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[ordinance no 1283.pdf](#)

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[financial statement February 29 2034.pdf](#)

[Police Department March 2024 report.pdf](#)

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[Resolution 2024-6.pdf](#)

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VILLAGE OF GATES MILLS
REVISED COUNCIL AGENDA
MARCH 19, 2024
5:30 p.m.

COMMUNITY HOUSE, 1460 CHAGRIN RIVER ROAD
(Livestream available on YouTube – click on the link on
www.gatesmillsvillage.com to watch)

1. Roll Call.
2. Minutes of Council meeting of February 20, 2024. Clerk.
Minutes will be emailed to Council prior to the meeting.
3. Pay Ordinance #1283 \$681,977.64. Clerk.
4. **Ordinance No. 2024-2 (Second Reading)** Mayor.
An Ordinance Enacting New Section 131.06 of Chapter 131, "Council", of the Codified Ordinances of the Village of Gates Mills with Respect to the Duties of the President Pro Tem of Council.
5. Mayor's Report. Mayor.
 - a. Gates Mills Land Conservancy – Property Acquisition
 - b. Tennis/Pickleball Court Update
 - c. Encore Update
 - d. Mayfield City School District Update
6. Clerk's Report. Clerk.
7. Financial Report. Mayor.
8. Police Department Report. Minichello.
9. Service Department Report. Biggert.
10. Fire Department Report. Feig.
11. Committee Reports.
12. **Resolution No. 2024-6 (First Reading)** Steinbrink.
A Resolution to Confirming the Planning and Zoning Commission's Approval of an Extension of an Extension of a Nonconforming Residential Use of Property at 1671 Epping Road for a Home Addition.
13. **Resolution No. 2024-7 (First Reading)** Steinbrink.
A Resolution Authorizing the Mayor and the Clerk to Enter into a "First Amendment to Indenture of Lease" with Howard Hanna for Office Space at 1501 Chagrin River Road.
14. Motion to authorize competitive bidding for trash and recycling services for the Village.
15. **Resolution No. 2024-8 (First Reading)** Siemborski.
A Resolution Authorizing the Mayor and Clerk to Enter Into a Memorandum of Understanding with the Chester Township Trustees to Cooperate in the Public Improvement Project to County Line Road, to Authorize the Expenditure Therefore, and Declaring an Emergency.
16. Council Matters.

17. Business from the Audience.

18. Adjourn.

Proposed Ordinances and Resolutions on the Agenda may be obtained by calling Village Hall, 440-423-4405.

Payment Listing

February 2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
4-2024	01/04/2024	01/12/2024	CH	CLEVELAND ILLUMINATING CO.	\$359.04 *	C
4-2024	02/13/2024	02/13/2024	NEG ADJ	CLEVELAND ILLUMINATING CO.	-\$359.04	C
23-2024	01/09/2024	01/12/2024	CH	DOMINION EAST OHIO	\$212.00 *	C
23-2024	02/13/2024	02/13/2024	NEG ADJ	DOMINION EAST OHIO	-\$212.00	C
33-2024	01/16/2024	01/16/2024	CH	CINTAS CORPORATION #259	\$1,336.06 *	C
33-2024	02/13/2024	02/13/2024	NEG ADJ	CINTAS CORPORATION #259	-\$181.18	C
61-2024	01/31/2024	01/31/2024	CH	DIVISION OF WATER	\$72.82 *	C
61-2024	02/01/2024	02/05/2024	NEG ADJ	DIVISION OF WATER	-\$72.82	C
67-2024	02/01/2024	02/05/2024	CH	DIVISION OF WATER	\$318.49	C
68-2024	02/05/2024	02/05/2024	CH	THE HARTFORD	\$206.04	C
69-2024	02/05/2024	02/05/2024	CH	CLEVELAND ILLUMINATING CO.	\$496.78	C
70-2024	02/05/2024	02/05/2024	CH	CLEVELAND ILLUMINATING CO.	\$456.82	C
71-2024	02/06/2024	02/05/2024	CH	PRIME PAY	\$66,558.13	C
72-2024	02/05/2024	02/06/2024	CH	CHASE BANK	\$2.50	C
73-2024	02/06/2024	02/06/2024	CH	CLEVELAND ILLUMINATING CO.	\$287.51	C
74-2024	02/06/2024	02/06/2024	CH	AETNA HEALTH INC. (OHIO)	\$45,574.84	C
75-2024	02/06/2024	02/06/2024	CH	EQUIVEST	\$2,488.00	C
76-2024	02/06/2024	02/06/2024	CH	OHIO DEFERRED COMP	\$7,176.84	C
77-2024	02/06/2024	02/06/2024	CH	OHIO DEFERRED COMP	\$960.00	C
78-2024	02/06/2024	02/07/2024	CH	CHARTER COMMUNICATIONS	\$62.18	C
79-2024	02/07/2024	02/07/2024	CH	CLEVELAND ILLUMINATING CO.	\$103.44	C
80-2024	02/07/2024	02/07/2024	CH	CLEVELAND ILLUMINATING CO.	\$167.81	C
81-2024	02/07/2024	02/07/2024	CH	CLEVELAND ILLUMINATING CO.	\$219.41	C
82-2024	02/07/2024	02/07/2024	CH	CLEVELAND ILLUMINATING CO.	\$345.85	C
83-2024	02/07/2024	02/07/2024	CH	CUYAHOGA COUNTY TREASURER	\$19,982.18	C
83-2024	02/13/2024	02/13/2024	NEG ADJ	CUYAHOGA COUNTY TREASURER	-\$525.04	C
83-2024	02/16/2024	02/16/2024	NEG ADJ	CUYAHOGA COUNTY TREASURER	-\$3,124.57	C
84-2024	02/07/2024	02/07/2024	CH	OPERS PUBLIC EMPLOYEES	\$20,446.24	C
85-2024	02/08/2024	02/07/2024	CH	OHIO POLICE & FIRE PENSION	\$27,092.05	C
86-2024	02/08/2024	02/08/2024	CH	CINTAS CORPORATION #259	\$1,624.78	C
87-2024	02/08/2024	02/08/2024	CH	CLEVELAND ILLUMINATING CO.	\$99.71	C
88-2024	02/08/2024	02/08/2024	CH	CLEVELAND ILLUMINATING CO.	\$54.62	C

