month. To now potentially out of pocket \$5,000. So, we gave the contribution to the HSA and they're not going to pay it back. **Howse:** So, did you do a MOU? Did you change your union contract to reflect about HSA? **Thompson:** They may not have changed, but they had a certain benefit. **Williams:** But that benefit level has not been in there before. So, you all had to add it. We have not... **Thompson:** The language of the plan wasn't there before, but the benefits was there. **Howse:** The language in the plan says if it drops down to what they are accustomed to receiving. **Thompson:** Yeah, it shouldn't go below that. **Howse:** That's if it goes down, well, this isn't a drop down. This is an addition; this is an accessory to

what they're getting. **Thompson:** They were never out of pocket with so much money.

**Williams:** You're missing the point. The basic contract language has never included us giving them money for their HSA. So, who on the Administration made the decision to add that? Because it had to be added. Because it's a standard FOP contract. Somebody... **Thompson:** The contract language I don't think change. It probably needs to be interpreted by Climer on the legal side of the contract. We're not supposed to have a benefit level they didn't have before. **Matlock:** I thought that when you negotiated the health care of the Police Department. We already knew that was under the union, yes. We weren't supposed to touch them at all. Because that already was a negotiated contract with the union, okay. Our prime concern was the nonunion on what their contracts were going to be. But the union contract already states inside the union contract what they're going to receive. So, who negotiated that? You guys did that on your own. That was not something that we did. We already knew that was under contract. Just like the 5% raise was nothing we could do. Because that's already under contract. You already agreed to that and signed it all, that's a done deal. **Thompson:** You're correct. **Matlock:** So, your Police Department is not even part of this. **Thompson:** Well, we were just going through the dialog explaining the benefit level. **Williams:** The language says "like" or "the same" or something like, that has the language. But we've never had HSA payment. We didn't have it last year.

**Thompson:** Yeah, that language did not change the contract that we had to keep. **Williams:** So, last year we did not honor the contract? **Thompson:** Yeah, we did. **Williams:** Right, but an HSA was not in there. **Thompson:** This year. **Williams:** Right, so thank you, you're taking back to our previous point. Someone added that, who was that? was that you? **Thompson:** The Mayor ultimately makes the final decision. It wasn't like added to the contract. The contract has not been changed. **Davis:** Remember the guy talked about those 65 and over can go on Medicare. **Thompson:** Yes. **Davis:** It would be much cheaper. **Thompson:** Yeah. **Davis:** So, how many did we actually get? **Thompson:** Four people moved over so far. **Davis:** That's all? **Thompson:** We only have about seven. **Davis:** So, four out of seven, why are they not... Can you legally make them go in the supplement? Because it'd be a lot cheaper than it is. **Thompson:** They have the option to stay on the primary plan. Or move it to Medicare, you can't force them. **Davis:** Okay, because I thought if you're 65, you have to automatically go on Medicare supplement. Your employer may pay for part of it. But you still had to go on it. **Howse:** If you are employed full time. You can continue to collect your pension. There are OPERS, Medicare is deducted, Medicare is 1.45%. So that doesn't stop when you get a certain age. **Davis:** Mr. love made his presentation. He said that it would be a lot cheaper per premium. For those who are 65, to go on their Medicare supplement. Which would be the same coverage that they were getting, but whatever. But then I remember them mentioning that our city were going to pay their Medicare. If they went on Medicare, they wouldn't even pay for their Medicare supplement. Is that true? **Howse:** Because he was talking about people who are retired and came back. Only those individuals who have retired and come back. That they should be, the consideration is, are they coming back? And if they come back, remember the discussion was why are we paying for health care for individuals who have retired and come back? I think somebody asked that question. And he was saying that of course it would reduce if they were. But, since they have come back. You can always negotiate a contract when an employee comes back. Then you can say we can hire you at this time, but you have to take your own health care. **Thompson:** It wasn't just for those retirees. **Matlock:** From my understanding, when you turned 65. Medicare is already going to kick in. You're still going to pay whatever health program you're under. Medicare is going to be your first health care. And then your other one would be extra your

health care that you have. **Davis:** But those people that are on this, are we paying their... Because I heard somebody say something about what we're going to pay if they went on the Medicare. The whole premium, the \$174 per month, are we doing that? **Thompson:** We're not paying anything at this point. **Davis:** We're not paying anything for sure? Like the Medicare people, the four out of seven? Okay. So, they're just getting their health savings account. Which pays for that too? **Matlock:** If it was a real health savings, they can get that premium back. Because that comes straight from Social Security. **Howse:** That is a question, is the deduction being taken out of the employers for the contributions that the Village has paid? **Thompson:** No. **Davis:** So, we're paying the whole premium? We pay the whole premium, they just get their deductible they have now, whatever it is. **Nikolic:** So, I thought, the HSA money, they take it out of your check before taxes. So, it's almost like a tax shelter. Is it something different? **Thompson:** No, you're right about that. It's kind of like voluntary for employees on if they are going to contribute more to their HSA. We had two people that opted to do it at this point. **Nikolic:** But it always comes out of your pretax dollars? **Thompson:** Yes. **Nikolic:** So, the difference here is... explain it to me. We're putting money in their HSA account? **Thompson:** Initially, yes, like if they were single, we agreed to give them \$1,000 in two installments, \$500 on a January 5th and \$500 in June. **Williams:** But how are you transacting that? **Nikolic:** But why? **Thompson:** Because of such transition on, on the health care plan. **Matlock:** So, are you giving it to them? **Thompson:** Yes, they got it their HSA. **Matlock:** So, why are we paying the claim after they long did it? If you gave them the money? What claim are you paying? **Thompson:** Say if it's a family and you get \$1,000 and you still got to be responsible for up to \$5,000. **Williams:** I'm Sorry, he's confusing this. So, the HSA is an account that either the employee or the employer can pay into. Is it simply like a bank account. It holds money where you literally have a debit card to it. And you can charge for your medical expenses, prescription, whatever the specific guidelines are. It an account for that only. So, are you saying that we deposited money into their HSA account, or did you give them stipends into their paycheck? **Thompson:** Into their HSA. **Williams:** Okay. **Nikolic:** So typically, it would come from their earnings? Because that was my understanding. **Thompson:** We funded that initially, but they have the option to fund it more from their paycheck; so pretax. **Nikolic:** So, that's a benefit, right? **Thompson:** Yes. **Nikolic:** That's a benefit that we're going to give you \$500 into your HSA. **Thompson:** Yes. **Nikolic:** To pay your prescriptions and everything like that. Okay, bear with me, but they can decide to put in more from their paycheck if they choose? **Thompson:** Yeah. **Nikolic:** How long are we putting payments into their HSA account? **Thompson:** Just one year, it was a January deposit in general. **Nikolic:** Two deposits of 500. **Thompson:** Yes. **Nikolic:** So, a thousand for the year for everybody? **Thompson:** Yes. **Davis:** No, \$625 you said... **Thompson:** For different levels, singles get less and families get more. **Nikolic:** And you said this was to sort of support the transition or make it more palatable. I'm not sure what... **Thompson:** Yeah, both of those words would be appropriate. We were trying to make it more palatable because all they were paying was \$5 a month before. **Nikolic:** And now they're paying... **Thompson:** A lot more. **Williams:** So, essentially, we had claims that were so large. That we had to get a different health care plan to pay less for claims. And then, because that made their amount that they had to pay out of pocket, higher. Brian and the Mayor, but the administration and I guess the Finance Director too. Because you sent the payments and made a decision to give the money. As a this is going to be, more out of your pocket than you're used to. So, we're going to give you these dollars. However, you're not authorized to make the June payment unless it has legislation. And I want to be very clear. Do you know that when you make payments we don't authorize. That, we get asked you to



recover those payments because they're not authorized. (inaudible) Do you understand?

**Thompson:** Yes. **Williams:** Are we all done with health care? We still need that report with itemization. **Thompson:** Can you have the Clerk put that all together. Because it's kind of like ongoing and adding things. If you have one final one. **Williams:** Well, we been asking for that, when did Love come? In January, I have been asking for that. Update on, were all credit cards turned in? **Thompson:** No, not at this point, I got Building's, I got to get the rest. **Williams:** Can you create a list of all credit cards we have and the date you received them back. And can you give us a report that you signed off on. So, we have verification at that point. **Davis:** Did you send out a letter to each one who has a credit card? **Thompson:** No, it's ongoing, I am putting it out formerly for everybody. **Davis:** Okay. **Williams:** So, they have not received that yet? **Thompson:** No, not yet. **Hardin:** As we collect those credit cards. Do we have a formal procedure in place, period. Whether we got two cards or 50. Do we have a procedure in place for how to manage the cards that we do have. **Williams:** Councilwoman Hardin what we asked last time was that they'd all be shredded. And we discussed with the Police Chief today our process for the gas cards. And then we create that through legislation. **Hardin:** I know that was the answer. I wanted to reiterate it as soon as possible. So, we are on paper with how to manage what is out there. **Williams:** So, we had our meeting April 1st, and you said you can have the cards starting in the next few days. Which would have been the second or third. **Thompson:** Okay, it's not done yet. **Hardin:** You said it and we talked about it before we started. There was supposed to be a discussion with the Chief. Have you had that? **Thompson:** I did talk to him, so you can probably elaborate tonight. I did talk about the gas card. **Davis:** And the Fire Department Chief. **Hardin:** How much longer before all those cards are collected? **Thompson:** I can't set a final date, it'll be soon. You'll be able to talk with the Police Chiefs and see how they want to handle the gas. That's probably the last discussion so we can move forward. **Williams:** So, the credit cards would be a separate process. What date will you have them all turned in? **Thompson:** I can't say the exact date. **Scruggs:** So, since we can't set a date they can be collected. Can you call each of the credit cards and put a hold on every single one that you don't have? So, that there's no transactions that are made from now. Because it probably was some made since our last meeting. And we don't have that information. So, since you can't collect them, call them. You can do that and put a hold on it. So, there's no more spending on those cards. **Thompson:** Yeah, some of those cards has got a couple of recurring monthly things on it as well. Some small stuff for the whole Village. I mean, they just fall where they may if I cut them off. So, if the service is not on, you know, it's not happening because I put them on hold and just (inaudible). **Scruggs:** Are we able to see what those things are and put it somewhere? **Thompson:** I mean yeah, you could scale through them. **Scruggs:** The easiest thing is to collect the cards. But if you're saying you can't collect the cards, then the next... **Thompson:** It wasn't about me not collecting. I just didn't set a date. I mean, I set a date, she's calling, you know I said a couple days and it didn't happen. So, I just don't want to put a date out there and I still don't have it. But let's at least get through the safety forces. Let's see how they want to manage the cards on the gas. **Williams:** Well, that's a different process, we're going to set a date. **Warren:** Maybe we should set, we got a meeting after today and all the directors should be here. Maybe this should let them know that we want the cards. **Williams:** So Council, what's the date that you want all the cards collected? **Matlock:** What he said, just give them a couple of weeks. At the end of this... **Nikolic:** We had already discussed it by last Friday. **Scruggs:** Unless they lost it, they come to work every day. They can walk it over and sit it on his desk. **Williams:** Friday, April 12th, and I guess when he does his finance report. I can just make a statement from our finance committee to all the directors. And.

Councilwoman Davis, credit card statements you have been asking for. We had that as a follow up. Did you get all your statements? **Davis:** No, I don't have all them. I need the January, February, March of this year. I have the ones up to December 23rd. **Williams:** Okay, so, Councilwoman Davis, still needs January, February, and March card statements with the invoices and receipts. Those will be printed for Councilwoman Davis, Council President Nikolic, and Councilwoman Hardin. So, three copies and then those copies will be scanned in. And just forwarded to the entire body of Council. The next thing we have was the payment line report. So, we were asking for invoices and contracts for the payment line report. We don't have those right? **Thompson:** (inaudible). **Williams:** I think it's related to Mount Zion not having an invoice or contract. In the beginning, we didn't know what it was for. So, we asked for the invoices and contracts associated with the payment line sheet. I do believe we started with February. **Thompson:** Was that specific for Mount Zion? **Williams:** It was, but then there were some others. **Davis:** Yeah, for Aurora landscaping. **Williams:** There was a lot of I.T. Charges. **Thompson:** Okay... **Davis:** Bluetooth and waterproof headphones and things like that. **Nikolic:** That was all Amazon details. **Thompson:** An updated Amazon detail, (inaudible). **Nikolic:** I sent the email, and I think what I said in the email. Was that from what we can see now, we just see the different purchases. But we don't know who received the products. We don't know who had the card and made the purchases. **Thompson:** So, when you get this you can see it. **Nikolic:** Because it one card, which if Dee's card made all of those purchases. Then we need to know who received the goods. Because I know she didn't receive all of the goods on the Amazon 2023 list. So, even if it is one credit card. We need to know who received the product. We'd like to know who receives the products because some of them are repetitive, some of them are excessive. So, it's good to know or have the conversation about what they were used for. So, we can get a better understanding of if we need to... **Thompson:** You get this you can see them in detail. **Williams:** Does that say what they were used for? Or who received the products? **Thompson:** Yeah, it will show who received it, where was charge, and what department. **Nikolic:** For the Amazon as well? **Thompson:** Amazon goes on the credit card. So, you'll see the full details on the receipts in this packet that we agreed to give you. **Nikolic:** And we can see who used the eight pairs of reading glasses, for example. **Thompson:** That's the Mayor's, Dee bought them for the Mayor. **Davis:** Who's the person that keeps ordering the tea bags? **Thompson:** Dee orders everything on Amazon. **Davis:** But did they realize how much they've gone up? I mean, from \$50, to \$64, to seventy something, and in the same year. **Thompson:** Probably not, dee does all the Amazon charges. **Davis:** So, this is only Dee? **Thompson:** Majority are Dee, but sometimes ... **Davis:** Because they have disposable gloves. So, I would think that would be Police of Fire. **Williams:** So let me make a point when we keep raising the reading glasses. Eight pairs of reading glasses in one transaction. But, when we are paying into employees HSA. Why would we then additionally purchase with Village funds. Reading glasses that are for personal use? Like that to me would be an unauthorized expense. That's something they can put through their own personal account or their HSA. So, we are also then making payments with our Village funds for people's personal items. Because we don't know if those glasses are going to be here in the Village or somewhere else. **Davis:** February of 2023, home medic indoor three tier relaxation tabletop fountain with automatic pump, power switch, extra deep basin and natural river rocks and reflective lights. **Joseph:** It was back there in this conference room right here. **Williams:** Is there right now? **Joseph:** No, I actually have it in my office. But it was there when I got here. **Williams:** What date was that? **Davis:** February 10th, 2023. **Thompson:** How much was it? **Davis:** \$54.24, on February 10th, 2023 and there's the exercise bands. I assume that's recreation

for \$77, five sets of stretch bands. Detox tea, 60 teabags for \$77. **Warren:** Me, I just make a suggestion, and I apologize for being absent, but I wasn't well. When we reconcile and do whatever we doing with these credit cards. Moving forward with it, there should be an assignment of one card for the person that uses it. And then this way you have a track of the uses of that card. And if that person lets anybody else use that card. They've violated their credit card privileges. So, it should be one person to be in the Police Department, or in the Service Department or the Recreation. So, that there's not Dee having a card, this person having a card. Then you let me use your card I'm in a hurry. So, they will be just as responsible for the Village's cards as we have to be for our own. **Williams:** So, I'm glad you're feeling better last week. That's exactly what we discussed. Even one step further, we asked for all credit cards to be turned in. And they're only to be one, that was with Brian for now. This is not a long-term thing, for right now where we are. We want to know that only one person was making charges on a card. **Warren:** Okay. **Williams:** So, all of them are supposed to be turned into Brian. So, we know where they are and who exactly is making a purchase. But we have to establish a process for that as well. **Howse:** So, the fact that Council is going through all those expenditures. That is a fiduciary responsibility of your Brian. To go through every expense and to recoup any improper spending. They shouldn't have to do that. They shouldn't have to go through these credit card statements and asking, who spent this? That really is your job to do that. And the fact that people are spending like that on a credit card. Like, I can see how that happens. Because if you if you're not being held accountable, they don't have any guidance. They're not being told that you can't spend it. So, that's why they're spending. They have no direction as far as what they can and cannot spend. That's why they're spending the way they are. And the fact that I don't care who orders glasses. As a resident, I pay for my own glasses. Why is that (inaudible)? That doesn't even... I'm just like, stunned. Like, that is a one-on-one requirement. That you are the gatekeeper, you are the one that tells people what they can and cannot do. You are the one to tell them what the O.R.C. says. That is, it improper expense, and it is your responsibility to get that money back. That employee must return it. It's not about, oh Dee, Dee's in charge. That's like throwing her under the bus. Well, she should have been having guidance to say, "Dee, that's an improper expense, you must pay the Village back." That's why the spending is like that. And the fact that, I feel bad. The fact that you Council are all separately having to look over expenditures. That is not your job. You are trusting him to do that. Like you guys are suffering, okay, you're responsible for that. That's not your job, he has staff to do that. You're just talking about 2023? As a resident, I'm appalled, tea \$74? Like what? Your credit card statements come in. They should be looked at every single time. People should be turning in their receipts. And you are the one who is supposed to be saying "this is unacceptable." You are the person, the one who said stop. But if they're not being told that, that's why they're spending the way they are. I would guess that we would probably have a little bit more money in our balances if all of that stopped. **Nikolic:** With this in mind, I know you're going to be sending out information about collecting the credit cards. So, with that, should we include some type of guidance on authorized spending. If there is O.R.C. code or you know, we mentioned last week, you know, no snacks. Do you have guidance as to what is a authorized expense expenditure in certain departments? Do you have guidance that you can provide when you collect the credit cards? As a way of saying, okay, we're collecting the credit cards because spendings have gone beyond the purview per this statute. **Thompson:** It's nothing like right now, in particular. **Howse:** Yes the O.R.C does (inaudible) is what it's called. You are not supposed to be using those dollars for personal gain, that's clear knowledge. **Nikolic:** You said O.R.C. section? **Howse:** You can just look it up under purchasing.

