

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
September 11, 2018

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, September 11 at 6:00 p.m. in the Village Hall.

Councilmembers present: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.

Police Chief Minichello introduced Vince Ewelt. He shared that Mr. Ewelt has worked part-time at Hunting Valley for the past few years and previously worked for the Village of Brooklyn Heights. In addition to being an experienced police officer, Chief Minichello added that Mr. Ewelt has three children, ages 24, 18 and 16 and he lives in Richmond Heights. Chief Minichello expressed his opinion that he will be a great addition to the Police Department.

Mayor Schneider administered the Oath of Office to Police Officer Ewelt.

The minutes of the August 14, 2018 Council meeting were presented by the Clerk. Councilmember Frankel requested clarifying language at the bottom of page 5 and top of page 6. Finance Administrator Mulh said she will work with Councilmember Frankel in making his requested changes. Councilmember Turner asked to refine the language on page 9 regarding the consideration of the agreement with Mayfield Schools. It was moved by Councilmember Reynolds, seconded by Councilmember Frankel, that the August 14, 2018 minutes, as amended, be approved.

Roll call: Ayes: Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
Abstain: AuWerter.
Nays: None.
Motion carried.

Pay Ordinance #1217 in the amount of \$500,985.15 was presented by the Clerk.

It was moved by Councilmember Welsh, seconded by Councilmember Sogg, that Pay Ordinance #1217 be approved.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
Nays: None.
Motion carried.

Treasurer Reynolds read the financial statement for the period ending August 31, 2018.

- Real estate tax receipts are running slightly ahead of this time last year by approximately \$10,000.
- Municipal tax receipts remain strong and are approximately \$436,000 greater than this time last year.
- Operating Departments are running generally within budget with exceptions as discussed in prior months.

- Two August expenditures to highlight: (1) Ambulance/EMS expenses were unusually higher at approximately \$47,000; and (2) another \$10,000 was spent on the post office which brings the total this year to \$20,000 against a budget of \$10,000.
- The investment account balance at month end is slightly more than \$4.5M. YTD income is approximately \$25,000. The forecasted cash flow for the next 12 months is approximately \$108,000. Unrestricted cash at month end is approximately \$1.5M. Cash restricted for specific purposes is about \$150,000. Treasurer Reynolds indicated he plans to speak with Finance Administrator Mulh about moving a little more money into Ancora as he feels the Village has an ample operating cushion.

Councilmember AuWerter asked about the increased ambulance expense. Finance Administrator Mulh explained we are billed quarterly and the first quarter there would have been offsetting revenue from Life Force except for the overruns last year. She expressed her belief that the increased expense is due to timing. Mayor Schneider remarked on recent accidents. It was noted that the call volume is fairly consistent with the previous month. Councilmember AuWerter then asked about the tax receipts being so much higher than a year ago. Finance Administrator Mulh responded that two large payments were received. Treasurer Reynolds indicated he would look at the trend line at the next Budget Committee meeting.

Mayor Schneider wished Chief Minichello a happy birthday and extended her congratulations to Clerk DeCapite on becoming a first time grandmother. Mayor Schneider then reported that the Therapeutic Riding Center event was successful. Next, she said that three houses were put up for auction. Two of the three houses sold and the other is back on the market. Councilmember Welsh commented on the lack of interest and low turnout of people. Mayor Schneider announced that Woofstock will be held on September 15 and the Community Club is hosting a BBQ on September 28.

Clerk's report. None.

Committee reports. None.

Police Chief Minichello provided a written report. Chief Minichello said that Patrolman Hustosky is expected to make a full recovery in about six months. He then advised that Officer Kimbrew has been assigned the role of School Resource Officer starting October 1, 2018. In response to Councilmember Frankel's question, Chief Minichello confirmed that the new cruiser is in service and the Department has a total of four marked cars.

Service Director Biggert provided a written report. Councilmember AuWerter asked about the telephone and internet services. Service Director Biggert explained that certain items are being condensed and that making the switch will provide for significant savings. Councilmember Turner asked about a phone line for the Community Club. It was confirmed that voicemail service will be provided to the Community Club. Councilmember AuWerter asked about road work. Service Director Biggert said he is waiting for a signed contract and does not have a date yet. He indicated that he would provide an update by e-mail when available. In response to Councilmember Frankel's concerns, Village Engineer Courtney confirmed that work would not take place during rush hour times. Councilmember Sogg referred to the post office expense and shared her opinion that the post office should be painted both inside and out. Service Director Biggert remarked that there was significant improvement after the building was

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power washed. Councilmember Welsh commented on the alarm going off at the post office. Service Director Biggert said there was an issue with the phone line; however, the panel is being checked to make sure there is not any issue with it. Service Director Biggert then shared photos provided by Village Engineer Courtney of the major restoration project that was done along Sudbury. The photos showed how the area looks after the vegetation has grown since the completion of that project. Councilmember Sogg and Mayor Schneider both commented on how nice it looks.