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Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
89-2024	02/09/2024	02/13/2024	CH	PRIME PAY	\$1,127.96	C
90-2024	02/09/2024	02/13/2024	CH	CLEVELAND ILLUMINATING CO.	\$99.78	C
91-2024	02/09/2024	02/13/2024	CH	CLEVELAND ILLUMINATING CO.	\$466.04	C
92-2024	02/12/2024	02/13/2024	CH	CLEVELAND ILLUMINATING CO.	\$97.98	C
93-2024	02/12/2024	02/13/2024	CH	DELTA DENTAL	\$2,139.06	C
94-2024	02/12/2024	02/13/2024	CH	DOMINION EAST OHIO	\$191.00	C
95-2024	02/12/2024	02/13/2024	CH	DOMINION EAST OHIO	\$212.00	C
96-2024	02/14/2024	02/14/2024	CH	DOMINION EAST OHIO	\$42.64	C
97-2024	02/14/2024	02/14/2024	CH	DOMINION EAST OHIO	\$468.03	C
98-2024	02/14/2024	02/14/2024	CH	TREASUER OF STATE	\$1,090.40	C
99-2024	02/15/2024	02/15/2024	CH	HOME DEPOT CRC	\$308.56	C
100-2024	02/16/2024	02/16/2024	CH	CLEVELAND ILLUMINATING CO.	\$95.65	C
101-2024	02/16/2024	02/16/2024	CH	CLEVELAND ILLUMINATING CO.	\$782.47	C
102-2024	02/16/2024	02/16/2024	CH	LYNDHURST MUNI COURT	\$18,780.00	C
103-2024	02/16/2024	02/16/2024	CH	VERIZON WIRELESS	\$661.75	C
104-2024	02/20/2024	02/20/2024	CH	CLEVELAND ILLUMINATING CO.	\$123.52	C
105-2024	02/20/2024	02/20/2024	CH	CLEVELAND ILLUMINATING CO.	\$616.47	C
106-2024	02/20/2024	02/20/2024	CH	PRIME PAY	\$68,876.63	C
107-2024	02/20/2024	02/20/2024	CH	EQUIVEST	\$2,488.00	C
108-2024	02/20/2024	02/20/2024	CH	OHIO DEFERRED COMP	\$960.00	C
109-2024	02/20/2024	02/20/2024	CH	OHIO DEFERRED COMP	\$7,176.84	C
110-2024	02/22/2024	02/23/2024	CH	DIVISION OF WATER	\$67.20	C
111-2024	02/23/2024	02/23/2024	CH	SAM'S CLUB	\$317.92	C
112-2024	02/26/2024	02/26/2024	CH	FIRST COMMUNICATIONS, LLC	\$2,783.27	C
113-2024	02/28/2024	03/06/2024	CH	DIVISION OF WATER	\$9.50	C
114-2024	02/28/2024	03/06/2024	CH	DIVISION OF WATER	\$9.50	C
115-2024	02/28/2024	03/06/2024	CH	DIVISION OF WATER	\$9.50	C
116-2024	02/28/2024	03/06/2024	CH	DIVISION OF WATER	\$9.50	C
117-2024	02/28/2024	03/06/2024	CH	DIVISION OF WATER	\$13.69	C
118-2024	02/28/2024	03/06/2024	CH	DIVISION OF WATER	\$13.69	C
119-2024	02/28/2024	03/06/2024	CH	DIVISION OF WATER	\$60.61	C
120-2024	02/28/2024	03/06/2024	CH	DIVISION OF WATER	\$418.79	C

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Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
121-2024	02/29/2024	03/06/2024	CH	DIVISION OF WATER	\$9.50	C
122-2024	02/29/2024	03/06/2024	CH	DIVISION OF WATER	\$18.70	C
123-2024	02/29/2024	03/06/2024	CH	CHASE CARD SERVICE	\$6,706.27	C
124-2024	02/29/2024	03/08/2024	CH	STATE TREASURER OF OHIO	\$967.50	C
125-2024	02/29/2024	03/08/2024	CH	LYNDHURST MUNI COURT	\$375.00	C
126-2024	02/29/2024	03/08/2024	CH	REDSS	\$125.00	C
127-2024	02/29/2024	03/08/2024	CH	LYNDHURST MUNI COURT	\$37.50	C
128-2024	02/29/2024	03/08/2024	CH	REFUND - MAYOR COURT OVERPAYMENT	\$5.00	O
7291	01/15/2024	01/14/2024	AW	KEN'S WINDOW CLEANING	\$320.00 *	C
7291	02/13/2024	02/13/2024	NEG ADJ	KEN'S WINDOW CLEANING	-\$160.00	C
7319	01/29/2024	01/29/2024	AW	BAUER SUPPLY	\$400.74 *	C
7319	02/13/2024	02/13/2024	NEG ADJ	BAUER SUPPLY	-\$400.74	C
7334	01/29/2024	01/29/2024	AW	JESSICA NEWSOME	\$1,563.60 *	V
7334	02/06/2024	02/06/2024	AW	JESSICA NEWSOME	-\$1,563.60	V
7345	01/29/2024	01/29/2024	AW	WICHERT INSURANCE SERVICES	\$103,578.00 *	C
7345	02/07/2024	02/07/2024	NEG ADJ	WICHERT INSURANCE SERVICES	-\$476.00	C
7347	02/06/2024	02/06/2024	AW	JESSICA NEWSOME	\$1,563.60	C
7348	02/06/2024	02/06/2024	AW	CLEVELAND TRIM & STRIPE CO.	\$475.00	V
7348	02/06/2024	02/06/2024	AW	CLEVELAND TRIM & STRIPE CO.	-\$475.00	V
7349	02/06/2024	02/06/2024	AW	AKE ENVIRONMENTAL, INC.	\$5,212.51	V
7349	02/06/2024	02/06/2024	AW	AKE ENVIRONMENTAL, INC.	-\$5,212.51	V
7350	02/06/2024	02/06/2024	AW	AKRON TRACTOR AND EQUIPMENT	\$174,689.00	V
7350	02/06/2024	02/06/2024	AW	AKRON TRACTOR AND EQUIPMENT	-\$174,689.00	V
7351	02/06/2024	02/06/2024	AW	ATWELL'S POLICE & FIRE EQMT	\$221.49	V
7351	02/06/2024	02/06/2024	AW	ATWELL'S POLICE & FIRE EQMT	-\$221.49	V
7352	02/06/2024	02/06/2024	AW	BAUER SUPPLY	\$101.85	V
7352	02/06/2024	02/06/2024	AW	BAUER SUPPLY	-\$101.85	V
7353	02/06/2024	02/06/2024	AW	DAVE BIGGERT	\$1,077.86	V
7353	02/06/2024	02/06/2024	AW	DAVE BIGGERT	-\$1,077.86	V
7354	02/06/2024	02/06/2024	AW	CHAGRIN RIVER WATERSHED	\$8,290.00	V
7354	02/06/2024	02/06/2024	AW	CHAGRIN RIVER WATERSHED	-\$8,290.00	V
7355	02/06/2024	02/06/2024	AW	CHAGRIN VALLEY AUTO PARTS	\$1,262.78	V