Under purchase order, you can look that up if you don't believe me. Are you telling me that the law is not put in place. That you're not supposed to be using Village/Municipal dollars for personal use? That's like 101... **Davis:** For example, February 28th, \$141.60 for Recon Fitness Bluetooth wireless earbuds with built in 54-hour battery, waterproof charging case with talk, text, and Bluetooth. I mean, it just goes... it's beyond. **Warren:** We don't know who purchased that. **Davis:** Sensodyne 62-inch tripod with selfie stick, expandable cell phone tripod stand with wireless remote. And phone holder and a compatible iPhone... it's just too much. **Howse:** Doesn't that makes you angry? **Warren:** And the question becomes, where is this stuff? **Williams:** So, what do we need specifically for this. This is Amazon, and whoever created this. They need to get us who purchased these things. Where are they currently? Which office has them? And what was their intended use? **Matlock:** Did they provide your requisition form or invoice? **Warren:** Worse than intended use, the real thing is authorized. **Howse:** (inaudible) which means purchase orders are not being looked at. **Williams:** The only reason I said intended use. Is because they haven't had any guidance on what's authorized or not. So that's why I said, what do they intend to do with that. **Warren:** Right, I understand. **Williams:** So the question is, where is it now and what was the intended use or authorized use? **Howse:** And how are you planning to recover it? **Warren:** And the thing is we like to see a proposed program guidance of expenditure. That council shouldn't produce, but the guidelines as far as finance. The Finance Director should create a purchasing authorization form and procedure. And let it be known by everybody this is the protocol for purchasing; it's got to be in writing. **Williams:** So, in addition to our new process. You would like him to provide some guidance on what is actually authorized? **Warren:** Yeah, he he should provide that to his employees anyway. Credit cards or any purchases, what is the procedure if we don't have one. If we do, then we'd like to see it so that we can understand. **Williams:** Okay, I just want to follow up on two more things. You were supposed to get us the total amount. Of what we need to pay out to the individuals that have been acting roles for the Fire Department. Do we have those amounts today? **Thompson:** No, not right now. **Williams:** You said you have had some discussions with them. How long are we going to continue to not pay them for the roles that they are acting in? **Thompson:** That's going to be determined in the end with the Mayor and Law Director. I don't know the transition pay... **Matlock:** When is the end? **Williams:** Right, we just need to have an executive session. **Thompson:** But I don't know if he accepted that agreement. I'll have to update with legal. **Williams:** Who are you talking about? **Thompson:** Mr. Schade. **Williams:** No, we are talking about the individuals you have acting. Acting Fire Chief Tapp, Assistant Fire Chief Dirocco, and the other acting assistant. When is the plan that you all put together? You are continuing to pay people for roles that they're playing at their old rate. When did you all plan to make them whole? **Thompson:** I don't think there was no plan to make them whole. Until this matter was resolved with Mr. Schade. **Williams:** Mr. Schade's pay has been decreased. **Thompson:** Are you saying that's a Mayor Gottschalk question? **Thompson:** That's what I told her. **Williams:** So, are you not supplying us the information on how much they need to be paid. Because you're waiting on them to determine ... **Thompson:** No, I told you verbally, that I had put in the budget about \$65,000. And he's giving me a running, I can have him bring it to the meeting. **Williams:** He didn't give us that amount. **Thompson:** It was just verbal. It was about \$65,000 on the last... **Williams:** We need that broken out from the time period from when to when, what is the hourly rate, and how did you arrive at \$65,000 for these three individuals. **Thompson:** I'll tell Tapp to bring an updated sheet. **Williams:** Thank you because we can't just throw an amount into the budget. That has to actually be done individually. **Hardin:** It's time for a history lesson. You're absolutely correct,

citizen Karen. This is not the job of a Council what we're doing. So, I took it upon myself as chair of the Human Resource Committee. We're going to have to almost run the place for a minute. Brian, I asked for an organizational chart of the entire staff. And along with that, we should have job descriptions for every position here. We should have attendance, policies, documented disciplinary procedures, annual evaluations. We've talked about it a number of times. Service awards, attendance awards, commendations, maintenance of personnel files, initial training procedures when someone comes on, continuation training, and follow up training. That is the bare bones for running a grocery store. And how we have managed to bumble and stumble this far is just absolutely amazing. So, I'm willing to do my part to help get this started. Do you agree? Maybe we should start with the organizational chart. And just put it put things just in in a logical order. Does that make sense? **Thompson:** Sure. **Hardin:** So, did you have an employee had an opportunity to work on the organizational chart that I asked for? **Thompson:** I was working on the pay ordinances. But our real audit started. So, I had to get some information they need. **Hardin:** Okay. **Williams:** What audit started? **Thompson:** Our normal two-year audit. **Williams:** For what year? **Thompson:** 2022-2023. **Williams:** Who's conducting it? **Thompson:** The same auditors from last year. **Williams:** Julian and Grube? **Thompson:** Yeah. **Williams:** They're not state auditors, they're contractors. **Thompson:** Yeah, that's what I was getting to, they're contracted with the state. **Williams:** So, Julian and Grube started our audit for 2022-2023? **Thompson:** Yeah. **Williams:** When are they expected to be done? **Thompson:** They didn't give me a timeline. **Williams:** In this audit and every audit, we would like to have an extra conference. We may not all be able to attend, but those who can attend. So, do not decline our exit conference, please. **Hardin:** So, I just thought this was a great time. As I watched and look at everybody's expression. And a comment that we shouldn't be... we're going to do this because it has to be done. **Williams:** Temporarily. **Hardin:** Temporarily, so, this is this is what I'm asking. And I'm thinking as a Council to get this get this on track. Starting with, we need to know everybody here. Do we have anything like that? Do we have job descriptions? **Davis:** I got some myself, we printed off some. **Warren:** I'll tell you, one of the things is that the Police Department. Had submitted an organizational chart and the Fire Department. This was a kind of easy because it's only three full time. But I think that the Service Department submitted one too with their budgets. So, the only one that hasn't is Building and... **Hardin:** Administration. **Warren:** Right. **Hardin:** Alright, so, Brian, you promised it to me Thursday, I called you weren't here. So, do you have someone that can work with me to get it together? You think that the Mayor would allocate Dee? I don't know, but this needs to be done ASAP, and I'm willing to help. Some of this is within my work experience, but this is... the bottom line is there's no accountability and this is why. And as long as there's no accountability, of who comes out of what door, who go in that door. That was working, but now it's affecting the moneys. And now we got a problem, it has to stop. Brian I'm trying to make it easy on you. **Matlock:** As soon as possible, because we still trying to figure out people's salaries. We got to get this stuff together. It's being put on hold because of the fact we can't get the information that we need to start this up. **Williams:** Have all the directors that were supposed to update job descriptions. With positions, scheduled hours that that person works, and the amount of pay that that position received. **Thompson:** They have all the job descriptions. But they don't have the hourly rate, etc. **Williams:** We asked for that in December. We ask you to add the hours to every position. Because we have a difficult time knowing who's here when. So, we asked for every job description to also include your scheduled hours. You know, for Police that may look different, but what are the hours? At least they can say, there are 7 sets of shifts. There can be something

there and then we ask the rate of pay for that position and what that range is. That way everything is in one place for now on. **Hardin:** You asked a question, and so could you end it with, what time frame? Brian, could we have, just start with the organizational chart. We need to know who's here. Do you think we can have an organizational chart by Tuesday of next week? Let's go there. **Thompson:** I mean, the big ones are pretty much done. Like you said with the Police and Fire. **Hardin:** We got those, I know that. But... **Thompson:** A week's time is fair enough for these individual departments. **Scruggs:** To try to aid in the question. Councilwoman Hardin, can we just...in the meeting, the directors that show up. Ask them to provide an organizational chart for their specific department. They provide it, we give them the deadline. It needs to be sent to Ms. Joseph, Brian Thompson, and all of us. So, we can take that and put it into a bigger one. Is that easier? Because the directors know who is where, and they could do just their department. And then you would only have to really worry about initially just your department. **Hardin:** And we want it by Tuesday of next week. **Williams:** Tuesday, June 16th? **Hardin:** Yes. **Scruggs:** We can ask tonight, correct? And then follow up in email form. **Williams:** Would you mind remembering to ask the directors? **Scruggs:** Sure. **Hardin:** Yes. **Williams:** Alright, the other thing that we have requested do you have tonight. We asked for a summary of all end-of-year expenditures to Mount Zion, Aurora landscaping and Andrew Sparks landscaping from 2008 to present. Did you pull that? **Thompson:** No. **Williams:** We also went over all of the contractors and some 1099's for 2023. And there were some we weren't sure what services they provided to the Village. Did you follow up on those? **Thompson:** No, I just had to put those in a spreadsheet, reiterate the ones we talked about. **Nikolic:** I'm thinking as we went through those vendors. Maybe we should have, and I don't know if we already do. An approved vendors list, right? Once we look, you know, we just can't have appeal for any vendor. Council will start a list of vendors that are approved by Council. As we've seen the expenditures that they've been charged. And then if there's a new vendor. They need to come through an approval process of what their services will be. If it's an inspector at the building, whatever it is. A new vendor would have to get on our quote unquote approved vendors list. Right now, we know we have our usual suspects that we always use, that we know and trust. You know, they go on, and then some others, we may have to take off. I don't know if there's some improprieties that's found. But, you know, we may need to just start working off of an approved vendor's list. So, it's just a thought... **Williams:** Council discussion... **Scruggs:** I agree. **Hardin:** Are you suggesting that we draw this list up? **Nikolic:** Well, we could have already started because last week we went through every single vendor that we had last year. And outside of the landscaping and some other ones. I mean, we kind of got an idea. But, you know, for like the summer camp if there's a new person. You know, before they become an approved vendor. Like, have they had their background checks done, like, you know what I mean? So, you just can't start paying someone as a vendor for the summer camp. As an idea, so it's just to think. We've had this list of vendors that we went through last week. And we didn't know some of them, I know, I didn't. **Hardin:** Here's what I'm hearing. We're doing a lot of work here. **Warren:** We're going too deep into it. **Hardin:** No, wait, let me finish though. Johnny, if we leave it cleaned up here, it's worth it. So, your idea of a vendors list is great. But you have to know we don't have anything in place. Because you mentioned a background check. Do we do a background check now? **Thompson:** I don't remember. **Howse:** You're required to, you're supposed to go on the state website. To make sure that any vendor that you do business with, they do not owe federal state. **Hardin:** Okay, so here we go, alright. So, we'll take it on, I'm serious... **Williams:** We'll create a process. **Hardin:** We'll create a process, alright, add that to the list. **Nikolic:** Yeah, especially with summer camp

kids. It's the first thing that popped in my mind. But I didn't, you know, for other vendors, if they are, you know. Because, you know, we've had someone here talking about a contractor, I don't know. **Hardin:** And most of us, we probably would not have to reinvent the wheel. Because we can probably contact other communities. **Nikolic:** Right. **Williams:** Okay, we got about 30 minutes left, so I added that to the list. I know we need to talk and work through a process for an approved vendors list. We need to circle back to the finance report. So, you can see what you would like to be added to it because you weren't here earlier. We also have an executive session scheduled. We have it on the agenda, right? Okay and, lastly, before we move on, if no one has anything else, the 941 report came through. So, I like to, I don't know if anyone had time to review it. But I did and so I had Ms. Joseph provide some background on 941's and what that form looked like previously. And so, some of the questions were just... So just for context, 941 is an IRS form 941. It is the taxes that we need to report for our payroll to the IRS. It has to be done quarterly. We have to file it within 30 days, four times a year. So, it's a very strict time frame. If we do not file, we have to have a reason for not filing on time. Otherwise, we assess penalties and fees. And those are ongoing, and they incur ongoing until we submit that report. So, today we got a 64-page report. And I wanted to be able to... So, one question I had in looking at that. I saw that some of these forms have social security wage or social security? I thought we did PERS and not social security. **Thompson:** Anybody that's part time in Fire Department (inaudible). So, they paying into their pensions at the full-time jobs. So, only those part time are the social security. **Williams:** Okay, so that would be only fire? **Thompson:** Yes. **Williams:** Okay. **Howse:** I'm sorry, what did you say? **Thompson:** The part time firefighters, we don't make contributions for them. Just the... **Howse:** So, the part time firefighters, you say you don't contribute towards, they don't have PERS withheld from them? **Thompson:** No, just Social Security, because they got their normal contributions for the police and fire pension in their own cities. **Williams:** Do you have a follow-up question to that? I don't want to go on before... is that correct? **Howse:** If I'm hearing you right. You said the part time Firefighters who contribute to another entity full time. That you are deducting social security from their checks? **Thompson:** Yeah, not pension. **Howse:** So, you do know the Firefighters are not supposed to be contributing in two things. They already contributed to Ohio Public Police and Fire. So, you're saying that not only are there being contributions being made at another entity. But you are paying social security into fire? **Thompson:** We take it out their checks. We don't take none of the pension out that's happening at their home base, where they have their full-time jobs. So, we just take our social security, we're not taking out pension. **Howse:** Do you have something in writing that says that's what you're supposed to do? **Warren:** Or allowed? **Thompson:** I'm sure we can check the O.R.C., but you're not supposed to take any pension out for them. We don't make contributions... **Howse:** For your part-time fire? **Thompson:** Yes. **Howse:** And so you're saying part timers who have pension elsewhere. Such as Police and Fire, that you're taking out social security? **Thompson:** Yes, here at the Village. **Howse:** Okay. **Nikolic:** Do we pay PERS on part time employees at all? **Thompson:** Yeah, different departments. **Warren:** We are part time, and we get it. **Howse:** All employees are supposed to have PERS taken out. Unless they were grandfathered in. If they were here way back before they enforced that. Some of you Council experienced that. At some point, long time ago it wasn't required. Now, it's required for every employee that pension, some sort of pension, whether it's OPERS or Police and Fire. **Davis:** What about boards and commissioners? **Thompson:** Yes. **Davis:** No, we do not, boards and commissioners I've never got. 12 years ago, at least, the PERS were cut from the boards. I'm talking about, like, Zoning, Planning, Architectural Board review. They don't get PERS taken

out, there's no PERS at all. We lost those years ago. I was just told it was voted on, that we were no longer going to receive those. But those PERS have been gone, it's got to be 12 years by now. Because it's been gone a long time for our boards, commissioners, and things like. **Williams:** So, you (inaudible). **Davis:** Saved \$50 per (inaudible), once they take out social security, Medicare, and state tax; not federal tax. **Williams:** In our public payroll how do they not have PERS? Unless you (inaudible). **Thompson:** It would have been a different rule for them. **Davis:** It was taken out at least 12 years probably now, it's been dropped. **Thompson:** I'll reference that one (inaudible). **Davis:** Okay, because we started with those. But down at the halfway through they stopped. **Matlock:** Is it that you could only do PERS or Social Security? **Williams:** But if you're paying them as a public employee. You should be getting PERS taken out. **Matlock:** I mean I get PERS, but I get Social Security. Because that was a big thing that I was questioning. You know when I came on here. Like the PERS that was being taken out. You know, can I do PERS and get Social Security. And they said it wouldn't affect it. I mean, the Social Security office told me that it wouldn't affect it. But they told me to check the PERS out. After five years or six years or whatever. I guess it'll come into your social, however it is. You can get like a... **Williams:** Okay, so just going back to the 941's. I'm seeing that you have 941's ones for 2023. That was just filed February 22nd, 2024. And if we have to file them every quarter. We definitely would have penalties assessed for at least 2023. Is there a reason why these were late? **Thompson:** Yeah, for a period of time, it kind of happened through Covid. **Williams:** Covid doesn't have anything to do with it. **Thompson:** No, I'm just giving you a timeline. Back around that time, the payroll person had left abruptly. I had took it over, I had to run payrolls. Like nobody came to work with the country in turmoil. But, they were filed late, there's a repeal process for the penalties. The IRS, you know, just told us to get them in. And then we can, you know, write something to them. In terms of telling them what happened during that time period that they weren't turned in on time. **Williams:** What would be your reason for not reporting? Because you have 2022 that you just did in February of 2024. So, that's two years later. **Thompson:** Well, what happened was, we always made the payments. So, there's large credits sitting out there. They got large credits because we always made the payment on the payroll. Never made our IRS payment. **Williams:** Oh, it clearly says why you're receiving this letter. "We've credited payments and other credits to your tax account for the tax period shown below. However, we haven't received your tax returns." That's because you send the money, they credit the payments. And then you're supposed to file the return. So, they know where to attribute those monies to. **Thompson:** Right, we didn't get them in on time. **Williams:** Not just in time, we're talking about 2022 you just did a month and a half ago. **Thompson:** Yes. **Williams:** So, what would be your reasoning as to why, that they would approve. As to why you're so far behind in filing these 941's. **Thompson:** Just going on with the Covid, we changed systems to kind of balanced reports, change of staff at the time. Those are some of the top three things that happened. That caused me not to get those in. **Williams:** Well, in 2019, which was before Covid, those weren't filed either. So, they have 2019... **Thompson:** Actually, 2019 was okay once we actually talked to them. **Williams:** Well on here their saying you did. **Thompson:** Yeah, on that statement, but when we talked to them. They said 2019 was okay and to send the other years. **Williams:** So, you are aware that we will be assessed penalties and fees for these late filings, right? **Thompson:** Yeah, if they don't accept the repeal letter or whatever it says in there. **Williams:** You're trying to send a letter, so what they say is that. "If you think you have reasonable cause for penalty relief, send us your request in writing." You can find information on penalty relief, including the reasonable cause at [www.IRS.gov](http://www.IRS.gov). So, what would be your reasonable cause for not filing all of these from 2019 to



this year? **Thompson:** I'm going to write it up and see what actually happens. From the highlights I just told you. Give them the relief appeal letter and see if they accept it. **Williams:** And if they don't accept it? **Thompson:** They may be subject to penalties for sure. **Williams:** Who may be subjected? **Thompson:** The Village. **Matlock:** No. **Williams:** So, are you aware that if they do not accept it. And you will responsible for filing those. They can attribute those penalties and fees directly to your pay? They can recover those funds, are you aware of that? **Thompson:** Yes. **Williams:** Okay, so do these haven't been file on time in a few years. When did you first become aware that they weren't being filed on time? **Thompson:** We got the letter back in August of 2023. I know some time before that. I knew they weren't being filed timely. We were trying to reconcile them with the system switch over. So, we have a real challenge to the system. So, it was quite some time a couple of years. But we got to it on August 2023 last year. **Williams:** And so, for a couple of years we just did not choose to continue to file? **Thompson:** I didn't choose, we were just trying to get everything reconciled. So, just going through the process. **Williams:** What were you reconciling? **Thompson:** You have to take the quarterly reports and reconcile them. You know, get the numbers on those quarterly reports in payroll. **Williams:** So, tell me, when we do payroll, right. Does it not, give you a report at the end that tells you what you should put? **Thompson:** Yeah, you get the quarterly, monthly. You got tie it into the quarterly because those are due every quarter. So, you have a yearend summary. **Williams:** Just to be clear, you also have the aid of the payroll system. That will tell you what numbers need to go into this 941? **Thompson:** Yeah, in the quarterly report. **Williams:** And then you just still weren't filing. **Thompson:** We were processing them for a reconciliation. So, they didn't get filed in time. **Williams:** Okay, I just want to be very, very clear about this process. Because this is a part of your duties, right? Regardless of whether you have someone specifically to do it or not. We have to be in compliance with the IRS. So if you don't have a person then it falls on you, correct? **Thompson:** Yes. **Williams:** Are there any other questions around the 941's? **Scruggs:** I have a question, for the 941's it's four times a year. What months do they ask for? **Thompson:** January, February, March, April, May, June, July, August, September. **Matlock:** No. **Williams:** So, the first quarter is due by April 30th. Then the second quarter I believe is due by July 31st. **Warren:** So, each one is due up 30 days after the quarter. **Williams:** Yes, and then it should be October 31st, I think. **Scruggs:** And then the last one is January? **Williams:** Should be December 31st. **Thompson:** Yea, it ended the first month in January after December. For the last quarter of the year. **Williams:** Yes, I'm sorry, yeah January 31st. **Scruggs:** Thank you. **Davis:** The expense ledger that you gave us from December 1st, 2023 to December 31st, 2023. And it has in here that we paid Mount Zion. Because I just realized, at our last meeting we had paid Mount Zion \$1,297.50 in February. But it has it in December 31st, 2023. You paid them also \$1,297.50; it just says Mount Zion service fee. So, did we pay them that December and February, the same amount? **Thompson:** I don't think it's the same, is it the same amount? **Williams:** It's the exact same amount. **Davis:** It says \$1,297.50, yeah the exact same amount we paid in February. So, why did we pay them also December 31st? **Thompson:** Yeah, we only paid them once that amount. So, I don't know, let me see. **Davis:** Because we just had February. But then I just saw, looking at those things. That December 31st we paid the exact same amount. **Williams:** That's the expense transaction ledger, so we paid. **Thompson:** It was only once; I have to see the report we have. **Williams:** We should be able to see more clearly when we get the end of the year report for them. **Thompson:** Okay. **Williams:** Oh I do have another question for you. Who filed the 941's for 2008 to 2018? Because those were included in the compliance list. **Thompson:** We had a part time payroll person that would file. **Williams:**

Who would be that individual that file? **Thompson:** (inaudible) Taylor. **Nikolic:** Quick questions about the expense report from for the first two months. I just had a couple questions. Senior enrichment, the the month to date expenses negative, \$1,500. But I don't understand why it's negative. We have only... **Davis:** Ten thousand something budgeted this year. **Nikolic:** Right, so the budget is \$10,000. You have \$1,500 in the negative, but you only spent \$9,000.

**Thompson:** That's from February? **Nikolic:** It's from one 1/1-2/29/24. **Thompson:** Do we have \$10,000 in the appropriation column? **Nikolic:** In the budget. **Thompson:** You looking at year-to-date or month-to-date on the expense? **Nikolic:** Month-to-date expense is negative, and then the year-to-date expense. Okay, so, that would be both months. So, in the month-to-date it's over what you're allotted. Can you explain why it is negative? I'm just trying to figure it out.

**Thompson:** On that line item? **Nikolic:** Yeah. **Thompson:** It would have been, I don't know where the expense was. Can I see that report? **Nikolic:** And it's the same for the senior. Family enrichment and senior enrichment, both of those are negative. **Thompson:** The negative in the month-to-date will probably be when you make adjustments. To maybe a different line item it will be negative. So, it's probably expense adjustment. We reclass the expense to be coming out of that line item. So, you have to see the other side of the transaction. That's why that was going to look like that. **Nikolic:** And the same thing with the \$4,500 under senior enrichment? Was the \$1,500 the reclass for the... **Thompson:** The reclass under the senior for the \$1,500. **Nikolic:** Was that for the fitness instructor? **Thompson:** I don't have the exact details to see, but...

**Nikolic:** And then the \$4,500 was for Billy DiNardo under senior? **Thompson:** Senior was the one that had \$1,500. But I have to see my detail for the expense reclass to see what it was. **Nikolic:** Okay, but just to know the negative is a reclass. So, that's the amount that was taken from there and put into another fund. **Thompson:** Yes, on that particular one, yes. **Nikolic:** And the \$1,500 was that moved to employee wages? **Thompson:** No, it wouldn't have been wages. I'm sure, I have to see the other end of it, I have to run details. **Nikolic:** Okay, and that the \$4,500 that went to Billy DiNardo. That was removed altogether because you said that concert was canceled? **Thompson:** Yeah, it was canceled. It was just used for Village promotional, for his editing of the video for the Mayor. **Nikolic:** But there was still \$3,500 for a concert in February. **Thompson:** Yeah, I mean, he would have been still, I have to run... **Nikolic:** But it was just a concert, and it didn't say Billy. It just said a concert in February. I don't, did anyone attend a concert in February? **Thompson:** No, how much is that? I have a look back... **Nikolic:** The concert was... **Williams:** So, this is why we want to make sure we receive the expense details. So that when we have an event. You know what the cost are attributed to. **Thompson:** Yeah. **Nikolic:** So, \$3,750, oh, no wait. Okay, hold on, no my mistake, that was what was budgeted. **Thompson:** Okay. **Nikolic:** An unexpended balance, okay, my mistake. No concert, it was budgeted though, so my mistake. **Davis:** I have the same thing, your transaction ledger. This is for February 1st, 2024 to the end of February. But for Carlean, you got on it here. We paid her \$3,877 for February. Now, if you add that times 12, it's 46. Almost \$47,000 and we only approved I think, she's only got like \$39,000, if that. That's last year's wages, I'm talking about wages for her. So, why did we give her almost \$4,000 for one month. When we only, and that would be like \$47,000. When we're already over budget for her amount that she's supposed to get. **Thompson:** I mean, that's a summary in itself. I'll have to run the details of her wages way into her budget for those couple months. **Davis:** We also asked that she no longer get paid as a fitness instructor, correct? So she was told that? **Thompson:** Yeah. **Davis:** So, I don't want that added into here. Because we have monthly amount, then we have... Why do have monthly and then you have biweekly separate different amounts? What is that extra amount that she gets?

Because it has \$3,200 for her monthly payment and then she has \$309. **Thompson:** Yes, she gets paid monthly. So, it may have been a person on there that's getting biweekly. So, I have to run the detail. **Davis:** This is February... **Thompson:** Yeah, Carlean was... **Davis:** She's the only one there. **Thompson:** Carlean is monthly and if it is a normal employee they get biweekly. So, she gets paid once a month. But her fitness classes go under miscellaneous contractual. They wouldn't be in the wages. **Davis:** Okay, well, this would be her area. But I don't understand why she gets an extra three hundred and something. **Warren:** And we can't pay somebody else under her name, so... **Davis:** That's why I said, how could you... **Thompson:** Let me see the reports. **Davis:** Go ahead, I have it circled. Because I was multiplying times twelve, and we're paying like \$47,000. If she gets the \$3,800 a month, we're overpaying her already. **Thompson:** That may be Ms. Tubbs under there, I'll have to check. That's not her wages, (inaudible). I'm pretty sure that's Ms. Tubbs under there Mrs. Davis, I'll run the details. **Howse:** I have a question. **Williams:** I want to make sure we have time to go into our executive session before we adjourn. Can you it when we do his finance report? **Howse:** Sure. **Williams:** Okay, before you head out. What are you standard business hours for your role specifically? **Thompson:** My department is under 9am-5pm. **Williams:** Including you? **Thompson:** Yeah. **Williams:** Can I have a motion to go into executive session?

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

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

**MOTION PASSED**

Enter executive Session

Motion to adjourn executive session made by Scruggs seconded by Davis

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

**MOTION PASSED**

Exited executive Session at 7:02p.m.

**Williams:** May I have a motion to adjourn?

Motion to adjourn made by Hardin seconded by Nikolic

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

**MOTION PASSED**

Adjourned at 7:04 p.m.

Approved \_\_\_\_\_

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

\_\_\_\_\_  
Erica Nikolic, President of Council

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

**ATTENDANCE**

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

**ABSENT**

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

*\* Arrived after roll call*

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

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

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

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

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

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

2024-WS-12

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

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

2024-WS-34

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

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

2024-WS-35

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

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

2024-WS-36

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

2024-WS-40

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

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

and we can pull it. I think it allows you to shut them off two days before July 4th and then two days after. It expands other than days before and after each one of those holidays. **Warren:** Oh yeah, it gives you a whole variety. **Hardin:** So, am I understanding that this Council would consider doing just July 4th the day itself. And not any of the days before or after as stated in the state law? **Warren:** I would agree with that. **Hardin:** Okay, just July 4th? **Warren:** Yes. **Hardin:** Okay, so I know we don't vote, but we can poll. Can we then say asked the Law Director to draw something up that meets those requirements? All right, I thank this Council. **Davis:** I would like to have at the same time we approve this. To have that other one with the dates or part of that same one. **Hardin:** Yes, ma'am, thank you. Madam Secretary, did you understand what she was saying? She wants to make certain that our people understand. We were aware that all of the other ones were available. But we've chosen to narrow it to just the 4th of July. Am I understanding you correctly Mary? **Davis:** Yes, so that's what the Police Chief reiterated today. I mean, that's one that he would have been in favor of. **Hardin:** Now the times are okay because we can look at that again. I think it's up until... I know it's 10:30pm or 11:00p.m. **Joseph:** It's not in this legislation, that was the other one. You were thinking of... **Hardin:** The first one. **Joseph:** The way Elyria had theirs. **Hardin:** Yes. **Joseph:** But he didn't do it, that's what I was saying. He didn't do it similar to their, he just brought back the legislation that was presented to Council. That you guys never went forward with. That's what I was trying to explain to you. It wasn't exactly how you wanted it. So, that's what I was explaining to him in the email as well. That he failed to, you know, list the parts that you wanted specifically. **Hardin:** Okay, so let's come up with our time frame that we would be interested in having. Naturally, you want to do it were dark. I guess that's part of the fun. So, we're talking, it gets dark in the summer at what? **Davis:** Nine, closer to nine. **Warren:** Yeah but kids would be... **Davis:** Even if you said 8:00pm to start. I mean, some people have little kids. They might want to do them even though it's not dark dark. So, if you started at 8:00pm until midnight, that's four hours. I mean, I think, we'll ask our Chief. **Scruggs:** He said 11:00pm the last time. **Warren:** Yeah 8:00pm to 11:00pm. **Scruggs:** I don't remember the start time. I just remember 4th of July was until 11:00pm. **Warren:** We'll just say 8:00p.m.-11p.m. **Hardin:** Okay, ask him to restrict it to those hours, 8:00p.m. to 11:00p.m., 4th of July only. Not before or after?... No time, okay thank you Council.

2024-WS-41

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

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

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

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

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

**MOTION PASSED**

2024-WS-42

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

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



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

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

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

**YES VOTE:** Hill, Davis, Matlock, Hardin, Scruggs, Warren  
**MOTION PASSED**

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

Motion to adjourn made by Davis seconded by Warren  
**YES VOTE:** Warren, Scruggs, Hardin, Matlock, Davis, Hill  
**MOTION PASSED**  
Adjourned at 6:49 p.m.

Approved \_\_\_\_\_

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

\_\_\_\_\_  
Erica Nikolic, President of Council

**VILLAGE OF OAKWOOD  
COUNCIL MEETING MINUTES  
2024-10-8**

**ATTENDANCE**

Johnnie Warren, President Pro Tem	Tom Haba, Service Director
Taunya Scruggs, Ward 1	Mark Garratt, Police Department
Eloise Hardin, Ward 2	Dave Tapp, Fire Department
Paggie Matlock, Ward 3	Sam O’Leary, Assistant Law Director
Mary Davis, Ward 4	Brian Thompson, Finance Director
Candace Williams, Ward 5	Daniel Marinucci, Chief Bldg. Official
	Carlean Perez – Recreation Director
	Ross Cirincione, Prosecutor

**ABSENT**

Matt Jones, Village Engineer	Erica Nikolic, President
James Climer, Law Director	
Gary V Gottschalk, Mayor	
<i>* Arrived after roll call</i>	

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

**Motion to approve the Council Meeting Minutes of March 26<sup>th</sup>, 2024**, made by Davis seconded by Scruggs

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

**MOTION PASSED**

**Motion to approve the Council Meeting Minutes of September 28<sup>th</sup>, 2024**, made by Scruggs seconded by Hardin

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

**MOTION PASSED**

**Warren:** Any correspondence at this time? **Joseph:** Nothing at the time. **Warren:** Well, we’ll get our departmental reports then. May we hear from our illustrious Fire Chief?