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Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
7355	02/06/2024	02/06/2024	AW	CHAGRIN VALLEY AUTO PARTS	-\$1,262.78	V
7356	02/06/2024	02/06/2024	AW	CHAGRIN VALLEY TIMES	\$8.44	V
7356	02/06/2024	02/06/2024	AW	CHAGRIN VALLEY TIMES	-\$8.44	V
7357	02/06/2024	02/06/2024	AW	CCM RENTAL	\$45.00	V
7357	02/06/2024	02/06/2024	AW	CCM RENTAL	-\$45.00	V
7358	02/06/2024	02/06/2024	AW	CLEVELAND TRIM & STRIPE CO.	\$475.00	C
7358	02/07/2024	02/07/2024	NEG ADJ	CLEVELAND TRIM & STRIPE CO.	-\$475.00	C
7359	02/06/2024	02/06/2024	AW	AKE ENVIRONMENTAL, INC.	\$5,212.51	C
7360	02/06/2024	02/06/2024	AW	AKRON TRACTOR AND EQUIPMENT	\$174,689.00	C
7361	02/06/2024	02/06/2024	AW	ATWELL'S POLICE & FIRE EQMT	\$221.49	C
7362	02/06/2024	02/06/2024	AW	BAUER SUPPLY	\$101.85	C
7363	02/06/2024	02/06/2024	AW	DAVE BIGGERT	\$1,077.86	C
7364	02/06/2024	02/06/2024	AW	CHAGRIN RIVER WATERSHED	\$8,290.00	C
7365	02/06/2024	02/06/2024	AW	CHAGRIN VALLEY AUTO PARTS	\$1,262.78	C
7366	02/06/2024	02/06/2024	AW	CHAGRIN VALLEY TIMES	\$8.44	V
7366	02/06/2024	02/06/2024	AW	CHAGRIN VALLEY TIMES	-\$8.44	V
7367	02/06/2024	02/06/2024	AW	CCM RENTAL	\$45.00	V
7367	02/06/2024	02/06/2024	AW	CCM RENTAL	-\$45.00	V
7368	02/06/2024	02/06/2024	AW	CHAGRIN VALLEY TIMES	\$8.44	C
7369	02/06/2024	02/06/2024	AW	CCM RENTAL	\$45.00	C
7370	02/06/2024	02/06/2024	AW	WILLIAM H. CHILDS, JR	\$100.00	C
7371	02/06/2024	02/06/2024	AW	MICHAEL E. CICERO	\$850.00	C
7372	02/06/2024	02/06/2024	AW	CINTAS CORPORATION #259	\$100.72	C
7373	02/06/2024	02/06/2024	AW	ENGLEBROOK CONSTRUCTION INC.	\$12,190.00	C
7374	02/06/2024	02/06/2024	AW	ARMANDO FARINACCI	\$195.81	C
7375	02/06/2024	02/06/2024	AW	FIRST CALL	\$176.28	C
7376	02/06/2024	02/06/2024	AW	LES HAZLETT	\$2,417.21	C
7377	02/06/2024	02/06/2024	AW	J M FENCE LLC	\$4,700.00	C
7378	02/06/2024	02/06/2024	AW	KT'S CUSTOM LOGOS	\$534.00	C
7379	02/06/2024	02/06/2024	AW	MARS ELECTRIC COMPANY	\$89.03	C
7380	02/06/2024	02/06/2024	AW	MARSHALL POWER EQUIPMENT	\$100.79	C
7381	02/06/2024	02/06/2024	AW	CITY OF MAYFIELD HEIGHTS	\$1,670.00	C

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Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
7382	02/06/2024	02/06/2024	AW	JEAN MISCH	\$3,610.55	C
7383	02/06/2024	02/06/2024	AW	O'REILLY EQUIPMENT, LLC	\$12,250.00	C
7384	02/06/2024	02/06/2024	AW	KEN SIMMONS	\$1,754.98	C
7385	02/06/2024	02/06/2024	AW	TRIVISTA OHIO	\$673.50	C
7386	02/06/2024	02/06/2024	AW	TURNEY HOME & AUTO	\$411.46	C
7387	02/06/2024	02/06/2024	AW	UNIQUE PAVING MATERIALS CORP.	\$321.25	C
7388	02/06/2024	02/06/2024	AW	SELECTIVE INSURANCE - FLOOD	\$3,748.00	C
7389	02/15/2024	02/15/2024	AW	C.W. COURTNEY COMPANY	\$18,875.01	C
7390	02/22/2024	02/22/2024	AW	ADVANCED MEDICAL SERVICES	\$245.00	O
7391	02/22/2024	02/22/2024	AW	AKE ENVIRONMENTAL, INC.	\$2,437.70	C
7392	02/22/2024	02/22/2024	AW	AMCCO	\$100.00	O
7393	02/22/2024	02/22/2024	AW	AUBURN FENCE CORPORATION	\$228.00	O
7394	02/22/2024	02/22/2024	AW	CARGILL, INCORPORATED	\$6,859.64	C
7395	02/22/2024	02/22/2024	AW	CHARDON WELDING INC.	\$945.00	C
7396	02/22/2024	02/22/2024	AW	CITY OF MAYFIELD HEIGHTS	\$500.00	C
7397	02/22/2024	02/22/2024	AW	DIVISION OF WATER	\$21,239.97	C
7398	02/22/2024	02/22/2024	AW	COMDOC, INC.	\$392.42	O
7399	02/22/2024	02/22/2024	AW	DISTILLATA COMPANY	\$111.25	C
7400	02/22/2024	02/22/2024	AW	DUSTBUSTER	\$510.00	O
7401	02/22/2024	02/22/2024	AW	EUCLID HYDRAULICS, INC	\$1,190.00	C
7402	02/22/2024	02/22/2024	AW	FIRST CALL	\$22.40	O
7403	02/22/2024	02/22/2024	AW	KEN'S AUTO SERVICE	\$500.00	O
7404	02/22/2024	02/22/2024	AW	KEN'S WINDOW CLEANING	\$550.00	O
7405	02/22/2024	02/22/2024	AW	RICK LOCONTI	\$1,000.00	C
7406	02/22/2024	02/22/2024	AW	MENTOR LUMBER	\$896.95	C
7407	02/22/2024	02/22/2024	AW	MILL SUPPLY, INC.	\$2,940.00	C
7408	02/22/2024	02/22/2024	AW	NICOLA, GUDBRANSON & COOPER	\$1,925.00	C
7409	02/22/2024	02/22/2024	AW	RUMPKE	\$88.82	O
7410	02/22/2024	02/22/2024	AW	SENSYS GATSO USA, INC.	\$52,879.00	O
7411	02/22/2024	02/22/2024	AW	CITY OF SHAKER HEIGHTS	\$6,000.00	O
7412	02/22/2024	02/22/2024	AW	SHUTTLE'S UNIFORM INC.	\$22.00	O
7413	02/22/2024	02/22/2024	AW	SOUTHEASTERN EQUIPMENT CO INC	\$51.64	C

Payment Listing

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Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
7414	02/22/2024	02/22/2024	AW	CHARLENE STRASSHOFER	\$2,117.37	O
7415	02/22/2024	02/22/2024	AW	TRIAD TECHNOLOGIES, LLC	\$66.54	C
7416	02/22/2024	02/22/2024	AW	ULLMAN OIL COMPANY	\$3,103.95	O
7417	02/22/2024	02/22/2024	AW	VALLEY ENFORCEMENT GROUP	\$11,000.00	O
7418	02/22/2024	02/22/2024	AW	WINZER	\$151.29	O
7419	02/22/2024	02/22/2024	AW	TED ZALEWSKI	\$250.93	O
Total Payments:					\$681,977.64	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$681,977.64	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.

TOTAL \$681,977.64

Clerk

Mayor

CLERK'S CERTIFICATE

I hereby certify that at the time of making the contracts or orders for the expenditures provided for in the foregoing ordinance and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract was in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances.

(This ordinance is not of "a general or permanent nature" and need not be read three times nor published)

Clerk

ORDINANCE NO. 2024-2

BY MAYOR SIEMBORSKI

AN ORDINANCE ENACTING NEW SECTION 131.06 OF CHAPTER 131, "COUNCIL", OF THE CODIFIED ORDINANCES OF THE VILLAGE OF GATES MILLS WITH RESPECT TO THE DUTIES OF THE PRESIDENT PRO TEM OF COUNCIL

WHEREAS, the Charter of the Village of Gates Mills provides for Council to choose one of its members at the time of its organization each year as President pro tem, who shall preside at meetings of Council in the absence of the President of Council and who shall, in the absence of the Mayor from the Village, or when the Mayor is for any reason unable to perform his or her duties as Mayor, become the acting Mayor;

WHEREAS, this Council desires to enact new Section 131.06 of Chapter 131, "Council", to clarify and specify the duties of the President pro tem;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Gates Mills, Ohio, that:

Section 1: New Section 131.06 of Chapter 131, "Council", of the Codified Ordinances of the Village of Gates Mills is hereby enacted to hereafter provide as follows:

"131.06 DUTIES OF PRESIDENT PRO TEM.

The President pro tem of Council, whose duties are as provided in the Charter of the Village of Gates Mills, shall also:

(a) Meet with the Mayor one to two weeks in advance of the scheduled Council meetings to discuss items for consideration on the Council's meeting agenda;

(b) Meet with the Mayor each month (and as necessary at such meetings with department heads) to understand the Village activities, deadlines for action, projects and other important items so as to be prepared to continue administering the Village during any vacancy of the Mayor;

(c) Consult with other Council members in compliance with the Ohio Open Meetings Act on important matters, to ensure that Council members' views, either individual or collectively, are known and expressed to the Mayor; and

(d) Represent the Village in community events, local and regional governmental meetings, and similar ceremonies when the Mayor cannot attend."

Section 2. 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 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 Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this ____ day of _____, 2024.

President of Council

ATTEST:

Clerk

APPROVED:

Mayor

VILLAGE OF GATES MILLS
FINANCIAL STATEMENT
FEBRUARY 29, 2024

	2024 BUDGET	Current Month	2024 Year to Date	2023 Year to Date
General Fund (GF) Revenues:				
Taxes:				
Real Estate Taxes	2,488,500	587,000	685,000	974,000
Municipal Income Taxes	2,100,000	168,087	296,483	323,874
Share of Sales and State Taxes	28,000	6,103	10,862	13,589
Total Tax Revenue	4,616,500	761,190	992,346	1,311,463
Other Sources:				
Fines and Costs	75,100	5,241	10,237	13,448
Traffic Camera Gross Receipts	1,518,400	170,455	337,385	-
Building/Liquor Permits & Licenses	51,040	5,743	6,618	10,076
Interest Income	259,000	31,292	51,278	21,267
Rental Income	222,960	3,200	19,902	35,865
Mills Building Rental Income	142,631	9,649	14,689	38,841
Ambulance Income	36,000	-	24,624	12,145
SRO Reimbursement	94,450	7,871	15,742	7,572
Misc	47,750	9,590	10,121	11,637
Total Other Sources Revenue	2,447,331	243,041	490,596	150,851
Assessments:				
School Board/Property Assessment	-	-	-	-
Total General Fund Revenues	7,063,831	1,004,231	1,482,941	1,462,314
Add Year Beginning General Fund Balance		7,187,446	7,580,424	7,811,278
Less Expenses:				
Administration Costs	(see Page 2)	(42,162)	(211,360)	(182,509)
Administration - Transfers		-	(196,500)	(496,500)
Police Department Costs	(see Page 3)	(201,122)	(449,920)	(302,342)
Fire Department Costs	(see Page 3)	(17,638)	(32,023)	(31,432)
Fire Department Ambulance	(see Page 3)	(1,670)	(102,145)	(101,445)
Service Department Costs	(see Page 4)	(349,186)	(491,518)	(320,064)
Total General Fund Expenses		(611,778)	(1,483,466)	(1,434,292)
Current General Fund Balance		7,579,899	7,579,899	7,839,300
Plus:				
Other Fund Current Balances		2,196,537	2,196,537	1,683,758
Total Current Balance - All Funds		9,776,436	9,776,437	9,523,058

VILLAGE OF GATES MILLS
FINANCIAL STATEMENT
FEBRUARY 29, 2024

	2024 BUDGET	2024 Month Expenses	2024 To Date Expenses	2023 To Date Expenses
ADMINISTRATION:				
Salaries and Wages	165,000	12,488	24,923	24,133
Health Insurance	54,180	8,174	15,040	8,847
Worker's Comp/Medicare	8,000	212	663	570
Employee Retirement (OPERS)	27,900	2,081	4,102	3,971
PERSONNEL COSTS	255,080	22,955	44,728	37,521
Legal - Law Director	60,000	-	12,402	10,695
Legal - Prosecutor	48,000	2,775	3,625	3,637
Legal - Other	500	8	8	-
Engineering	33,900	2,377	4,750	5,356
Other Professional Services	114,500	4,853	26,093	20,477
LEGAL AND PROFESSIONAL	256,900	10,014	46,879	40,165
General Insurance	120,000	3,272	106,850	91,620
Income Tax Expense	75,000	5,012	8,864	9,663
County Auditor Expenses	64,000	-	-	-
Office Expenses	9,500	910	2,123	1,324
Miscellaneous Expenses	5,000	-	1,917	2,217
OTHER ADMINISTRATIVE COSTS	273,500	9,193	119,753	104,824
ADMINISTRATION OPERATING COSTS	785,480	42,162	211,360	182,509
Transfers to Other Funds	1,096,500	-	196,500	496,500
TOTAL ADMINISTRATION COSTS	1,881,980	42,162	407,860	679,009

VILLAGE OF GATES MILLS
FINANCIAL STATEMENT
FEBRUARY 29, 2024

	2024 BUDGET	2024 Month Expenses	2024 To Date Expenses	2023 To Date Expenses
POLICE DEPARTMENT:				
Salaries and Wages	1,134,000	88,173	175,019	168,731
Overtime	50,000	3,110	7,123	4,819
Health, OPERS, MEDI, Worker Comp	274,700	23,752	57,884	44,065
PERSONNEL COSTS	1,458,700	115,035	240,026	217,615
Gasoline	25,000	-	-	5,186
Repairs and Maintenance	16,000	1,858	2,112	1,271
Uniforms	15,000	243	243	1,242
Training/Conferences	12,000	123	2,323	8,540
Dispatch Operating Fee	170,100	-	28,126	26,787
Alarm System Fee	18,000	-	4,331	4,898
Maintenance Agreements/Radio Expenses	29,000	-	14,562	19,038
Traffic Camera Program LMC	312,000	18,780	46,620	-
Traffic Camera Program Gatso	379,400	52,879	98,680	-
Other Expenses	16,000	1,204	1,897	2,543
V.E.G.	11,000	11,000	11,000	10,000
OTHER POLICE DEPART COSTS	1,003,500	86,088	209,894	79,505
Vehicle Purchases	60,000	-	-	-
Equipment Purchases	12,000	-	-	5,222
CAPITAL EXPENDITURES	72,000	-	-	5,222
TOTAL POLICE DEPARTMENT COSTS	2,534,200	201,122	449,920	302,342

FIRE DEPARTMENT:				
Salaries and Wages	160,000	9,704	21,399	26,577
PERS, MEDI, SOC SEC, Worker Comp	31,150	853	3,070	3,127
PERSONNEL COSTS	191,150	10,556	24,469	29,704
Vehicle Maintenance	11,000	18	62	46
Ambulance/EMS <i>see below</i>	437,000	1,670	102,145	101,445
Training/Conferences	12,000	-	-	505
Contracts & Annual Fees	24,000	6,742	6,984	1,133
Other Expenses	10,000	321	508	44
OTHER FIRE DEPARTMENT COSTS	494,000	8,751	109,698	103,173
CAPITAL EXPENDITURES	63,125	-	-	-
TOTAL FIRE DEPARTMENT COSTS	748,275	19,308	134,167	132,877
<i>Ambulance Income on Cover Page</i>	<i>36,000</i>	<i>-</i>	<i>24,624</i>	<i>12,145</i>