*Department Report*

*Fire Chief, Tapp| Taatpp:* Thank you, I have a meeting this Friday with Mayor Kolograf at Walton Hill and the head of UH hospital. They’re going to be offering some incentives and some programs that they’re offering to Walton Hills. So, after that meeting I’m hoping by next meeting here. I can bring some of those ideas and stuff that they are going to be doing to operate the Village after that. So by next meeting, I should have some information for you. Other than that, I’m here for questions. **Hardin:** I’m sorry, sir who’s your meeting with? **Tapp:** Mayor Kolograf

and Head of UH hospital. So, they're going to be offering some UH programs to Walton Hills. And will be offering Oakwood after this meeting. So, I'll offer some ideas of what they are after that. **Hardin:** Thank you. **Davis:** I wanted to ask, do UH and Cleveland Clinic Group offer the same today that... We used to reimburse you for your supplies and things. Like if you used them that day. Are they both conducive to... **Tapp:** Yeah, it's a one for one with our supply (inaudible) per hospital. **Davis:** Okay they do that, thank you. **Matlock:** I had a couple of calls from constituents asking about assistance with replacing batteries inside of their smoke detectors. **Tapp:** All they have to do is just call. **Matlock:** That's what I told them. Just call you, but okay thank you. **Tapp:** Absolutely. **Warren:** Okay, may we hear from our Building Inspector, Mr. Marinucci.

*Building Chief, Marinucci* | **Marinucci:** Thank you Councilman Warren. A couple of weeks ago, you asked about moneys for tearing down residential homes. Well there is no money available in the County because of confirmation emails. Lillie has been on top of it for a while, but there's no money associated with that. Grey Brothers is set for trial in a couple of months. Any questions goes over to the legal department. DCOMM, I met with legal, any any citations is going to be run through the legal department. Ross can talk to you about the issues regarding that. And that's it, I am here for questions. **Davis:** You said last meeting, two weeks ago that you were going to have Aaron give us reports. **Marinucci:** I'll send that out, but I can tell you right now. We're not able to do a lot of the inspections like you're going to want them done. It's understaffed and it's a revolving door. And it's crazy right now. But I asked them more than once to get out. And I could tell you Friday was a (inaudible) and today was crazy inside the department when I was there. So we're understaffed and we're going to have hiccups along the way. And there's the loss of Debbie is instrumental. We have to set up and Ania's learning. So, we'll have a lot more demands to try to fulfill parts. And like the loss of Debbie, they're going to see this in planning. All this planning stuff that Debbie took care of. Now they are at a total loss. So that's where the Building Department is right now. We're understaffed and you're going to have hiccups no matter how you want to do it. But I'll have him send that out first thing in the morning. But I asked them to do it last week and he didn't do it, but I'll make sure. **Warren:** She's asking you for stuff before Debbie left, way before Debbie left. And it's a constant snowball out of not getting the stuff. **Marinucci:** (inaudible) that will be out in the morning when I get there. **Warren:** And the other thing is, what is he doing in Debbie's stead? **Marinucci:** There's a lot of phone calls about the processing of the permits. Ania doesn't understand the software. He's teaching Ania the software, processing permits, getting calls, everything that goes in the Building Department administration; he's doing a lot of it. **Warren:** Well, let me ask you this. There's not a lot of construction, to my knowledge, going on. Where they are coming in and getting building permits. Once you get a building permit, you start building and that's it. **Marinucci:** No, not even close... you're right. We're getting garages, there were three garages that came in recently. The decks, you have those kind of things. A couple decks came in the other day. I approved, I don't know, 4 or 5 things the last couple of days that I was here. Generac... **Warren:** So, what does he do? You're telling me what you. **Marinucci:** He's processing the paperwork to get it going. The licensing deals, the contractors that come in, they have to be licensed. So I know we've licensed one today. That's the stuff they're doing. **Warren:** So, licensing one contractor in an eight hour day? **Marinucci:** Yeah, whatever, whatever you want to do with that. That's what's going on there. **Warren:** I just wanted to see what the reality was. **Marinucci:** The reality (inaudible) I'll tell you what's going on. The phone calls goes into the role over situation. And a

lot of my time is taken because they can't answer the phone, neither can't. And I spending a lot of time answering the phone calls and what I'm doing there every day. So, everybody's working as a team. The Board of Building Standards have made changes in their policies. That has really absolutely overwhelmed and I've been in touch with the Board of Building Standards today asking for more time. They granted us what we have to get them used to be yearly accounting, now it's a monthly accounting. The software is not giving us what we need at a timely basis. We're swamped and you know what, Council. If you think the Building Department is not working, you're clueless as to what's going on. That's my position and I don't understand it. Because you throw me under the bus every single meeting. You can throw me under the bus again. But that's what's going on in the Building Department. I got three meetings with somebody that was coming in to (inaudible). I met with the owner three times, I met with the leaseholder one time. We had multiple discussions with the Mayor because anything on Broadway gets his blessing. So, we're doing all of that as well. **Warren:** I understand all of the stuff that you're saying. And 84% of it is the stuff that you're saying is I. **Marinucci:** (inaudible) **Warren:** Okay, well, that's fine, anybody else have any questions? **Matlock:** Right now, since your department is understaffed, or you stated you're understaffed. You're the director, correct? Are you three days a week? **Marinucci:** Yes. **Matlock:** Okay, how come you won't push up to five days? **Marinucci:** No, if you want to pay me more money; then I will. **Matlock:** Okay, but really, with you being a director. You should be on five days anyway. **Marinucci:** Well, we can talk money. Because I'll tell you, I know what's going on. **Matlock:** No, no, no, no, no. What I'm just saying is. Normally as a director, that's your department? **Marinucci:** Yes. **Matlock:** And what I'm basically saying is this. A director will step up to the plate. You have three individuals in there, okay. You have Aaron, you have Ms. Hicks, and you also have the young lady, correct? **Marinucci:** Correct. **Matlock:** And right now you're saying they're overwhelmed? **Marinucci:** Yes. Okay. **Matlock:** You're the director, so if you're the director. You're going to take the full hit. So that means that... hold on, wait, wait, hold on for a second. With you being the director, then you should step in right now. Five days a week is what you should do. And if that is the case, really for a director, a director position should be five days anyway. They should be there every single day in order to oversee the whole operation of that Building Department. If you make it full time, we'll talk money and I'll do it. But you're not going to do that. **Matlock:** You're saying we won't do it? You're saying that we're not going to do it? **Marinucci:** You have no idea... **Matlock:** No, I'm just saying...all I'm asking you is just one question. **Marinucci:** I will do it if we talk money. **Matlock:** I'm just saying that would kind of help out your team. You guys are working as a team. That would help out your team is all I am saying. **Warren:** Okay, he said that if we would talk money. That he would consider five. **Marinucci:** I know what's going on. I'll tell you, you know, you're at the point where (inaudible) was. That's where you guys are at. **Matlock:** And then I want to ask this, too. I hear you say there's software. Is there a class that they can go to or is there like a training class for two days for that something? **Marinucci:** There's no training class on that with this particular software is itself proprietary. So, the issues that associated with that, there's no classes. **Matlock:** Okay, because I know I was talking to Ms. Hicks. And she stated something about, she put something into the system. That she can't really delete it if there's a mistake. **Marinucci:** Yes, correct. **Matlock:** So, if that is the case, there should be something like an administrator. **Marinucci:** I have no idea but, we can't do it, all right. So, what happens is you have to get into the the people running the software City Force. So, then you get an email out to them on your waiting. Because a lot of times we get Tom in to get it resolved and they get it resolved. But you're correct, if you have to put \$110.50 and that's

inputted really fast. And instead you put .05 cents instead of .50 cents. You can't balance it; you can't change it. It's a tough situation that we have with that. That's only one example, but yes. **Matlock:** So, there's no administrator portion to that software? No one in the you have like an administrator access? **Marinucci:** Tom has it, we can get in, but we can't make changes. It's proprietary, they won't allow any one of us to make the changes. **Matlock:** But they will allow Tom to make changes? **Marinucci:** Tom is always in conjunction with them. And I think together they make the changes, is what I believe. But I know Tom can't do the changes on his own. Yeah, but that's part of the minor issue. But then that happens to us, Brian can tell you this. A lot of times you know the receipts that are all categorized? (inaudible). I'm just wondering right now, we got to get that 3% and 1%, because that's what we pay them on a monthly bill. That's what we're having a little difficulty with. But I'm going to talk to the state today to get it worked out. **Scruggs:** What is the name of the software? **Marinucci:** City Force. **Scruggs:** So, I'm just brainstorming because a lot of times when I have trouble with a software program. Or I'm just not sure how to do something, I go do a Google search or I go and do a YouTube search. And sometimes you can find people who will create a video. That will show you step by step how to get through a specific problem. So, if I don't know what the issue currently is with one of the staff. But let's just say they can't figure out how to upload this file into City Force. Whatever it is, you can literally go to YouTube or Google and typing in City force how do I. And I bet you might, I'm not saying you can. But you might be able to find a video that goes specific to whatever that concern is. And I've been able to kind of save myself on a couple of different things when I wasn't able to find help anywhere else. **Marinucci:** And I'm very familiar with that process. Like, you know, Microsoft and Google, you know, one of the things. **Scruggs:** So, I would try it with City Force you never know. **Marinucci:** Alright, (inaudible). **Warren:** Any other questions? Okay, may we hear from our Police Chief?

*Police Chief, Garratt* | **Garratt:** Garratt: Thank you, Mr. President, I just briefly want to go over... I mentioned to you guys last meeting. That we had the state Auditors in the Police Department. We did get the results back. We passed with flying colors, so that was good. What they were checking on is, this is OLEG, which is Ohio Law Enforcement Gateway. And they check for security and quality assurance. To make sure that there's no leaks of problems or anything. Like the usage of our computer system and or the security. Only issue we have is security of the building. Which was only because our server room gets overheated without the air conditioning and that kind of stuff. But that wasn't dinged against us. Because that's what we have to deal with at this point in time. But other than that, everything passed very, very well. And that's from really good record keeping and doing the right thing. The other thing is we've been interviewing for the last week and a half now. Candidates for the three positions that we have vacant. So, we're in the process about halfway through with three of them. So as you know, we do a pretty extensive way when we do our hiring. We have our detectives do the initial interviews. If they get through that, we'll take them down to training center. We'll also see how they interact with some of the different scenarios and de-escalation processes. And then they report writing on it. After they finish that, if they move on to the next phase. That's riding with two different shifts and the officers and shifts have an opportunity to speak with them. And get to know them because they're going to have a direct impact on working with them. So, it's important that you have that buy in. And then the next phase of it will be the interview with the captain and myself. Following would be the psychological and the polygraph, along with the

background checks. Our detectives do all of the background investigation. Finally, after the physicals and other things. Then they're offered a position. So right now, we're at, with all three candidates that applied. We're at the interview finished up with the Captain and myself. And now they're on to the next phase. So, so far, they are doing really well. So, we're looking really promising. But I will keep you apprised of what's going on and hopefully we'll get a few. **Davis:** Your legislation tonight for your cars. **Garratt:** Yes. **Davis:** We wanted to ask you a couple of questions. One was asking about the hybrid. Because it had a hybrid or the eco boost was the two options. **Garratt:** Correct. **Davis:** Why did you choose a hybrid or you don't get to choose that? Is that from the state regulations or what? **Garratt:** No, we get to choose it. The hybrid is a little bit cheaper for one. And second of all, the issues we have with wear and tear of police cars is idle time. You see the Police outside the road either running traffic or something of that nature. Idling is a big part of the police cars. So now, what's nice is they go from using gas to electric when they are idle. So that's a huge saving, it's what we're thinking is going to be huge saving on fuel. Other Police Departments that have gone to that. Have noticed a significant drop in fuel usage because of that in police cars. So, that was probably the main reason. Again, the price of that and a little more eco friendly on that. We're not equipped to go with the full electric vehicles. That's just not possible at this time. There are some departments that have it, but it's the jury's still out, so to speak with it. Because we're not exactly sure or have all the answers. Pluses and negative options, and again, we're not ready. This building won't even accommodate charging unit. So at this point and time it's not even an option. So that, plus we know that we're being eco friendly. If you will, but still doing the job properly. Hopefully it will help out with the wear and tear. If you look down at the bottom that quote. We do the extended warranty also up to 100,000 miles.

**Davis:** I was going to ask if there is extra warranties. **Garratt:** Yeah, we do, it's \$2,500. But I mean, one repair... there's never repairs less than \$2,500. So, we always go down to 100,000 miles. It just doesn't make any sense. And we've gone back to the Fords, we've had a lot of problems with the Tahoe's. **Davis:** Yeah, that's what we were going to ask you. Because you had a lot of problems with that. Now, it doesn't have to be, the interceptor or whatever it's called. Does that have to be the state gives you only one kind of car? Or you can choose different cars? **Garratt:** No, you have choice of different cars. But the state bid that will reflect on each one. Like if you look at some of the quotes, you see there's no carpet and all that. That's what the state requires. It's the basic version with the enhancement of the suspension, the motor, and stuff like that for the Police package. But the manufacturers said this is a Police package, this is a Police package, this is a Police package. But we can go with other vendors, too. Well, we've had the issue with the Chevy's. We went to the Chevy's because we couldn't get any of the Fords at the time. If you remember back when we needed cars at the time. But we had to replace an engine at 15,000 miles on one of the Chevy's. And another Chevy Tahoe at 25,000 miles. Now, fortunately, both on the warranty, but they were down for a month. And that's you know that's not good. And we've had multiple other problems but those two were the biggest ones. So we were jumping back into that. **Davis:** Is the interceptor like the same size as a Tahoe? **Garratt:** It's identical to the ones that aren't Tahoe's that we have back there. Okay. We have a bunch of Ford Explorers that are back there. It's the same size, we only have 2 to 3 Tahoe's left. Every year we rotate two cars except for the last two years. Remember we couldn't get cars. Then, we had a bank where we could get three of them. And so in two years, we have three cars instead of four cars because that's what was available. This is going to be for next year. So, approving this will let us order or stay on the list. But these cars I don't anticipate coming in until next year, February, March. **Davis:** So, we have to have the money by next year? **Garratt:** On delivery.

**Davis:** Okay. **Garratt:** So, it won't be until 2025. **Davis:** Okay, thank you very much. **Warren:** now, I want to ask, doesn't those cars, because I'm not really familiar. Don't they recharge themselves the longer you drive too? **Garratt:** Yes, so if they're idle for a while. And if you get even close to where there's low battery. They warn you with a plenty of time. Kind of like when you're almost out of gas. So, yes, they do charge as soon as you start driving the car charges the batteries on their own. So, you don't need to plug them in. **Warren:** Right, any other questions? Okay. May we hear from our Recreation Director/Commissioner?

*Rec Director/Commissioner, Perez* | **Perez:** Thank you, so our big event Friday at LaMafa. Ms. Paggie bought four tickets so hopefully I can get the rest of the Council members to buy tickets also for this Friday night. I am going to cancel the Halloween event because we only had five people to sign up to trick or treat at the zoo. So, we're going to cancel that event. Bingo went very well. We had our first Bingo game last week, last Thursday went very well. I had 20 people to attend. It was given by (inaudible) and they would be coming back here every two weeks. So, next week they will be bi weekly. They are going to do lunch next week. Our water class is going very well, water aerobics. I have about 15 people in the class at this present moment. You asked me the capacity, it holds 25. So we're doing very well with that. The rest of the month I will be working on Thanksgiving and the Amish Country. That's very, very large right now. I think there was over 125 people who signed up for it last year. So, Brian and I are trying to figure out what the numbers were last year and how it was coded. They went several places. (inaudible) has been canceled, but you will be going the day after Thanksgiving. So, I will be shopping for all the cold cuts and Turkeys and all of that. If anyone want to help me from Council really, my (inaudible). And Mrs. Davis, you asked for a date, I wanted to remind you of that. I left you a message, it was some kind of shower at the community center. **Davis:** Yes. **Perez:** It's (inaudible). **Davis:** Yeah, that's what she said, first I booked it. And then I think somebody else booked on top of mine. **Perez:** Yeah. Yeah, at this point (inaudible). **Davis:** Yeah, Okay. **Perez:** You know, we have no idea how to do that part of the services at this present time. So, at this point, that's all I really have. Oh, I need to ask you, the Trunk or Treat. We were talking about having the Trunk or Treat. And I wanted to ask if Council was going to be working with the Police Department with the Trunk or Treat? Because it's too late to do something really, really large. And if you are, I like to know so I can go out and buy candy for everybody. **Davis:** Our Councilperson representative told us that it was canceled. That we're not doing that. **Perez:** Yeah, we're not going to do it. But I didn't know if you guys were going to join the Police Department. **Davis:** Well, they're not going to do it either. **Garratt:** We join them. **Perez:** So, do I need to get candy? **Matlock:** No, we're not going to be doing it. **Perez:** Mrs. Scruggs and I have a meeting on Friday to discuss additional events for the year. **Davis:** What are the exercise classes? How many are Oakwood residents? Do we know? You said 15 came or something... **Perez:** It should be 15 Oakwood. **Matlock:** So, you don't know? **Perez:** I have a list with everybody and their address, so it should be Oakwood Village. I don't think there's anyone out there that's not Oakwood Village. **Warren:** Any other questions? **Hardin:** I'm still getting positive feedback, they're enjoying it. **Perez:** She's doing very well, she said that it's really helping her a lot. Because she had knee surgery or back surgery. She had something going on but she's doing very well. **Hardin:** Thank you. **Warren:** Okay, thank you. Tommy, you got your hand up? **Haba:** Yes. **Warren:** Service Director.



*Service Director, Haba* | **Haba:** Thank you Mr. President, couple things, we painted the Pavilion at the community park last week. It came out nice, I was going to ask you about the Trunk or Treat. That's off for sure? Because we winterize it this time of year. I was going to hold off until after that. The bathrooms are usable but we'll winterize it within days or so. So when we do that, we close it down for the year. Other than that, we will start leafing probably Monday, could be Friday. But I guess for Monday, we'll probably start picking up leaves. As you saw, people have it out and there's not a whole lot out there. If we go out Fridays, it will take most of day to get half of a load. So, we'll probably just wait until Monday to save on time and energy. Senior snowplowing due to the shortage problem. We're going to try to do it ourselves. Unless I have somebody's available for a weekend or Saturday and one night. So, they can sign up, I don't have a date yet. If somebody has a flier going out in the near future, let me know. It's always better to send out a flier. But we will get those out within two weeks, probably. They will be out where people will know where to sign up. And that's all I have, I'll take any questions. **Davis:** I just wanted to ask, you said that you winterized the park? So, nobody rents it after you're doing that? **Haba:** No, we drain all the water, all the drainage is... I put antifreeze in all the lines, all the toilets and stuff. **Davis:** So, our Village hall knows they can rent it out after? **Haba:** Yeah. **Hardin:** I'd like to thank you publicly for the repairs that's going on on the corner of Lynbrook and Forbes. It's been at least two years in the making. You do know that the counties out there now, right? **Haba:** Yeah. **Hardin:** Did they tell you what the problem was? **Haba:** No, I did not hear on that. **Hardin:** An engineering marvel, someone when they were putting in the sewer. Someone came along and it was time to put them to the poles in. So they dug a hole and they ran into the sewer. Oh my, so they dug a hole in the sewer pipe and put the poles through the sewer. **Haba:** Well, that's the same thing with the gentleman at 7209 Lynbrook. The gentleman, Mr. Manesh has that problem. **Hardin:** That's it. **Haba:** Yeah, we knew that was a problem. **Hardin:** Yeah. **Haba:** Oh yeah, we are well aware. That was the AT&T we believe that sunk that pole. So, we're having the County do the work. But, you know, that comes out in a fund that we give. But that money should be reimbursed by AT&T. We're also trying to get them, I talked to the Engineer a couple times. But we're going to let them fix his driveway. And recoup that money also from AT&T. **Hardin:** He's very happy it's been years. **Haba:** Yeah, he was very patient with it. And, you know, we talked about it. And we were down there about three years ago with Ted. They came down and (inaudible) the County, after we talked to them. To see what the problem was. And we revisited it just, you know, five months ago. They had a change of leadership there. He got stuck in the back somewhere and they came upon it. So, they knew what the problem was immediately. But they never thought, yeah, we after they took the (inaudible). They had new leadership and foreman's or whatever and they never got back. **Hardin:** I just wanted to say thank you. Everyone's very, very happy. **Haba:** Yeah. **Hardin:** Because he did lose a portion of his drive. **Haba:** Yeah. **Hardin:** So, thank you. **Warren:** Any other questions? Okay, maybe we'll hear from our Finance Director.

*Finance Director, Thompson* | **Thompson:** Thank you, Mr. Chairman. I just wanted to say the Finance Department submitted the closing of July's financials today. Reflective of the close we started the year at \$330,000 in the general fund. The unexpended balance we closed with by the end of July was \$505,000. After a conversation with that \$403,000. Cash in all funds, we began the year at approximately \$1, 037,000. We ended at the end of July with \$1,256,000, after encumbrances on the books we have \$1,084,000. But that's complete, you can take a look at our reporting there. And we'll be forging into August, hopefully we quickly close August. To get

those are submitted to Council as well. On the work session, there's that annual tax budget. It's a document we do every year that we have to submit to the County. What I like to do is always try to give you a narrative on what the purpose of the tax budget. And it is pretty much in the three steps or three explanations here in the F.Y.I. The tax budget is prepared by the municipality it allows the Auditor of the County to set property tax rates. If you remember year to year, we have to accept those tax rates resolution. So, that's what it sets for. It allows the municipality to participate in local government funding. And last but not least, it sets a Certificate of Estimated Resources. In the Estimated Resources report it can be changed by will. So, it's a lot of flexibility to go back to change the report and submit it back to the County. So, I can answer questions on that. And we're also working on with the recent Councilmatic action. We're entering a lot of new payroll information; we're getting that done. And I know the last budget was 75%. So, hopefully we can meet, or I'm prepared now to round out the year with my projection for 2024. And hopefully we can get into some discussion on that at some point. Maybe a finance committee meeting and at this point, I can answer any questions if you like. **Hardin:** Two questions, when will you have those numbers so we will set the finance meeting? So, that we can appropriate those final funds after we get... **Thompson:** Considering we did that payroll matter. That gives me a chance to really set where it's going to be. And of course, up to this point Council has given me the directive 25, 50, 75. So, I think at this point we need to round out together. I'll put a template together and those numbers should be in for the year. We can have that discussion. **Hardin:** So when will we get that? **Thompson:** I'm working on it, considering I have one staff now. But I'm roll up my sleeves. I'm going to be processing the payroll until we get a candidate in in the office. Just safely say, I would say for me to round out that number for 2024. Which is the end of this year, maybe about three weeks. And I've been in discussion with your safety forces. More so with the Police Chief. We're going to be meeting the next couple of days to kind of review this budget together. So, we can go ahead and set a date for at least the Police Chief to discuss his 2025 budget. **Hardin:** Okay, so now you said... let me slow it down so I catch up. So, we can look forward to getting information from you in three weeks. That's going to put us in November? **Thompson:** Well, we have to round out and get the whole year's budget now. It will take us to the end of the year. **Hill:** That's what she's asking you. **Thompson:** So, yeah, three weeks. **Hill:** So, we approved the budget through September 30th. We're now down to almost the end of October. **Thompson:** Yes. **Hill:** Are you going to have sufficient funds in all of these line items to operate into November? **Thompson:** No, I won't be able to operate all the way through. **Hill:** We don't want to operate in the red. So... **Thompson:** Right, so we need to meet to pass additional appropriations. **Hardin:** Yes. **Hill:** So, we're going to need? **Thompson:** Yeah, my conversation was more like, you know, we need that pre-meeting to move on the 75%. But also, I'm working on rounding out the end of the year. So, top priority is to meet to move on from the 75%. **Hardin:** That was why I was slowing you down. Okay, got that part. Now, Councilperson Matlock has made a recommendation to... I'll use the term rebate. As it relates to property taxes, one more time. **Thompson:** I did provide her with the exact report from the County. I don't have in front of me. I think it was about, they projected what the new revenue would be. From our increase assessment on the properties here. **Hardin:** Yes. It's about \$57,000 and also you have to take into account. I think our collection rates is like in the high 90s, which would be the true number. But they gave me a preliminary projection that the new revenues collected for next year would be approximately \$50,000 to \$56,000. That was the projection just to estimate. **Hardin:** Okay, and you said you gave that to the Council lady already? **Thompson:** Yes. **Matlock:** He did send it over; I will forward it to you. Can you forward it to all of us. **Thompson:** I had all

members on there. **Matlock:** All the members should be on that one. **Hardin:** Okay, so we'll know what to ask. **Thompson:** Yeah. **Hardin:** Okay, all right. **Warren:** First of all, more importantly, for now. When would you be prepared to have a meeting so that we can keep the Village open. **Thompson:** Friday next week? **Davis:** But I think we need, I mean, we need the reports. So, all the reports so we know how much money is actually in there. (inaudible) the end of September, but this is only till July 31st. **Thompson:** We going to forge it tomorrow for August. So, I think both months combined, like two weeks. **Warren:** Well, let's say that our next Council meeting would you be prepared? And would you still have money for the next two weeks? **Thompson:** Let me go back and evaluate my reports. In the next two weeks I can have at least that August report. **Hill:** Yeah, but in addition to having the reports. Will you have enough funds in all your line items? **Thompson:** I'll go back and assess my report. **Warren:** That's what my question was. **Thompson:** I'll go back and access my report. **Warren:** And then you again, you should let us know immediately. Because we have to get together, all of us, to pass it. And if we don't get enough people to just do it by suspension. Then it's three meetings and that drags out even longer. **Hill:** What you can provide us in the meantime is an up to date bank statement. **Thompson:** Okay. **Hill:** So, we know how much funds are in the actually account. **Thompson:** Okay, no problem. **Davis:** I was just looking at the back page of your statement of cash positions for only up to July 31st of course. But I wanted to know why did we only get \$2,358 from Pettiti, which is making lots of lots of money. Compared to our Family Dollar giving us \$41,000. **Thompson:** Yeah, you keep in mind, these funds are based on the TIF language that we did the incentive deal for those companies. So, it's kind of it starts out on the projection of what improvements they do on the property. So, that's why these numbers are variable and they're set by accounting. So, we don't actually set this once we submit the TIF application. That's why you get the various numbers for the income from those two funds. **Davis:** So, do you know why Pettiti is so low? I mean, did we set it that low? **Thompson:** This won't be the total income for the year. It's going to increase next year. It's that low right now because it's just like based on the first collections from the property taxes. It's definitely going to go up and you always have to go back to the original agreement of the TIF. To get a holistic view of the amount of the TIF. And we can bring that back before Council to show you that. **Davis:** Okay, I don't remember Pettiti's, usually our TIF'S last anywhere from 5 to 10 years. Pettiti's has been there forever. So, that's why I wondered why they were low. **Thompson:** TIF came into play a little later. Pettiti's has been here of course for years. But it's the timing of the TIF when it was put in place. **Davis:** I would like to know what we gave to Pettiti's, if you can. That's a very, very low amount for all the money that they make. **Thompson:** Yeah, it's not based on their income. **Davis:** I understand, there's only a handful of employees and they have more than the Family Dollar. And Family Dollar is giving us \$41,000. **Thompson:** If it's on record in the legislation, I will get it to you. **Davis:** Okay, I appreciate that. And also one more comment, the fraud, remember all employees in the Village had to go take a fraud class online. **Thompson:** We turn all of ours in. **Davis:** All our employees have that? Are you responsible for collecting? **Thompson:** We turn them all into the Clerk. **Davis:** Are all our employees are covered? (inaudible). **Davis:** Okay, thank you. **Warren:** Do we have anybody from the Engineering Office? I don't see Matt, no, okay. **Matlock:** Tommy, do you know when, or do you have any idea when they're going to start that project on Tryon Road? **Haba:** No, they had a pre-conception meeting... we had a board control meeting on it a few days ago. So, I don't know when it's suppose to start. **Matlock:** Okay, I just want to know when. I know they were supposed to go from Richmond to Jean. **Hardin:** Tommy, I talked to the resident that's concerned about the entrances and the trash. We talked about the

light that's down. You and the Police Chief we're going to deal with that. The utility pole or whatever that's down. **Haba:** I think you're talking about the big sign that's down? **Hardin:** No, it's a light fixture, remember, as you go on to 271 at Forbes and the freeway. **Haba:** We called the state on that, and they didn't come out. I think we... **Garratt:** Which light fixture you're talking about? **Hardin:** It's the actual light, it's laying on the ground. It's been there for about a year. **Haba:** It's on the freeway, though? **Garratt:** It's on the northbound exit ramp? **Hardin:** It's just as you get on the freeway, it's been a long time. **Garratt:** I'll ask the Engineers if it's actually in Bedford. On our side of Forbes Road from the middle line over it's Bedford. Up until you get to Lexington Parkway which is first place. But either way, I'll let the Engineer, it's a crazy line over there. **Hardin:** And I was asked, I'm going to, if you don't mind. Write a letter to ODOT as it relates to the maintenance of that getting on the freeway. It's always filthy there coming down the down the ramp, papers everywhere. **Garratt:** Northbound? **Hardin:** Yes. **Haba:** We did calls about that side last week. And they said they would take care of it. But they knew about it before, they must have forgot about that. Big green sign on the small triangle by Fair Oaks and Forbes. **Hardin:** Yes, and I'm sorry one more. When you're coming in to Oakwood just before you go up on the ramp to get off at Forbes. There has been several accidents and the guardrail is all screwed up there. (inaudible) will take care of that. **Hardin:** Somebody need to let them know. If it's Bedford who's taking care of it? **Garratt:** ODOT. **Hardin:** Are we going to notify ODOT? **Garratt:** Bedford needs to notify ODOT. **Hardin:** Could we notify Bedford to notify ODOT? **Garratt:** No, we can notify the Engineers and they can notify their engineers. **Hardin:** Okay. **Garratt:** They generally come around every Spring, because (inaudible). But they generally come around and does their inspections and fixes the guardrails in the Spring. **Hardin:** Okay, well, in the meantime, could we make sure... come winter they are going to tear it up again, is that your point? **Garratt:** That's the point. **Hardin:** All right. **Garratt:** But unless it is a hazard or not doing his job as a guard rail. **Hardin:** Okay, but it is important because that's that split in the road. **Garratt:** Right. **Hardin:** Okay, all right, somebody notify somebody going east, west, north or south that we need those two things taken care of please. All right. **Haba:** (inaudible), when they were looking at the line. They messed up some of the grasses and we fixed (inaudible) in peoples driveways. But I call them last week and they said they're aware. And they're just waiting until it's dry out. And (inaudible). **Hardin:** Well, the reason it's coming to light is because for so it's very nice. So, we're trying to keep it nice, thank you both. **Warren:** Okay, can we hear from our Law Director.

*Assistant Law Director, O'Leary | O'Leary:* We do not have a report for this meeting. I'm going to wait for Director Climer to come back and share any updates. **Warren:** And that concludes, unless Mr. Cirincione has anything? **Cirincione:** Nothing at this time. **Davis:** I was told the Grey Brothers were brought to court. Their court day was today, is it not? **Cirincione:** It was. **Davis:** It was today, okay. **Cirincione:** It was set for trial in December. **Davis:** Okay, thank you. **Cirincione:** And I mean, we are working with Grey Brothers to try to get some kind of resolution acceptable to the Village. But at the moment, it's set for trial. And so we didn't want to delay it getting set for trial. So, at least we have a trial date. So, we're goign to try to get this resolved one way or another. **Davis:** Okay, thank you.

#### *Ward Report*

**Councilwoman Hill:** No report at this time.

**Councilwoman Davis:** No report at this time.

**Councilwoman Matlock:** No report at this time.

**Councilwoman Hardin:** No report at this time.

**Councilperson Scruggs:** No report at this time.

### *Committee Report*

#### *Fine Arts Committee*

**Councilwoman Scruggs:** We are preparing to end the 2024 year. And we are excited about a lot of the activities that are being planned. And we need some help, some bodies. To kind of make sure that the activities that are going forth. Reach all of our demographics, but also that we can have some fun. So, if you have a little bit of time that you can donate. Please make sure that you see Ms. Carlean, our Recreational Commissioner. And we want to make sure that we get you on the list. So, that we can let you know the areas and the activities that are going on. Something that might be of interest to you. And we also want to get your ideas as we begin to plan for 2025. We want to make sure that we are not waiting until the last minute to kind of plan things. And that the community knows what's going on well ahead at the top of the year. So, if you have any ideas, things that you are interested in doing. Please share those ideas with Ms. Carlean or myself. Or any of your ward Council members, and they will make sure that we get that information. But we're going to try to make sure that we get that on the docket to be approved this year for 2025. So, that concludes our report.