**VILLAGE OF GATES MILLS
FINANCIAL STATEMENT
FEBRUARY 29, 2024**

	2024 BUDGET	2024 Month Expenses	2024 To Date Expenses	2023 To Date Expenses
SERVICE DEPARTMENT:				
Salaries and Wages	776,600	56,772	112,302	107,035
Overtime	30,975	2,468	10,040	7,334
Health, OPERS, MEDI, Worker Comp	323,650	36,405	66,441	54,630
PERSONNEL COSTS	1,131,225	95,644	188,782	168,999
Salt/Aggregate (snow removal)	65,000	6,860	7,313	37,019
Building Inspection	12,000	1,000	1,500	650
Equipment Maintenance	46,000	7,043	19,000	13,373
Gasoline Expense	40,000	3,104	3,104	12,008
Supplies/Uniforms	34,000	3,629	7,368	6,548
OPERATING COSTS	197,000	21,636	38,285	69,598
BUILDING OPERATION & MTC				
Village Hall	127,300	6,891	13,891	13,316
Village Houses	12,300	(7)	123	839
Community Building	65,200	5,854	6,743	2,400
Post Office	3,000	23	40	2,552
OBT Building	1,940	148	306	357
Wash House	3,700	14	27	13
Burton Court	3,100	2,919	3,247	547
Mills Building	34,010	20,427	41,344	10,951
BUILDING OPERATION & MTC	250,550	36,268	65,722	30,975
Street Repair	8,000	321	321	582
Ditch, Drain, Sewers	35,500	-	-	1,048
Tree Grinding (Contractors)	15,000	-	-	-
Street Lighting	17,100	1,208	2,565	6,452
Parks	21,000	7,047	7,303	7,743
Guardrails, Signs, Bridges	26,600	122	573	1,603
STREETS AND ROADS	123,200	8,699	10,763	17,428
Vehicles	181,400	174,689	174,689	33,064
Other Equipment	20,000	12,250	13,277	-
CAPITAL EXPENDITURES	201,400	186,939	187,966	33,064
TOTAL SERVICE DEPARTMENT COSTS	1,903,375	349,186	491,518	320,064

VILLAGE OF GATES MILLS
FINANCIAL STATEMENT
FEBRUARY 29, 2024

	Beginning Year Balance	Year-to-date Actual Receipts	Year-to-date Actual Expenses	Unexpended Balance
Street Const Maint Repair	134,824	34,011		168,835
State Highway	27,243	2,819	7,444	22,618
Bond Retirement (KeyBank Loans)	2,730	-	-	2,730
	<u>164,797</u>	<u>36,830</u>	<u>7,444</u>	<u>194,183</u>
Capital Improvement	420,762	1,058	15,590	406,230
Water	284,003	16,500	21,240	279,263
Wastewater Plant	29,776	35,994	11,405	54,364
Park Recreation	53,947	11,000	458	64,489
Cemetery	54,799	1,500	-	56,299
Mayor's Court-Violations Bureau	1,220	2,664	2,703	1,181
Mayor's Discretionary	285	1,500		1,785
Purcell Trust	31,800	-	-	31,800
Land Conservation	210,318	63,019	8,290	265,047
Local Fiscal Recovery Fund (ARPA)	499,530	-	3,285	496,245
Building Bond Deposit	129,989	-	-	129,989
Underground Storage Tank	11,000	-	-	11,000
Safety Fund	26,714	250	4,637	22,326
Police Relief & Pension	23,104	178,000	32,822	168,282
Law Enforcement	265	-	265	-
VEST Grant	-	-	-	-
OneOhio Fund (Opiod)	1,769	26	149	1,645
STATE Grants	20,008	-	7,600	12,408
TOTAL OTHER FUNDS	<u>1,964,085</u>	<u>348,341</u>	<u>115,888</u>	<u>2,196,537</u>
GENERAL FUND	7,580,424	1,482,941	1,483,466	7,579,899
TOTAL ALL FUNDS	<u>9,544,509</u>	<u>1,831,282</u>	<u>1,599,354</u>	<u>9,776,437</u>

STATE OF THE VILLAGE
FEBRUARY 29, 2024

	2024	2023
Total Current Balance - All Funds	9,776,437	9,523,058
Cash and Investments:	2/29/2024	2/28/2023
Cash:		
ANCORA	8,506,715	8,382,186
CHASE DDA	163,495	212,072
CHASE SAV - LAND CONS	265,047	200,987
CHASE VIOLATIONS BUREAU	26,712	20,079
Star Ohio	939,742	710,403
Total Cash	9,901,710	9,525,727
(OUTSTANDING CHECKS)	(125,274)	(2,669)
Total Cash and Investments	9,776,437	9,523,058

** From Wastewater Fund

GENERAL FUND SUMMARY	BUDGET	FEBRUARY	2024 YEAR TO DATE	2023 YEAR TO DATE
Real Estate Taxes	2,488,500	587,000	685,000	974,000
Municipal Income Tax	2,100,000	168,087	296,483	323,874
Share of Sales and State Taxes	28,000	6,103	10,862	13,589
Other Sources	2,447,331	243,041	490,596	150,851
Assessments	-	-	-	-
TOTAL OPERATING REVENUES	7,063,831	1,004,231	1,482,941	1,462,314
OPERATING EXPENSES				
Administration Department	785,480	42,162	211,360	182,509
Police Department	2,534,200	201,122	449,920	302,342
Fire Department	748,275	19,308	134,167	132,877
Service Department	1,903,375	349,186	491,518	320,064
Transfers excluding Inheritance Taxes	1,096,500	-	196,500	496,500
TOTAL OPERATING EXPENSES	7,067,830	611,778	1,483,466	1,434,292
SURPLUS (DEFICIT)	(3,999)	392,453	(525)	28,022

Project	February 29, 2024	BUDGET	FEBRUARY	YEAR TO DATE EXPENSES	COURTNEY	OTHER	SCMR/STHWY
	CAPITAL IMPROVEMENT						
	2024 ROAD PROGRAM	900,000	15,590	15,590	15,590		
	SERVICE LOT PAVING	70,000	-	-			
	STORM WATER REGS AND ISSUES	20,000	-	-			
	RIVERVIEW DRAINAGE IMPROVEMENTS	73,000	-	-			
	CONTINGENCIES	14,531	-	-			
	COMM HOUSE ODNR GRANT LOWER LEVEL	5,469	-	-			
TOTAL	CAPITAL IMPROVEMENT	1,083,000	15,590	15,590	15,590	-	-

Village of Gates Mills

*Division of Police
1470 Chagrin River Road
Gates Mills, Ohio 44040-9703
Phone: (440) 423-44505 Fax: (440) 423-2002
www.gatesmillsvillage.com*

March 2024 Council Report

- 1) SRO/Patrolman Arch Kimbrew has surpassed his 25-year work anniversary. Congratulations to Arch!
- 2) A theft report was filed and an investigation is underway. Missing is approximately \$15,000 worth of money and personal belongings. No forced entry of the residence occurred.
- 3) Officers will be participating in a regional active shooter training later this month.

Monthly Totals:

- 58 Traffic Citations.
- 30 Warnings.
- 9 Incident/Accident reports
- 3,229 House Checks
- 7,724 Patrol Miles.
- Monthly Fines \$5,241.00 TYD \$10,237.00

Sincerely,



Gregg Minichello
Chief of Police
Gates Mills Police Department
gminichello@gatesmillsvillage.com
440.423.4405 x 112

SGG USA						
Gates Mills, OH - Summary by time periods						
Time Period	Start Date	End Date	Passes	Passes 56-59	Passes 60+	Avg Speed
Warning Period	5/11/2023	8/16/2023	789,502	54,757	23,191	49
First part of August	8/17/2023	8/31/2023	162,410	3,841	1,295	46
September	9/1/2023	9/30/2023	443,354	10,333	3,596	46
October	10/1/2023	10/31/2023	428,664	8,923	3,134	46
November	11/1/2023	11/30/2023	400,350	6,868	2,330	46
December	12/1/2023	12/31/2023	402,921	6,528	2,267	46
January	1/1/2024	1/31/2024	373,317	4,617	1,460	45
<u>February</u>	<u>2/1/2024</u>	<u>2/29/2024</u>	<u>382,252</u>	<u>4,872</u>	<u>1,574</u>	<u>46</u>
Total Passes			3,382,770	100,739	38,847	

Gates Mills Service Department

"Yours in service since 1920"

TO: Mayor
and Council Members

FROM: Dave Biggert, Service Director

RE: SERVICE DEPARTMENT REPORT – FEBRUARY 2024

1. In February, 9 building permits were issued for a total construction value of \$1,750,753. This includes an addition and renovation project on Hillcreek Lane for \$1,200,000.
2. In January 2023, 6 building permits had been issued for a total construction value of \$1,201,132. This includes a new home permit on Deerfield Road.
3. The February Planning and Zoning meeting minutes are attached for review.
4. A pre-construction meeting with *Fabrizi Construction Inc.* was held to discuss the Mayfield Road Culvert Replacement project. The contractor is currently planning to start on or about April 15th, depending on the weather. The project is expected to take approximately 60 days to complete. Advanced notice of the project start date will be posted. There will be single lane closures in the construction area for both eastbound and westbound lanes.

I hope this information is helpful. If you have any questions or need any additional information, please feel free to contact me at (440) 423-1581.

Respectfully Submitted,



David L. Biggert, RBO, RBI, PI, MI, EMT-B
Service Director/Building Official

PLANNING AND ZONING COMMISSION
MINUTES OF **TUESDAY, FEBRUARY 06, 2024**

Pursuant to notice duly given, the regular meeting of the Planning and Zoning Commission, also sitting as the Board of Zoning Appeals, was called and held on **Tuesday, February 06, 2024 at 5:00 PM** in the Council Chambers of the Town Hall.

Members present: Craig Steinbrink; Chair, Scott Broome, Jim Deacon, Emily Hamilton, Christine Riley, and Jeannine Voinovich.

Members absent: None.

Also present: Steven Siemborski, Mayor
Chris Courtney, Village Engineer
Todd Hunt, Village Law Director

1. Roll call.
2. The minutes of **Tuesday, November 07, 2023** regular meeting of the Planning and Zoning Commission were submitted for approval.

A motion was made to approve the minutes as *amended*.

Motion by: S. Broome 2nd: C. Riley

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

3. A boundary realignment request for the **COCHRAN** residence at **7151 Old Mill Road** and a lot size variance request for the **RANASINGHE** residence at **1425 Cardinal Lane** was heard. Notice has been provided to adjoining property owners.
Donald Cochran, Owner and Gerard Ranasinghe, Owner were present.

Mr. Cochran reviewed the proposed boundary realignment and lot size variance request for the Commission. He stated the current drive for their property coming off Settlers Ridge Road is located on the neighbor's property currently accessed and used by an easement agreement. He is purchasing .3459 acres from the neighbor and adding into his existing parcel, hence the boundary realignment. This additional acreage will put the drive on the correct parcel and the easement will not be necessary.

He continued by saying the purchase of the additional property is less than the cost to relocate the drive onto their property and also will protect the existing trees and existing stormwater drainage and retention pond.

Mr. Broome reviewed the *Variance Worksheet* for the Commission.

After further discussion, a motion was made to approve the lot consolidation as submitted and as shown on the consolidation plat dated 12/18/23 pending the approval of the lot size variance request to follow.

Motion by: S. Broome 2nd: J. Deacon

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

Mr. Steinbrink asked the Commission members if they had any additional questions or comments regarding the lot size variance request for the neighboring property which will be reduced to 2.2814 acres after the .3459 acres are added onto the Cochran property.

After further discussion, a motion was made to approve the lot size variance request as submitted and as shown on the lot split plat dated 12/18/23.

Motion by: S. Broome 2nd: E. Hamilton

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

4. Motion to adjourn the regular meeting of the Planning and Zoning Commission and convene the regular meeting of the **Board of Zoning Appeals**.

Motion by: S. Broome 2nd: C. Riley

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

5. A fence height variance request for the **YOUNG** residence at **7510 Old Mill Road** was heard. Notice has been provided to adjoining property owners. David Young, Owner was present.

Mr. Young reviewed the proposed fence height variance request for the Board. He indicated the existing 8' high shared fence between his property and Mrs. Oppmann needs replacement. The proposed new fence will look similar to the existing in design but will be white and an all vinyl material. He understands the current regulation limits a fence on along the side yard to six feet. The additional two feet is needed to provide the necessary screening between the two houses.

Mr. Hunt explained a litigation case the Village is current involved in between two neighbors regarding the "shine" or "glare" that comes from the white vinyl material. He recommended a large sample of the material be viewed on site by the neighbor and approved before the fence installation is started.

Mr. Steinbrink asked if the shared fence is currently located on Mr. Young's property.

Mr. Young stated he was not sure which property the fence is currently located on.

Mr. Steinbrink explained the correct location of the new fence is extremely important. The Board can only grant a variance for the property the fence will be located on.

Mr. Courtney recommended a boundary survey be completed and the property line between the two houses marked so the exact location of the new fence can be determined.

Mr. Steinbrink stated without knowing the exact location of the existing property line and the location of the new fence, he does not feel the Board has the ability to approve the variance request.

Mr. Young stated he understood and will have the property line located by a surveyor.

After further discussion, a motion was made to continue the discussion at a later meeting once a boundary survey can be completed and the property line in question located.

Motion by: C. Riley 2nd: J. Deacon

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

Refer to audio recording for additional detail.

There being no further business the meeting was adjourned at **5:23 P.M.**

Craig Steinbrink, Chair

David Biggert, Secretary

Gates Mills Fire Department

February 2024 Council Report

DATE	NFIRS NUMBER	Address/Location	Description of Incident
2-03-24	2024-30	6662 Gates Mills Blvd.	Odor Investigation
2-05-24	2024-31	1120 West Hill	Fire Alarm
2-05-24	2024-32	7770 Brigham Road	Wire in Roadway
2-06-24	2024-33	6665 Gates Mills Blvd.	Water Main Break
2-07-24	2024-34	2045 SOM Center	Fire Alarm—Ice Arena
2-08-24	2024-35	1439 Chagrin-River Road	Odor Investigation-Natural Gas
2-12-24	2024-36	7406 Rodgers Road	Fire Alarm
2-15-24	2024-37	Beverly & Epping	Wires Down—on Fire
2-16-24	2024-38	2045 Som Center	Structure Fire—Dispatch False Call—Kelly Middle School
2-19-24	2024-39	925 Andrews Lane	Natural Gas Leak—Fireplace
2-22-24	2024-40	660 Chagrin-River Road	Fire Alarm
2-22-24	2024-41	660 Chagrin-River Road	Tree on Wires
2-23-24	2024-42	1960 Woodstock Lane	Fire Alarm
2-23-24	2024-43	7859 Gatewood Oval	Oven on fire
2-24-24	2024-44	1924 Epping Road	Natural Gas leak—by stovetop
2-27-24	2024-45	7940 Gatewood Oval	CO Alarm
2-29-24	2024-46	7055 Hickory Lane	Fire Alarm—set off by workman
2-29-24	2024-47	6980 Hickory Lane	Odor of Natural Gas