#### *Health Care Committee*

**Councilwoman Hardin:** I'm the chair of the Human Resource and the answer is nothing to report, thank you.

#### *Utilities*

**Councilwoman Matlock:** There's nothing to report, but we are setting up a meeting with the concerned veterans of Northeast Ohio. And if any of you are veterans, please come out and support them on November 23rd, it will be held at 10:30 a.m. at the community center. And basically what the Veterans of Northeast Ohio, basically their mission statement is they are concerned Veterans of Northeast Ohio, Inc. They were established to provide a system. In which veterans can use to communicate, network, and explore methods of reaching out to fellow veterans in their in each community. Who are not aware of services and benefits afforded to all veterans. As well as to provide avenues for getting their benefits due to them and their families. In Cuyahoga County and surrounding counties in the state of Ohio. I thought this was kind of good for the veterans to have this information. There's a lot of programs that are now set in place that a lot of veterans do not know that they qualify for. This would be such as housing, it would also be as far a disabilities. A lot of individuals with veterans don't understand the disability ratings. How many times or how they can apply for disability. Some think is just one disability. No. If you have several disabilities, this is something that they can apply for. You have individuals on this board from the DAV, the commissioners, all of them will be in attendance

here. So, if you have any questions regarding any programs or any anything that you need, services, benefits that you would need. Please feel free to come here if you are struggling trying to get to 100%. Please come because they do have individuals that will be there that will help you get there. If you know of any other veterans who are having issues rather young or old. Please come or have them come to this event. Which again, is going to be held November 23rd, 10:38 a.m. at the local community center. Not only is it for veterans, widows, or spouses of veterans. Because a lot of them have benefits, but they don't know that they have benefits. They don't know these benefits exist for them. So, I thought this is something that would be good. I came up with it after my dad went, and property taxes... you know how they assessed them, and the property taxes went up. We found out since he is a 100% veteran. That they assisted with those property taxes. They don't have to pay them because he's hundred percent VET. So, it's something that you really need to look into. There are a lot of different programs out there now that they change all the time with veterans. And they don't tell veterans about these programs. The government don't tell them, so it's just to assist them, okay.

#### ***Economic Development/Grants Committee***

**Warren:** I chaired a community Economic Development Committee, and we don't have a record at this moment. What we're waiting on is to find out where we are financially. The thing we are doing is maybe bringing in other businesses. There's a business wanting to start in Oakwood Village over its first place. And so we're going to have a meeting to discuss that. But it's no money out of our pocket. They're just asking us for some financial assistance through the government. That doesn't come from us, but we allow it to happen. Which is a TIF, Tax Increment Financing. So, hopefully by the next Council meeting. We will be able to act on that business moving in to first place with the request that they have for the assistance that can be offered.

#### ***Safety-Service Committee***

**Davis:** I'm Chairperson of Safety and Services. And if you have any problems or anything that you are concerns with please let me know. But otherwise we have no meeting at this time, nothing to report.

#### ***Tax Incentive Review Council Committee & Finance Committee***

**Williams:** I chair the Tax Incentive Committee. Once the Economic Development Committee meets, then we will meet. We have not met yet at all. And then I chair the Finance Committee. I don't have any additional report yet. We have our Finance Director here and as soon as we get those reports. We will reconvene and submit another budget.

**Warren:** Thank you, and now that we have all our reports. I will open up the floor for public comment. Please state your name and address, sign it. There's a paper up there on the table, please sign in and let us know so we can identify you.

#### ***Open Floor Comments***

**Ben Sizemore, 2509 Garden Road, Sizemore:** Oakwood is always hollering about money. Which most of the businesses in this country do mostly. And I don't know if it's ever come to

your mind. You've got and a lot of guys, even on my street that belongs to the trades. Which I also belong to a trade, and my two neighbors are also. They have these big meetings and Las Vegas, stuff like that all over the country. And I did not know if y'all ever thought about sending... like umm I'll just use, sorry John. But these are like guys that's like John, Jimmy, or even the both. To go there and sell the Village. I mean, you don't hear nothing about Oakwood Village. You hear about how they like putting it down a little bit. And it kind of rose me a little bit. Because I grew up around here and went all through the school systems here. And it's a great place to raise kids. And a lot of places you don't find a community togetherness like we have on our street. Our street is just phenomenal. You know, we've got good neighbors. Just keep an eye out for each other and stuff like that. But I just wanted y'all to maybe kick that can around a little bit and see what you thought. Because I noticed when they sent me, the city didn't. But when I used to be a labor man. They sent me into Vegas and I was there with my boss at the time. And I met a lot of companies, which they were looking for places to go start in the surrounding states, and Eastern states like Ohio. And Ohio, is one of the greatest states around. It's here, you've got the best labor pool there is in Cleveland. At one time, I tried to push for getting that program started on Golden Oaks or one other street there. To get carpenter trades to come in and start working with these kids a little bit. And change in their attitudes, because I've tried to change it at the high school. You can't change it at the high school because the kids, their other friends see them and they go into a different mold, you know. But if you go out to like a welder school, electrician school, stuff like that, and just rotate it every once in a while. It's just like with Ford Ford put all that money into Bedford High School. At one time they had some of the biggest machines, they can build a car in Bedford at one point. And yet, it has gone to hell in a handbasket. It's kind of sad, but what it is, all around this area here it's a great area. It just needs to be picked up and everybody dust themselves off a little bit. **Warren:** Makes a lot of sense, even when I was in high school. We had the machine shops, we had carpentry shops, we had trade shops. And then thanks to you baby boomers, everybody wanted to be a college graduate. Everybody want to wear a shirt and a tie. And all of a sudden the trays were abandoned for... And right now, I'm indirectly involved with the construction. The construction business is so in need of tradesmen and workers. That the unions don't even bother nonunion jobs in downtown Cleveland. As a matter of fact, they got to let nonunion contractors work. Because they they can't produce the workers. They begging for people to go into their trade schools and and they just can't get the people. After the pandemic, it sort of changed the work ethic of some people, you know. And everybody wants to work from home. Nobody want to work with their hands or not as many I could say. **Sizemore:** We handled most of the motion picture business in Ohio of the local (inaudible). We do a lot of shoots of centers around surrounding areas. And they don't have... they have to bring them in from other states Michigan and Wisconsin. The surrounding union states are bringing them to get these guys to work. Because these kids today, all these kids today can sit around and take a computer a part. You know tell you all about it. But you get up to bend a nail or finish off some concrete, they have no idea. They really need it bad and that's something I think y'all need to really look into. It there and you've got a good pool of people. And you know, you see how it is (inaudible). They got all that land and it's totally empty. They just put all the buildings up and then now they're on a wish list. Seeing how many people think they get to occupy that. And we've got that piece of ground there next to the freeway. But there's a lot that can be done. And I just think you need to dust yourself off a little bit and think a little bit about that, I appreciate it.

**Laurie Hoover, 7379 Macedonia Rd.** | **Hoover:** I just want to know what's going on with DCOMM? **Cirincione:** We've been in the process of, I spoke with the Mayor, too. We took a couple of trips out for the past couple of weeks to look at those properties. Last week we were told that they were going to move to spools. And that happened on one side of Macedonia Road. But didn't happen close to your property. I specifically went to see whether those spools were going to be removed. **Hoover:** I wasn't able to stop by there on my way here. But are the spools and tension wires on the other lot still there? They were yesterday. **Matlock:** Yeah, they were there today. **Cirincione:** I was there yesterday... **Marinucci:** But I have researched, there's nothing in our codes that deals with high tension lines. So, that's not in the Oakwood Village ordinances. well, I mean, they might be in the Ohio Revised code. I think the major questions is (inaudible) and storage. **Hoover:** It's on residential property. **Cirincione:** It was zoned residential when they first came to the Village. They were told that there should not be any activity on those residential lots. That was approved specifically for them to push their operations towards Broadway, which was the zone business. So, we're in the process of trying to figure out what remedy there is. Whether it's a civil remedy or whether it's a criminal remedy. And they ask that the Building Department give us the minutes from that meeting in 2023 or earlier 2000's. You were at the meeting, as I recall you listening to the people that presented. **Hoover:** Right. **Cirincione:** What they said they were going to do. **Hoover:** Right. **Cirincione:** So, right now, we're looking at what our legal options are. Is it a criminal case? It may or may not be. Is it a civil case? More likely and... **Warren:** Can't we pursue it in a civil case and then if we see that there's some criminal element there. That we can also go into the criminal case? **Cirincione:** Well, I think what we need to do is... and this is just my theory and I have to talk to Jim. Jim and, you know, Sam, to review this, to see. We may have to seek injunctive relief in that Common Pleas court of Cuyahoga County. **Warren:** And the problem I have is that we've been talking about this for years, and now you're in residential properties. And so the first thing that we would do is to cite them. Have they been cited yet? **Cirincione:** No, they have not. **Warren:** Why wouldn't they be cited already? **Cirincione:** Well, that's all one parcel since it's been consolidated. **Warren:** Well I'm talking about having the stuff on the residential property, you're not supposed to do that. **Cirincione:** And we've ordered them... **Warren:** And so why haven't we cited them for having that on residential property? **Cirincione:** Not sure, we need to take a look at the minutes and decide whether civil action or criminal action is the best way to go here. I mean, I (inaudible). **Warren:** Well, the thing is that we just want to stuff moved. And the thing is that they're in noncompliance with the codes in the ordinances of the Village. So the question becomes, again, why aren't there cited? We could cite somebody's for not having a license tag on their car in their own driveway. But we can't cite someone for illegally storing commercial property on a residential lot. Because I had a big argument with the Mayor. This is what this is coming from. **Cirincione:** Okay, we're trying to decide whether or not we're going to go to civil or criminal. We will address it... **Warren:** How long would it be before we make that decision? Do you have any idea? **Cirincione:** In next couple weeks. **Warren:** Okay, Council Clerk, do you have the minutes? **Davis:** That's Planning Commission, I think you're looking for the planning Commission minutes or whatever. **Cirincione:** Planning Commission minutes, so yeah, I mean, we will report back to you. When Jim gets back, we'll talk it over with Sam. And it's, we want to be careful. Because we have a corporation that's got some money. I want to make sure that we and they're based in Texas. **Warren:** But the corporation that got some money. Doesn't matter if they're in violation of something just to give them a... **Cirincione:** And I understand that, I say that only because... **Warren:** I'm just saying citing isn't even court.



**Cirincione:** Citing is court, we're going to go to court. I'm not going to recommend we cite somebody. If we're not ready to go to court and win the case. We have to make sure we've got the evidence, the testimony, and the law behind us, okay. **Warren:** So, the evidence is there's spools on residential lot, so we got that. **Cirincione:** Well, I'm telling you that there's a remedy, I'm not quite sure which one it is. **Warren:** No, I'm just saying, you said you have to have evidence. So, the evidence is they have spools on residential lots. **Cirincione:** They currently have... **Warren:** So, that's evidence, right. So the other two items that you've got to work out. **Cirincione:** Right. **Warren:** I'm just hoping that the Mayor isn't dragging this out. **Cirincione:** Well, the Mayor doesn't tell me... **Warren:** Well, I understand that, but he and I had a huge conversation. **Cirincione:** And I know you've dealt with me and my firm for years. **Warren:** I understand. **Cirincione:** You know we don't play games when it comes to the law. **Warren:** Right. **Cirincione:** We're not playing games with this. **Warren:** Okay. **Cirincione:** I want to make sure we win. I don't want to put this Village in any kind of jeopardy for a claim that we somehow did something incorrectly. That's why I want to see the minutes and decide which way we're going. **Warren:** Okay, well, we'll know in a couple of weeks that process. **Cirincione:** Yes. **Warren:** Okay. **O'Leary:** For my part, I just have to say I'm obviously getting up to speed on this issue. But based on the conversations with our Prosecutor and Law Director Climer. If the appetite and strategic desire is to go for civil litigation. And if that's what makes the most sense for the Village, you know, certainly I'll have to if that's, you know, the preference. **Warren:** I agree. **O'Leary:** And I'll be able to contribute to those efforts. **Cirincione:** And so, you know, one reason that I said the possibility sue. Some times the civil action has an advantage over the criminal. Because we can go in immediately for injunctive relief and say this a violation, Judge. We want an order ordering them to immediately remove these. Criminally, you're run into more procedures. **Warren:** And that's not even necessary. All we want is to stuff moved. **Cirincione:** Well, they're refusing to move them. So, I have to look at the appropriate remedy. **Warren:** Okay. **Cirincione:** We'll work together, too. Obviously, Sam can take a look at what the best course of action is. And when Jim gets back. **Warren:** It was alleged that they may be moving out. **Cirincione:** Well, you know, it's it's like everything else. **Warren:** But in that response, I said well, tell them to move the spools on their property. Then when they are ready to move, move. That wasn't to you. I'm just telling you, that was a different conversation. **Cirincione:** I don't disagree with that approach. **Warren:** I know you don't. **Cirincione:** You're either going to agree to follow the ordinances and comply. And if you fail to do that, you want to leave and take your business elsewhere, see you. I mean, because first of all, everybody makes promises about what they're going to do. Then they get what they want and stuff leaves off. So, I mean, I understand it. And I understand the frustration of Council. **Warren:** Well, it's an inconvenience of our residents, too, you know. **Cirincione:** That's why we drive past it and see if they have done what they said they were going to do. They haven't done it. **Warren:** Okay. **Cirincione:** And so, you know, we'll have an answer for that. And unfortunately, right now, it points towards probably litigation. Because we've tried to get in contact with their principals and they're not moving. **Warren:** Possibly could you make or maybe we can make a suggestion that every 2 or 3 days someone go out there. Maybe the building department sends their guys to take pictures. Then we can document that it hasn't been moved, just to take pictures of the site. **Marinucci:** Certainly I would have (inaudible). I think they're going to move on, okay. But that's (inaudible) until it gets resolved, but that's down the road. But they did take portions of the spools and they moved them. I was at the site the day after the last meeting. The very next day, I went out with the Engineers. We didn't know exactly where the cut off line between a general business and

residential. But when we laid it out and found it, the majority of that back end of the site is residential. And so, they really didn't (inaudible) because they did move portions from one point to another point. But where they moved it is also in violation. So, this is going to be resolved one way or the other. But down the road, if you want that property to be functional. You're going to have to get the zoning change but that's down the road. **Hoover:** I have two more question, I am not sure if it is for the Building Department or the Police Chief. What ordinance do you have for signs? Does it have to be 30ft off the center line? **Marinucci:** I don't know the answer (inaudible) signs are covered and our ordinances. **O'Leary:** I'm sorry, I think there are some some noises going on in the back on a couple of different fronts. I apologize, you're asking about sign ordinances pertaining to? **Hoover:** Any signs. **O'Leary:** Any any type of signs. **Hoover:** For sale signs, I know political signs there's really no... it trumps any city if I'm not mistaken. **O'Leary:** So, I'll just start to handle this one. And if folks want to chime in, by all means. But but so in general, signs are regulated by type. And so there are, you know, as you mentioned, political signs and things like that. There are also, of course, billboards and very large commercial signs. So, what I'm saying is within that chapter of ordinances. Or those those several chapters of ordinances. There are regulations pertaining to all manner and kinds of signs. Recently, fairly recently, within the last five years or so. The Supreme Court of the United States has weighed in on this topic. And frankly, restricted the ability to some extent of local municipalities to regulate signs in ways that they had previously been able to do. So basically, the Supreme Court reiterated or reinforced the notion that sign regulations really do have to be content neutral. So, what that means is, you can pass laws about the size of the sign, about placement of the sign, about how long a sign can be placed, you know, in in a yard or something like that. But when municipalities, previously a lot of municipalities had codes. That consider types of signs like it's a real estate sign, it's a political sign, it's a, you know, school sports sign or whatever, right. And what the court was saying was, if you have to read the sign to enforce the rule. The rule is probably unconstitutional. So, we have code on the books that speaks to signs. **Hoover:** What is that? **O'Leary:** Well, I guess what I'm saying is, it totally depends. So, like, what's the situation that you're looking at? **Hoover:** There a (inaudible) in the roundabout between Glenwillow and Oakwood. There is a political sign in the Village right away on the north west corner. **Haba:** I haven't seen it, but usually... **Hoover:** It's like close to the sidewalk... **Haba:** Usually of it's on public property like that, you know, we would take it down. Sometimes I'll leave it at this point of the election for a couple of weeks. But yeah, we usually go around and if we see someone... a lot of time looking for workers or stuff like that. They put it on other people's property or on a roundabout. So, we'll take it down if we see it. **Hoover:** So, you don't have an ordinance that it has to be like 30ft off the center line? **Marinucci:** I think our ordinances are online. **Haba:** I'm not sure what our ordinance says. But if it's not on your property, you have no right to put it down. But usually for political signs we let it go for a couple of weeks before. **Hoover:** Okay, and then my other question is, what's going on with the farmer's market? **Marinucci:** I have no clue. **Hoover:** Nothing? No one? Because all his equipment is still there and so I was wondering, okay.