CURRENT MONTH TOTAL		2024 YEAR TO DATE	2023 YEAR TO DATE
G.M. FIRE	19	47	30
M.V. EMS	10	24	40
Canceled	0	Canceled 1	

The February training topics were:

- February 13, 2024 Gilmour Academy Commons construction site visit and preplan fire operations. Knox box update, Gilmour Gate, CVD updates, CPR cards. GM Elementary, Historical Society, Ice Arena updates,
- February 27, 2024 Radio procedures with new frequencies, MVFD new frequency, Layout of extrication equipment on 1412, Accountability and Command Boards, Gas meters, CO and Natural Gas Hazards, Review vehicle washing policy, Vehicle Checks Day: 1413 & 1412. Night: 1411.
- February 29, 2024 Electric Vehicle Emergency Operations Seminar, Brookpark, Ohio.

February employee anniversaries:
Firefighter Scott Magoch – 36 Years
Firefighter Paul Sabataitis – 8 Years

Thomas Majeski

March 4, 2024

RESOLUTION NO. 2024-6

BY COUNCILMEMBER STEINBRINK

**A RESOLUTION CONFIRMING THE PLANNING AND ZONING
COMMISSION'S APPROVAL OF AN EXTENSION OF A NONCONFORMING
RESIDENTIAL USE OF PROPERTY AT 1671 EPPING ROAD FOR A HOME
ADDITION.**

WHEREAS, pursuant to Gates Mills Codified Ordinance Section 1157.05(a)(1), at its regular meeting on March 5, 2024, the Planning & Zoning Commission unanimously approved the extension of a nonconforming residential use of property at 1671 Epping Road for a home addition in the U3 Uses District (Commercial-Special Permit);

WHEREAS, the Planning and Zoning Commission found that under the circumstances, peculiar to the subject property, the home addition was a reasonable and proper use;

WHEREAS, pursuant to Gates Mills Codified Ordinance Section 1157.05(a)(1), the Commission's permission to extend the nonconforming use is subject to confirmation by resolution of Council before the approval becomes effective;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Gates Mills, State of Ohio, that:

Section 1: This Council confirms the Planning and Zoning Commission's approval of the application of the property owner at 1671 Epping Road to extend a nonconforming use to construct an addition to a single-family residential home at that location in conformance with the plan submitted to the Planning and Zoning Commission, subject to any required approvals by the Village Architectural Board of Review.

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 of this Council, and that all deliberations of this Council and 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, constituting administrative action by this Council, as opposed to legislative action, shall be in full force and effect immediately upon its adoption by this Council.

Passed the ____ day of _____, 2024.

President of Council

ATTEST:

Clerk

APPROVED:

Mayor

RESOLUTION NO. 2024-7

BY COUNCILMEMBER STEINBRINK

**A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO
ENTER INTO A “FIRST AMENDMENT TO INDENTURE OF LEASE”
WITH HOWARD HANNA FOR OFFICE SPACE AT 1501 CHAGRIN
RIVER ROAD.**

WHEREAS, the Village owns the property known as 1501 Chagrin River Road, Gates Mills, Ohio, 44040;

WHEREAS, pursuant to Resolution No 2021-32, this Council approved an Indenture of Lease (“Lease”) with Howard Hanna (“Lessee”) for approximately 296 square feet of said property for office space, which Lease commenced September 1, 2021, and runs through August 31, 2024;

WHEREAS, the Lease provides for the right of the Lessee to exercise an option for an additional one-year term with an increase of fifty dollars (\$50.00) in the monthly rent, making the monthly rent to be \$790, and Lessee has timely exercised that right for said extension of the term from September 1, 2024, through August 31, 2025;

WHEREAS, the Lessee has also requested an amendment to the Lease to have an option to extend the term of the Lease for yet another one-year period after the first option year – i.e., from September 1, 2025, through August 31, 2026, and the Village Real Estate Committee recommends this amendment to Council.

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

Section 1. The Mayor and the Clerk are authorized to execute a “First Amendment to Indenture of Lease” with Howard Hanna (“Lessee”) to provide for the Lessee to have the right to exercise another option for an additional one-year term with an increase in the rent of fifty dollars (\$50.00), thereby bringing the monthly rent to \$840.00, for a term commencing September 1, 2025, through August 31, 2026, all as set forth in said “First Amendment” that is attached hereto as Exhibit A.

Section 2. The actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and all deliberations of this Council that resulted in such formal action were in meetings held in compliance with all legal requirements.

Section 3. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed the ____ day of _____, 2023.

ATTEST:

President of Council

Clerk

APPROVED:

Mayor

EXHIBIT A

FIRST AMENDMENT TO INDENTURE OF LEASE

THIS FIRST AMENDMENT TO INDENTURE OF LEASE ("First Amendment") is made and entered into at Gates Mills, Ohio, this ____ day of _____, 2024, by and between the VILLAGE OF GATES MILLS, OHIO, hereinafter called "Lessor," and HOWARD HANNA, an Ohio Corporation, hereinafter called "Lessee" (collectively, the Lessor and Lessee are the "Parties")

WHEREAS, the Parties entered into an Indenture of Lease, dated September 21, 2021, (the "Lease") whereby Lessor leased to Lessee approximately 296 square feet of office floor space in the building at 150 Chagrin River Road, Gates Mills, Ohio 44020;

WHEREAS, the term of the Lease is from September 1, 2021, through August 31, 2024, and Lessee has the unilateral option to extend the term of the Lease for one additional year as set forth in Section 2.C. of the Lease and at an increase in the monthly rent of \$50.00 to the sum of \$790.00 per month;

WHEREAS, pursuant to the provisions of the Lease, Lessee properly exercised the one additional one-year extension of the term from September 1, 2024, through August 31, 2025;

WHEREAS, Lessee has requested to be granted a second option to extend the term of the Lease for an additional one-year term and Lessor is agreeable to such an extension at an additional increase in the monthly rent of \$50.00 to the sum of \$840.00 per month;

WHEREAS, the Council of the Lessor has authorized the Mayor and the Clerk of the Lessor to enter into this First Amendment by its Resolution No. 2024-____, adopted by said Council on March 19, 2024;

NOW, THEREFORE, for good and valuable consideration, the Parties hereby agree to amend the Indenture of Lease as follows:

1. Only Section 2. C. of the Indenture of Lease is amended to hereinafter provide as follows:

Option to Extend. Lessee having exercised a first option to extend the term of the Lease for one year at the rent of seven hundred ninety dollars (\$790.00) per month for the term commencing September 1, 2024, through August 31, 2025, shall have the right to extend the term of this Lease for a second one-year term, provided it gives Lessor written notice not less than six (6) months prior to August 31, 2025. If Lessee exercises its option to extend the Lease for a second one-year term, rent shall be increased to eight hundred forty dollars (\$840.00) per month.