**Dan Cagwin, 7520 Macedonia Rd., Cagwin:** I was in there almost a year ago. Somebody got up there and was talking and talking, talking. And my back started hurting and I left. But I have a suggestion and I have a question. And that regard is solicitations at the homes. Last fall, I got a knock on the door and I opened the garage. I have a no solicitation sign up near the road. So, I

left between my garage door where I'm standing and the door to the house. I got a big no solicitation. This young man is holding and I had to laugh when Eloise Hardin mentioned AT&T. Because this young man has AT&T shirt on and he has a hand held computer. He starts rambling about improvements of fiber optics. And I said, do you not see the sign? No soliciting. And he says, I'm not so soliciting. I said, you're lying to me. I said, you're not standing here telling me about all the improvements of AT&T without trying... So, I told him, get off, get out of here. Now, the first question, could I have had him prosecuted for trespassing? **Garratt:** Can I interject? **Cagwin:** Sure. **Garratt:** You absolutely can, you can call us and what we'll do is we'll come down. It's not necessarily for trespassing, it would be for illegally soliciting. And that's going on your property, we do that several times. We get it several times throughout the year we'll get people that do this. And it takes us sometimes a day to catch up to them because they disappear. If someone do tell them to get off the property, they'll switch to the next street. We will cite them though. **Cagwin:** About a month ago and a man comes to the house and my wife answers. And I forget now what he was soliciting for. He was from Beachwood and he gave her the card. So, I came up here for the week or something, I think it was Officer Pereira. I talked to him and he was really nice. And he asked me if he could have the card. He said he'll make a call and put a scare into him. But my suggestion is, that it's time to make an ordinance for illegal solicitation altogether. The way I understand it now, they have to get a permit. See the man that lives on the left to me. I'm old as dirt, but I still got most of my faculties, although some people don't agree. But he came over the next day because he wanted to know what I told him. This young man they asked him for his phone bill. He asked him for his license. If you sit and watch the evening media. You'll see time and time again the older people especially, who don't have all their faculties. Will give them this stuff along with the ones that comes and present themselves as something. And force there way in, all the way up to murder. So, I think it's time that Oakwood makes an ordinance. No soliciting whatsoever and should be posted and I'm sure the prosecution's (inaudible). That's basically what I wanted to offer. **Garratt:** Well, do this, don't answer the door, call us. You know our response time is usually less than two minutes, please call us. That's why we are here, we're here for you. We're here to get those people off. **Cagwin:** I would like to express how grateful I am for the Police and the Fire. In fact, I told my wife the other day. I think when they get a 911 call for ambulance. They just start the out towards my house. (everyone laughs).

**Butler:** May I say something to you all? I belong to AARP, our baby boom generation is the largest generation in the history of American. And they said five years ago for us to get ready. Because by 2034 we would be the target of scammers and frauder's in the United States and out of the United States. (inaudible) because I have been, I have been. But one of the things I don't do. I don't open my front door. I don't even open the garage door unless I know who it is. And so sir, I would say you have to start taking precaution. They walk up and down our streets all the time. **Hardin:** I guess what I'm hearing. We currently do have a solicitation by permit. So, maybe it is time because we're in a whole different era now. **Garratt:** That's something you'd have to talk to legal about if you can allow that. **O'Leary:** Yeah, there are some issues as laudable as the goal is of preventing that kind of activity and it is a good one. There are some issues, unfortunately, with a law that would blanket prohibit people from walking up to your door basically. And so, you know, examples of that are, for one, you know, political speech. And I know this isn't exactly what that gentleman is talking about. But for better or for worse, the courts have decreed that people are still allowed to walk up to your door, knock on it, and if

you're willing, have a conversation with you about politics. **Warren:** What if you have to get your petition signed? **O'Leary:** Correct, and some of us have been in that position of trying to circulate petitions. Or, you know, gather signatures for an issue or a cause. Similarly, you know, philanthropic, you know, requests for donations to two different things are also kind of shielded from that. So, we can certainly potentially take a look at the existing anti solicitation ordinance language. See if there's anything that we can do to tighten it up. To make the process a little bit more onerous for the folks that have to get the permits. Or, you know, make sure that they're, you know, complying. And if they don't, the penalties are stiff enough to provide them a disincentive for not complying. We can absolutely look at those things. But unfortunately, you know, the reality is that. It is, you know, incumbent upon all of us to take certain precautions if we really don't want to have any of those kinds of interactions at all. You know, we need to take our own individual actions to prevent that. Whether it's the video doorbell cameras. Whether it's, you know, not answering or opening the door for folks that we don't know, you know, all of those things. But yeah, we can certainly take a look and see if there are things that we can do. But... **Cagwin:** Are you saying that if you have the no solicitation signs that they can still legally approach your door? **O'Leary:** Yes, so for certain things. So, not for commercial solicitation. **Cagwin:** Okay. **O'Leary:** Yeah, I was going to say if they're trying to sign you up for their church. If they're trying to sign you up for their political party. If they're trying to sign you up for, you know, a Red Cross blood donation drive, those kinds of things. Those would all fall out outside of that law. **Warren:** The initial thing probably is just door-to-door sales. That could be something that's palatable to say, door-to-door sales. **O'Leary:** Yeah. **Garratt:** I agree with Sam that the case law is not in support of totally banning people from accessing property. If it was a total prohibition, I think that's what (inaudible) the rule that came up you have to post it. You can let them know that it's a violation for them. But if the sign is up, I think the law is that you cannot try to prosecute someone for knocking on your door. **Cagwin:** In other words, are you talking about putting up posters saying no trespassing? **Garratt:** Well, generally we have... **Cagwin:** I mean, I think it goes on down the line before because I had a problem with a neighbor. I put up across the front no posters, no trespassing. (Chief Garratt gave residents at the meeting no trespassing stickers). **Cagwin:** This is insanity. **Garratt:** That's the one that we can enforce. **Cagwin:** I mean, that's insanity that you can prohibit. **Warren:** But the thing is intent, so if it... **Cagwin:** With what's going on in society today. **Warren:** Any other questions or comments? All right, we'll cross the floor for public comment.

*Floor closed*

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

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

**MOTION PASSED**

Entered Executive Session at 8:35p.m.

Motion to adjourn executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of the public employers made by Hardin seconded by Davis

**YES VOTE:** Warren, Scruggs, Hardin, Matlock, Davis, Williams  
**MOTION PASSED**

Exited Executive Session at 9:22p.m.

*Legislation*

**Climer:** Proceeds to read legislation:

<b>2024-107</b>	<b>A PAY ORDINANCE AUTHORIZING THE EMPLOYMENT OF AN EMPLOYEE</b>
Introduced by	<b>AND SETTING FORTH THE DUTIES AND COMPENSATION FOR THEIR POSITION</b>
Council as a	<b>AND DECLARING AN EMERGENCY</b>
Whole	
1 <sup>st</sup> read 9-21-24	
2 <sup>nd</sup> read 9-24-24	
3 <sup>rd</sup> read 9-28-24	
Vetoed by Mayor 9-30-24	

Motion for the **Reconsideration of Ordinance 2024-107 Pursuant to Charter Section 8.02(C) Following Mayoral Veto** for legislation 2024-107 made by Hill seconded by Scruggs

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

**NO VOTE:** Warren

**MOTION PASSED**

**Matlock:** I would like to submit those numbers inside of that piece of legislation that we have with Dee. So, there's no discrepancy. **Davis:** So, they know exactly what it was. **Matlock:** Yeah, there's only a difference of \$8,733 from the Mayor's proposal. And what he said for \$47,058.33 versus what Council had propose was \$55,791.67. **Warren:** And it actually be less because we guessed at \$49,000. **Matlock:** We took approximately \$49,000. **Warren:** And so of course it would be less than that. **Matlock:** So, once Brian comes down to us. So, he knows that there is no discrepancy in the amount that he is to appropriate. It comes out to approximately \$8,733. **Warren:** Okay. **Scruggs:** \$8,703. **Matlock:** Thank you, correct. **Davis:** \$8,733. **Matlock:** I just want the record to read that.

<b>2024-123</b>	<b>AN EMERGENCY ORDINANCE REQUIRING USE OF A TIME CLOCK FOR ALL</b>
Introduced by	<b>EMPLOYEES AND DECLARING AN EMERGENCY</b>
Council as a	
Whole	
1 <sup>st</sup> read 9-21-24	
2 <sup>nd</sup> read 10-8-24	

Motion to suspend rules for legislation 2024-123 made by Davis seconded by Hill

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

**MOTION PASSED**

Motion to adopt legislation 2024-123 made by Davis seconded by Hill

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

**MOTION PASSED**

**2024-125**  
Introduced by the  
Mayor and  
Council as a whole  
1<sup>st</sup> read 10-8/24

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

Motion to suspend rules for legislation 2024-125(was 2024-WS-41) made by Davis seconded by Matlock

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

**MOTION PASSED**

Motion to adopt legislation 2024-125(was 2024-WS-41) made by Hardin seconded by Davis

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

**NO VOTE:** Hill

**MOTION PASSED**

**2024-126**  
Introduced by the  
Mayor  
1<sup>st</sup> read 10-8/24

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

Motion to suspend rules for legislation 2024-126 (was 2024-WS-42) made by Davis seconded by Matlock

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

**MOTION PASSED**

Motion to adopt legislation 2024-126 (was 2024-WS-42) made by Matlock seconded by Hardin

**NO VOTE:** Davis, Hill, Warren, Scruggs, Hardin, Matlock

**MOTION DENIED/FAILED**

Motion to adjourn made by Matlock seconded by Davis

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

**MOTION PASSED**

Adjourned at 9:33p.m.

Approved \_\_\_\_\_

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Tanya Joseph, Clerk of Council

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Erica Nikolic, President of Council

**VILLAGE OF OAKWOOD  
TAX INCENTIVE REVIEW COMMITTEE MEETING MINUTES  
2024-12-10**

**ATTENDANCE**

Erica Nikolic, President\*\*\*  
Johnnie Warren, President Pro-Tem\*\*  
Taunya Scruggs, Ward 1  
Eloise Hardin, Ward 2  
Paggie Matlock, Ward 3  
Candace Hill, Ward 5\*

**ABSENT**

Dave Tapp, Fire Department	James Climer, Law Director
Mark Garratt, Police Department	Daniel Marinucci, Chief Bldg. Official
Matt Jones, Village Engineer	Ross Cirincione, Prosecutor
Brian Thompson, Finance Director	Tom Haba, Service Director
Carlean Perez – Recreation Director	Gary V Gottschalk, Mayor
Mary Davis, Ward 4	

\*Arrived after roll call

\*Chair of Tax Incentive Review Committee

\*\* Committee members

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Meeting opened at 5:15pm by Hill

Pledge of Allegiance

Roll Call taken

**Hill:** So, today I invited our Municipal Advisor Matt Stuczynski talk to us about tax incentives. So, we could learn more about them and decide where we want to get started. I know the reason we were asked to convene was for the Trescal company. But today I think a good starting point is just to get some general information. And ask any general questions that we all have. **Mr. Stuczynski,** thank you for coming, would you like to get started? **Stuczynski:** So, good evening, thanks for inviting me. I'm not sure the path we're thinking about entirely. What I can share with you is this. I serve as the Municipal Advisor, my primary role is debt, capital planning, accounting to some degree; when asked. Economic development, I get involved in, it's not a specialty of mine. But I happen to, for a variety of reasons, get involved in these projects around the County. I have been involved in dozens and dozens of larger and smaller projects on the economic development side. More often than not, modeling incentives and trying to measure the incentive versus the benefit. That might be how a City or a Village might consider. How to look at that model and make a determination as to what's fair. Interestingly, when you think about fairness, fairness has a number of criteria to it. And sometimes it's different between different communities and the location. As we think about the nature of the project itself. So, as an example, a community that sits on I-271 and we'll just use Oakwood as an example. You'll think about other cities, whether or not a policy regarding economic development should be the same for Beachwood versus Orange versus Oakwood versus Boston Heights versus Mayfield. They all have access to I-271. But depending on the nature of the project where it's located within the community. It may invite a heavier conversation about the nature of the project and the difficulty of the project. As an example, in Beachwood, if you had a blighted property that sat miles off the highway, but it was still in Beachwood. That might appear to be different than just the standard policy that is contemplated by way of Beachwood example, which I shared with you. I shared with you two examples, one being the City of Solon and the other being the City of Beachwood. In terms of what they offer by way of Job Creation Tax Credits. And Job Creation Tax Credit, like we like most things we do in this room, guided by the Ohio Revised Code. So, if you went to the Ohio Department of Development



and looked up Job Creation Tax Credit and see the entire site. There's a portion of the site dedicated to this topic which is section 122.17 of the Ohio Revised Code, okay. I'd ask you to go look at that. It's far too much to dig into tonight. We'd never get through it, but I would suggest it to you. That's a good starting point for understanding this. Communities have a local flexibility and how they think about this Job Creation Tax Credit in particular. But of course, it's designed to incentivize companies to come to your towns. And increase the payroll within the community. So, that we can capture income taxes from that payroll withholding. In the simplest terms, that's what it's designed to do. And as I mentioned, though, every one of these projects can be thought about differently. Depending on the community that you're in and the difficulty within each of those communities. And again, difficulty meaning access by way of either traffic, utilities, water, sewer, electric, challenges to topography of the site, challenges to location from the intersection. Again, easy access in and out of the site. Whether or not the site's been blighted, whether or not the site's clean, whether or not the site has needs for remediation. All of those are considered as part of this job creation tax credit. And the incentive that you might contemplate providing a company as they think about siting in your community. But generally, what we're trying to measure is what we are forgoing by reimbursing these communities. Now, what I'll tell you is this. Anyone who's thinking about siting a business in Northeast Ohio. Knows full well to ask the question, what are you going to do for me? What are you going to do for me by way of either tax abatement or job creation tax credit, or you buy the land and give it to me. They all know to ask, irrespective of what community you're in, developers, commercial real estate people, they will ask. And the question becomes how badly, how interested we are in enticing a company to come here. Bigger the payroll, typically, the more excited we are. The more difficult the location, the more excited we are to have someone build at a location. That's been blighted or that's been available for years and years. So, it becomes not only a program. But flexibility within the program is something we have to think about. And you'll see in the Solon example that I shared with you they contemplated two criteria's. One, a new company coming into the community. And secondly, a company that's already in the city that is going is considering an expansion or increasing that payroll. So, it's not they're not separated. That can be done in both scenarios. And it's been done many times throughout Northeast Ohio. Where a company, as simple as the Cleveland Browns. Sitting in Berea, they decided that they're going to build an expansion. And they want some type of reimbursement for the additional payroll that might come into the community. Then they'll use that to offset the cost of their expansion. That's probably one of the more prominent examples that I could use. When you think about a company that's already here and they're not going anywhere. They've got a lease with the City of Berea at their facility up to 2038. But they all know to ask and people still respond to that because they know they could leave. They could go next door, or they could go to Fairview Park, or they can go somewhere else if they chose to. So, these companies do have a fair amount of leverage. When it comes to using one community as an example against another. And they do indeed use that leverage wherever they can to try to maximize the benefits of that return. So, in the case of, I'll just go to Tresca or Trescal, I'm not sure how to pronounce that. I know that the Village Council is considering a job creation tax credit for that incentive. For that company to incentivize them to not only site here. But more importantly because we care that they site here. But what we more care about is the amount of payroll that they produce. Now, they can come here all they want. But if they don't produce payroll for us. We receive nothing from them, right? So, the goal is to incentivize them to produce the maximum payroll that we can hopefully expect from them. And in return for that, the cities, villages and Oakwood Village in this case is contemplating a refund to them. To reimburse one, the owner of the building approved the building for the companies to site within that facility. And two, a portion going back to Trescal, and a third, going back to the Village. So, you know, we see this on occasion. Where an owner of a building is being compensated for their improvements to the facility. To help keep the rent down for the tenant, in this case Trescal. So, we see it happening more often. And it's these landowners, building owners are reaching out to the community saying, I'll improve this facility. I think I have a tenant; I expect to have a tenant. The tenant and I have agreed that they produce the jobs. I'll get reimbursed for my improvements. And