2. All other provisions of the Indenture of Lease shall remain in full force and effect.
3. Counterparts. This First Amendment may be executed simultaneously in multiple counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

4. Entire Agreement. The Indenture of Lease and this First Amendment contain the entire agreement between the Parties; and any agreement hereafter or heretofore made shall not operate to change, modify, terminate or discharge the Indenture of Lease, as amended by this First Amendment, in whole or in part, unless such agreement is in writing and signed by each of the Parties.

The Parties have signed this First Amendment as of the date first above written.

LESSOR: VILLAGE OF GATES MILLS, OHIO

By: _____
Steven L. Siemborski, Mayor

and: _____
Beth DeCapite, Clerk

LESSEE: HOWARD HANNA

By: _____

Print Name: _____

Title: _____

RESOLUTION NO. 2024-8

BY MAYOR SIEMBORSKI

A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CHESTER TOWNSHIP TRUSTEES TO COOPERATE IN THE PUBLIC IMPROVEMENT PROJECT TO COUNTY LINE ROAD, TO AUTHORIZE THE EXPENDITURE THEREFOR, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to a Memorandum of Understanding ("MOU"), the Chester Township Board of Trustees has requested the Village of Gates Mills to participate in the public improvements needed for the resurfacing of County Line Road (the "Project"), one-half of which is located within the Village of Gates Mills, including the cost thereof.

WHEREAS, the Geauga County Engineer's estimate of cost for the Project is \$1,400,000, of which the Village will be responsible for \$588,000 and with the added estimated cost of a culvert replacement shared 50/50 with Chester Township, the Village's sole cost of the Village Engineer's Project inspection and contract administration, and a contingency amount for unforeseen conditions related to the Project are estimated to be as follows:

\$588,000: Geauga County Engineering cost estimate for Village share of Project;

\$50,000: ½ of the County Line Culvert #20 Replacement (with Chester Twp. also paying approximately \$50,000); and

\$35,000: Inspection and contract administration by the Village Engineer on behalf of the Village

\$27,000: Contingency

\$700,000 – Total Estimated Expenditure for the Entire Project.

WHEREAS, this Council desires to authorize the Mayor and Clerk to execute the MOU and to authorize the foregoing total expenditure for the necessary Project which is to be published for competitive bids by Chester Township in March 2024.

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

Section 1. The Mayor and the Clerk are authorized to execute the proposed Memorandum of Understanding in a form substantially in conformance with the document that is attached hereto as Exhibit A.

Section 2. The total expenditure for the Project shall not exceed \$700,000 without further authorization of this Council.

Section 3. The actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and all deliberations of this Council that resulted in such formal action were in meetings held in compliance with all legal requirements.

Section 4. This Resolution is declared to be an emergency measure necessary for the immediate protection of the public health, safety and welfare and for the further reason that it is necessary in order to complete the Project at the earliest possible time for the safety of the public, to meet Chester Township's public bid schedule, and to complete the Project in this construction season; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed thereto, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed the ____ day of _____, 2024.

ATTEST:

President of Council

Clerk

APPROVED:

Mayor

EXHIBIT A

MEMORANDUM OF UNDERSTANDING REGARDING FUNDING OBLIGATIONS RELATED TO THE IMPROVEMENT OF COUNTY LINE ROAD, TR 0093 BETWEEN THE CHESTER TOWNSHIP BOARD OF TRUSTEES AND THE VILLAGE OF GATES MILLS COUNCIL

This Memorandum of Understanding (MOU) is entered into between Chester Township, Geauga County, by its Board of Trustees, hereinafter referred to as "Chester", and Village of Gates Mills, Cuyahoga County, by its Council, hereinafter referred to as "Gates Mills".

Section A. Background

The public interest demands the improvement hereinafter described. County Line Road (TR 0093), from the Russell Township Line to the Lake County Line, in Chester Township and Gates Mills is in need of improvement, and Chester intends to improve their portion the aforementioned road. A portion of County Line Road is situated in the right-of-way of Gates Mills, which is under the statutory improvement and maintenance responsibilities of Gates Mills, and so the public interest is best served by the cooperation between Chester and Gates Mills to jointly fund this project.

Section B. Purpose

The purpose of this memorandum is to authorize Chester to contract the necessary improvement of County Line Road, within Gates Mills's right-of-way as part of a roadway improvement project for County Line Road in Chester and Gates Mills, scheduled for 2024. Gates Mills desires to reimburse Chester Township for out-of-pocket costs for the improvements to County Line Road. Chester will serve as the lead agency. Both parties desire to have one bid and combine all work into one project for the public convenience. The Ohio Revised Code (O.R.C.) allows for a township to proceed with said work when the provisions of Section 5535.15 are met. Those provisions are met by Resolution # 115 : Resolution of Convenience and Necessity for the Improvement of County Line Road (TR-0093) dated ___ March 7 __, 2024__.

Section C. General Provisions

The parties to this MOU recognize the following:

1. Chester has enacted a Resolution of Convenience and Necessity County Line Road and declared the public necessity of the roadway improvements in accordance with O.R.C. 5573.01.
2. Gates Mills and Chester wish to cooperate for the Public Convenience.
3. Gates Mills will reimburse Chester Township for all costs related to the improvement of County Line Road on the project within Gates Mills. The division of costs will be based upon the actual work performed in each community. The pre-bid estimate will serve as the baseline for estimated costs (See Attached). Final costs will be based on actual work performed and unit price bid. The funds will be reimbursed to Chester Township within thirty (30) days of invoice, but before payment to the Contractor by Chester Township.
4. Mainline County Line Road costs will be split 50/50; cost for driveways, mailboxes, guardrails, etc. will be based on actual cost of work performed in the respective community; Old Mill Road will be 100% Chester Township except portion west of the centerline of County Line Road will be 100% Gates Mills. Current estimate is \$672,000 + \$140,000 (Old Mill) for Chester Township and \$588,000 for Gates Mills.
5. Gates Mills will continue its responsibility for all maintenance and improvements of their portion of County Line Road.

This memorandum and the understandings contained herein are hereby voluntarily accepted by Gates Mills and Chester

**MEMORANDUM OF UNDERSTANDING
REGARDING FUNDING OBLIGATIONS RELATED TO
THE IMPROVEMENT OF COUNTY LINE ROAD, TR 0113
LOCATED IN CHESTER AND GATES MILLS BETWEEN
THE CHESTER TOWNSHIP TRUSTEES AND THE GATES MILLS TRUSTEES**

Village of Gates Mills Council

Voting thereon: Vote: Voting thereon: Vote:

Steve Siemborski, Mayor Sandra Turner, Member _____

Scottie Brooms, Member David Auton, Member _____

Michael Press, Member Craig Steinbrink, Member _____

Ed Walsh, Member Laurie Laidlaw Deacon, Member _____

I, Todd Hunt, the Law Director for the Village of Gates Mills certify that the foregoing is a true and correct copy of the acceptance of the resolution adopted at a legally convened Board meeting held on _____.

Todd Hunt, Law Director

2024-
CHESTER TOWNSHIP RESOLUTION NO. 115

The foregoing is accepted as a basis for proceeding with the improvement herein described:

Voting thereon: Vote:

Ken Radke yes

Craig Richter yes

Joe Mazzurco yes

ATTEST:

I, Patricia Jarrett, the Fiscal Officer of the Chester Township Board of Trustees certify that the foregoing is a true and correct copy of the acceptance of the resolution adopted at a legally convened Board meeting held on MARCH 7, 2024

Patricia Jarrett, Fiscal Officer