that helps lower the rent to the ultimate tenant within that building. Dealing with one just approved by City Council in Bedford Heights a couple of years ago. You know, the challenge is just to make sure that the ordinance clearly stipulates who's getting what. And if there is a tenant that has agreed to transfer their benefit to. Or assign their benefit to the property owner that it's paid for properly. Places where I've seen it not work well is where it's behind the closed doors. That someone has agreed that they'll cite or put their employees there. But it doesn't show the transfer of the monies or the assignment of the moneys back to the landowner. As part of the ordinance that a community has approved. As long as the committee is approving it, no problem doing that. That can be done to whatever extent the Village is going to do that. And take care of not only the Village by way of income tax. But the tenant who's producing the payroll and the owner of the building who has made the improvements to the building. So, I started with a lot, let me stop for a second and just see what questions you have. And I'll move in that direction from here, okay. So, questions? Williams: So, my one question would just be, and I don't know how much you know about the Solon example you provided us. But just based on a quick glance at it, it sounds like they have a program that's in place. Like this is what they work from and no matter what company comes. This is how they make decisions? Stuczynski: So, it looks like it, Solon is a client of mine. But I don't get involved in their Economic Development Committee actions. But I did pull this up and I did briefly read it. It's just as I have identified, they have set parameters by way of an ordinance for a program. And the same is true if you went through City of Strongsville website. You see an economic development grid that says if you produce X in payroll, you will get Y. The same is true of a City of Westlake. And if you went to job creation tax credit programs and googled it, you'd probably find a lot more. And you'll see examples throughout the state of Ohio of different and multitude of options. This is why it becomes, even in Solon's case, a general program. But they make a point of saying still some of the conditions, some of the percentages are on a case-by-case basis. So, it gives them flexibility for a difficult project where they set general parameters. Warren: The way that oakwood Village, and the dynamics of our community is as far as commercial and residential. One of the things I see is that a lot of times, especially with businesses that came here. Because I've been involved with the community economic development of Oakwood Village since 1996. And what happens is that we cut the cloth to fit the pattern. Basically, like you say, companies have or communities have perimeters. But they know that those parameters are a challenge at some time. And just like you say, they may change the parameters as far as percentages of who get what in all of these things. But what happens sometimes is that the developer looked at it and they see those parameters. And they may pass up the community just because they saw the parameters. Rather than go to another community to have something more appetizing. Depending on how bad they want to move into that community. Oakwood Village is a diamond because we're right off of I-271. We're so small that you can't be too far away from the interstate because we're so small. So, it's really the proper jurisdiction of Oakwood Village, all of those are advantages. But one of the things is, it's just like I always know in development. Is that you have to cut the cloth to fit the pattern. Just like you say, you may have site conditions, improvements, and things. And those communities have gotten firms, engineering, and architectural firms because they're much bigger communities. Or they have whole departments with professionals that can investigate. And create those type of parameters for community economic development. As far as if you're going to do this, this is how much you get. But just like you said, there's a lot of communities that do it. And a lot of communities said, do not. Stuczynski: So again, what I would ask you is, why do people site here in Oakwood Village? Warren: Because of our location. Stuczynski: To I-271. Warren: Right. Stuczynski: And that's typically one of 5 or 6 different criteria, right. It's location, it's topography, it's availability of land, its workforce. It's a variety of those things. Warren: And part of business, do people have places to eat lunch and stuff. How far do they have to go to eat lunch? And all of those are dynamics too. Stuczynski: Amenities, those are things. We saw that Harvard and I-271 sit quiet for a long time, right? Before somebody had a good vision as to what to do there. That was probably more zoning than anything else. Warren: But it shot them in the foot initially. Because all of that was created by George Voinovich with the anticipation that Figgy was moving in there. Figgy backed out and then

they were stuck. **Stuczynski:** Yeah, so it took a long time. But again, it's land aggregation. What we're tasked with, in my mind with the Village. It is to determine whether or not you want to decide on a program. That gives you the wherewithal to then be flexible, like Solon. Where it says, we have a program. It stipulates here we'll do X number of years, for this type of payroll. But we will make a decision on a case-by-case basis for the percentage that we will refund, right. In the case of Bedford Heights, I just mentioned where they were looking at a rehab of a building. Not a new building, a rehab of an existing building. And the other was going to put in, I think, \$2 million worth of improvements. And they agreed to four years at 40%, okay. Now again, nice to access, I think it was on Aurora road; very good access. And they had a similar conversation with the Amazon people as well. How much they were going to forego by way of tax abatement or reimbursement of pilots, okay. Along with a job creation tax credit. So, sometimes these incentives are stacked on top of one another. They'll get reimbursement of TIFs, they'll get reimbursement of job creation tax credits. They might have to do something else. And in return, what we're getting is income tax. We're getting pilot payments after a certain date. Oftentimes these folks are asked to make a contribution to an education foundation for the schools. You know, you try to measure return versus what's forgone. So, again, I think what we're tasked with is a program. That Council provides some guidelines. As to the amount of payroll, the years of the incentive, and perhaps percentage refunded. As we do this on a case-by-case basis. Or you can make the grid. (inaudible) pretty inflexible if you choose to. My guidance is to make it more flexible. Because when you have smaller Villages these things, it's hard to predict. What is going to show up on your doorstep. But you can have parameters as to how you feel about a \$15 million payroll versus a \$2 million payroll. And you can establish, and like I said, go to Beachwood, go to our Westlake, go to I think I said Strongsville. And see again, those are big communities with a lot of industrial, with a lot of commercial office, a lot of land, right. So, I think those are nice guides. But you are slightly different than them. But not altogether, when we think about access. Because you do have tremendous access. And you probably have land that is less expensive than it would be this close to I-271 in Beachwood. Or Westlake with I-90, or Strongsville with I-71 and I-80. Which has tremendous infrastructure to those industrial parks and places like that. And I would add, in places like Beachwood, as I mentioned. They may stack this job creation tax credit. So, I want to say in Strongsville where they, and this is going to get into the weeds. Anyone who builds something new, automatically gets tax abatement. Because it's called the pre 1994 tax abatement statute. So, Strongsville in particular won't provide any type of job creation tax credit. And you'll see a (inaudible). I think it's; I'm doing this out of my head. But I think it's like \$6 million in payroll. Because when we're already giving you tax abatement. We're not going to give you job creation tax credit on top of that, starting with \$1 million or \$2 million. The threshold is much higher than in some places. But as I mentioned, if you go and search smaller places. You'll see that the threshold might be lower. And again, not everyone has a program. Bedford Heights your neighbor doesn't have a program. They do it on a case-by-case basis. And more often than not, the conversation starts with somebody reaching out to the Mayor. The Mayor, you know, filters it back to the committee. The committee has thoughts on it. Mayor wants to know what the ask is first. Then you make a determination as to what they're intending to do with this site. And how big that payroll might be. And keep in mind, with all these, they must perform in order to get the return. There's nothing guaranteed about this. If they don't produce, they get nothing. Some people will give them some wiggle room that says if you hit 75% of the proposed threshold to get this. We may give you some breathing room for you to have a reasonable explanation. The same is true of any incentive that sits out there by way of tax abatement or other. If you intended to build X \$20 million building. But your construction costs end up being \$18 million, they'll give them a pass. Same is true of job creation tax credit. If, for whatever reason, pandemic, financial crisis, you know there is something that causes a delay in their ramp up. Or causes a delay in terms of their workforce meeting the thresholds that they hope to achieve. You can cancel or you can give them some breathing room. So, you have some flexibility in these programs. **Hill:** I'd like to note for the record that committee Council member Nikolic arrived at approximately 5:50p.m. **Warren:** This little, small, isolated

situation with this specific project that we're talking about. The irony that I look at is this. They can move in and get 2.5%. We're going to get 2.5% of the people that they bring in anyway. And so if they're asking for a job creation tax credit or something like that. If we get more money than what we were getting, why not give it to them? You know, we're going to get 2.5% on payroll anyway. So, they're asking for us to give them something that doesn't cost the Village a dime. **Stuczynski:** To be fair, the 2.5% is partially going back to them. You're not getting clear 2.5%. They bring in a \$2 million payroll and you give them 50% of it, right? **Warren:** Right. **Stuczynski:** You're only getting half of what you expected from a \$2 million payroll. So, if it's split, where they're getting in the case of Trescal. 75% is going elsewhere, we only get \$0.25 on the dollar, until that term goes off. So, yes, you're getting something more than you had before... **Hill:** So, to be clear with what you're saying. If they would not have come, of course, we would not have gotten anything. But once they do come, we can get 2.5%. But if we give the credit, then we're losing whatever of that 2.5% that we do give. That is the general basis? **Stuczynski:** 100% correct. **Hill:** Okay, thank you. **Stuczynski:** Yeah, there's no baseline number, but you can structure an agreement to do something like that. As we get a 2.5% of the first X. That's in fact how Scannell and Amazon negotiated with Bedford Heights. Now Bedford Heights said we're going to get \$100,000 first to cover all our costs. Of policing the area around it and ambulance services into that facility. We get the first \$100,000, well split after that 50\50. And again, that's a different project. That's, you know, tens of millions of dollars of improvements and a much bigger payroll. Not \$2,000,000 that is a big number. But every one of these you have some flexibility in doing this based upon the project. You just want again, if Council's intention is to create the program. So, that you weigh in on the credit. Then you're creating guidelines with the opportunity to create case by case, we'll call it reviews. And possibly exceptions for something unique in town. Like the Kroger proposal that was negotiated. Again, I would ask you, I know this is a lot for a first reading. But I'd ask you to look at the Department of Development. See section 122.17 of the Revised Code, Google job creation tax credits. And again, anything I write in here, you can find something different. So, I just brought you Solon, but I brought you Beachwood because they're neighbors. I mentioned Bedford Heights does that on a case-by-case basis. They do have a similar project like the Trescal. Whereas I mentioned, the owner of the building made the improvements. And then tenant agreed to reimburse the owner for a portion. In their case, they agreed to reimburse them for all the job creation tax credit. But the city, as I mentioned in that case. Agreed to a four-year reimbursement at 40%. In your case, seven years, and I think it's 75% going to the tenant and the landlord who improved the building. Again, I don't know the history of that building. I don't know the challenges of that building. I don't know the challenges to the topography. But the good news is at seven years, you start collecting a much higher amount on a percentage basis. **Warren:** The building is in great shape; it is in a perfect location. And we have actually did some infrastructure as far as the road, partially infrastructure. For the road off the road exit, it's not too far in. But the building is in excellent shape. You don't have to incentivize the guy coming into the building because of the location or the quality of the construction. It's not like he's going into remodeling a factory. **Stuczynski:** Okay, that's good news. **Warren:** Which cost a lot more outlay too, for the developer. **Stuczynski:** So, the one thing I failed to mention. In some cases, and you'll see this likely maybe in Beachwood or elsewhere. Oftentimes the refund may be, for what we said for Bedford Heights case, four years. In this case, seven years. They make a provision that says you must stay in the community for X number of years afterwards. Otherwise, we're going to claw back on what we gave. You don't get the incentive anymore. But part of our agreement is that you can't pick up and leave after four years. After you've got yours, we didn't get anything out of it. You must stay, sometimes it's twice the length of the incentive. Sometimes it's maybe one and a half times, like the incentive. So, you will stay in that building or they are they may tie it to a lease. And if they don't continue to perform and stay. That the City or Village can claw back on that refund. So, that's a smart way of giving you some protection after the fact. Because we do see a fair amount of threats by companies as soon as the abatement burns off. And of course, the owner of the building is saying, I got another building for you. You're not getting in here. But I just built a brand-new building and they need somebody there. And you'll get

something, and they have a new incentive from that community. So, we hurting each other with each one of these things. But the development community knows to ask. And they know that we would beat each other up to try to get a \$2 million or a \$15 Million payroll. Because we're fighting for every dollar of revenue we can. So, we do hurt ourselves and it would be wonderful if there was a coordinated effort throughout the County to not allow this. And there's been attempts to do it, but no one has successfully been able to forestall it. So, we have to be careful that we are not setting necessarily the bar for everyone else. Because I tell you what, the developers also know when they hear that a city is offering X and X is more than Y. Everyone now uses X as the example. And then they say, Well, I can go there if you don't offer what I have there. Even though the site might be different, and the challenges of the traffic may be different. They just know that this community is offering X where we were Y and they all want X, or at least they're threatening, right? And so, you have to have confidence. And what you just described, Councilman, that the building is good, the location is good. And if they don't want to come, we'll find somebody else who wants that building in that location. So, you have to have a little bit of bravado, if you will, about the location and the strength of your community and what you offer here and that you have to give up, you know, don't set the tone, set the bar high relative to your peers. Right. And your neighbor community. So, like I said, you can see Solon right there in front of you as to what they're offering. And you can find others that would help you. So, I'll stop there again and see if there's question. **Nikolic:** So, you mentioned that in seven years we start to get the money back. **Stuczynski:** The full amount back. **Nikolic:** The full amount back, so the lease is ten years, right? **Stuczynski:** Yes, (inaudible). **Nikolic:** Okay, so that time period from that until ten years. You're saying now, I don't know if the Law Director's here. Does the agreement have anything like that to say once the lease is up? **Climer:** We have a clause that says if they leave during the course of the agreement, we've get a claw back. **Nikolic:** Okay, so that is within, so that would be those three year. **Climer:** Within seven years. **Nikolic:** Within the seven, so between that seven and ten... **Climer:** I've got a check, quite honestly. **Nikolic:** Okay. **Hill:** And I apologize, what caused this meeting is that we are looking at Trescal. We have to pass that; I didn't bring you here to answer questions about that. We just needed more general information as a baseline about tax incentives. So, we can make a better decision. So, apologies for that because I didn't ask you. **Stuczynski:** Well, I think that, I mean, I know some of the circumstances. **Warren:** But it helps actually Council, it helps us because it is a smaller thing. So, that when we look at the larger ones. It's more it's more specific now with this one here. I have a better understanding too, because there were some misunderstandings that I had about the process. **Hill:** Oh, your information is extremely helpful. But I'm just saying, I know the questions are coming about a specific situation. And that wasn't why I asked you to come, so to be clear. **Stuczynski:** But I point out that, like I said, in some situations. The lease, (inaudible) beyond the agreement, is intended to make people stay. Produce the revenue that we want, we were hoping for. For a period beyond the timeline of the agreement because we want to capture the full 100%. **Warren:** So, we got to make sure the Law Director... I think, answering your question for the three years between that. We have to make sure that our agreement specifically says after year seven, Oakwood Village gets 100%. And that if the developer moves out of the building. That all of his incentives are going to be refunded back to the Village. **Climer:** All right. **Nikolic:** So, once the lease is up, what are your thoughts on negotiation points. Or things we should be considering once that lease is up? I know every case is different. But once that's up, what's some of the things relating to tax incentives we should be thinking about at that point? Do you just renew an entirely new incentive or what should we be thinking about once the lease is expired? **Stuczynski:** So, I have a pretty high stance on that that says they're there. They have costs to move, to the extent you don't have to offer them anything further, you don't. I mean, that's my stance. That said, right, if they have a materially significant payroll. And they're threatening to move, and they have an incentive somewhere else. You may have to sit down at the bargaining table with them and come back with some agreement. Like I said, I mentioned Berea and the Browns, that has happened. Previously, I can tell you, CrossCountry Mortgage and Brecksville were talking about an expansion. More often than not, you're trying to view it in the form of an expansion of their facility, not just maintenance

or retention of that, right. We'll consider something, but you have to do something more. Because we entered into this seven years ago with the expectation. Our time is now, year eight, nine, ten. We're not here to give that back. So, if we're here to sit down and say, we want something. You want something, we want something. And so, it depends on the strength of that company. Outperforms, let's hope they do by fivefold. Then that's great and we may be willing to do something for them. If they've underperformed, then you have a different attitude towards that. Is that helpful? **Nikolic:** Yes, it is, thank you. **Hill:** Very helpful, thank you again for coming out. We may call on you for some more follow-up information. What we'll do is get out to the rest of Council O.R.C 122.17. **Stuczynski:** Please. **Hill:** Make sure everybody reviews the Department of Government's website and any information we get from our job creation tax credits. And then I'll send out those examples that you gave us. **Stuczynski:** Okay, there are other websites. **Hill:** This was very helpful, thank you. **Stuczynski:** Thank you, happy holidays.

**Hill:** May I have a motion to adjourn?

Motion to adjourn made by Warren seconded by Nikolic

YES VOTE: Nikolic, Warren, Hill

MOTION PASSED

Adjourned at 6:08 p.m.

Approved \_\_\_\_\_

\_\_\_\_\_  
Tanya Joseph, Clerk of Council

\_\_\_\_\_  
Erica Nikolic, President of Council