Fire Chief Robinson provided a written report. Chief Robinson said it was a busy month for the Fire Department which included downed trees and wires, accidents as well as providing assistance to Chesterland in responding to a house fire. He highlighted the lower number of EMS calls and commented on the change with the Police Department responding to calls when an ambulance is not required.

Chief Robinson shared that he and Chief Minichello participated in a tribute earlier in the day for first responders at St. Francis which was well attended.

Fire Chief Robinson then explained that a committee was formed with regard to the purchase of a new fire truck. The committee met seven times. Ultimately, requests, including a one-page specification sheet, were sent to nine different builders. He commented on the numerous required specifications. Chief Robinson shared that he spoke with the Assistant Deputy Chief in San Francisco as they also have very specific and unique requirements for their fire trucks. Due to cost concerns, a request was not sent to the company that the San Francisco Fire Department used. Of the nine requests, three companies responded. Chief Robinson said that one company, Alexis Fire Equipment Company, stood out from the rest in what they could build. Councilmember Frankel asked where the company is located. Chief Robinson answered Alexis, Illinois. Councilmember AuWerter inquired as to the cost. Chief Robinson said it should be right in the ballpark of what was budgeted. He confirmed that he will seek approval from Council at its October meeting to enter into a contract with Alexis Fire Equipment Company. Councilmember AuWerter remarked on the great job by the Chief and the Committee.

Resolution #2018-29 “A Resolution Accepting The Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor And Declaring An Emergency” was introduced by Councilmember Whitney. Finance Administrator Mulh advised that approval will need to be sought again once the levy passes. Councilmember Whitney noted the reason to suspend is due to the timely nature of the matter.

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2018-29 be placed upon its final passage.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
Nays: None.
Motion carried.

It was moved by Councilmember Whitney, seconded by Councilmember Turner, that Resolution #2018-29 be approved.

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Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
Nays: None.
Motion carried.

Councilmember AuWerter asked if the Improvement Society should send something out. Mayor Schneider said that the Village and the Improvement Society usually sends postcards. She will provide samples of what has been done previously along with information regarding the current figures.

Ordinance #2018-30 “An Ordinance To Amend The Annual Appropriation Ordinance No. 2018-02 To Increase Certain Appropriations And Other Expenditures Of The Village Of Gates Mills, Ohio For The Fiscal Year Ending December 31, 2018 And Declaring An Emergency” was introduced by Councilmember Whitney. Finance Administrator Mulh commented that the bill received from the County for the waste water treatment plant was more than last year – the bill was around \$189,000. Councilmember Reynolds asked if the cost has increased yearly and noted the same may be helpful when addressing the Budget. Discussion took place regarding reaching out to the County about the cost. Councilmember Whitney advised the need to suspend is because this is a bill that the Village needs to pay.

It was moved by Councilmember Whitney, seconded by Councilmember Turner, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2018-30 be placed upon its final passage.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
Nays: None.
Motion carried.

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that Ordinance #2018-30 be approved.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
Nays: None.
Motion carried.

Councilmember AuWerter suggested that when the debt for the water system has been paid to evaluate the revenue vs. expense. Service Director Biggert explained the cost is not just for inspections but that the County is operating and maintaining the plant including taking samples, washing filter beds out, etc. He highlighted that it is checked daily. Councilmember Reynolds asked if it could be outsourced. Service Director Biggert and Village Engineer Courtney responded that there are private companies. Mayor Schneider added that the County wants to have a meeting with the Village and this may be a topic to address at such meeting. Councilmember Turner asked about any outcome from a recent study by the Chagrin River Watershed Partners for a possible reduction. Service Director Biggert explained that the survey was not applicable to the Village as it does not have any commercial properties in the regional sewer district.

Resolution #2018-31 “A Resolution Authorizing And Directing The Transfer Of Certain Sums From The General Fund To The Capital Improvement Fund And Wastewater Fund And Declaring An Emergency” was introduced by Councilmember Whitney. Councilmember Whitney said the reason to suspend is that this is part of the process of paying bills.

It was moved by Councilmember Whitney, seconded by Councilmember AuWerter, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2018-31 be placed upon its final passage.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
Nays: None.
Motion carried.

It was moved by Councilmember Whitney, seconded by Councilmember Frankel, that Resolution #2018-31 be approved.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
Nays: None.
Motion carried.

Resolution #2018-32 “A Resolution Authorizing All Actions Necessary To Accept Northeast Ohio Public Energy Council (NOPEC) Energized Community Grant(s) And Declaring An Emergency” was introduced by Councilmember Whitney. Finance Administrator Mulh said that NOPEC is giving the Village approximately \$9,000 in grant funds. Service Director Biggert said the grant is intended for energy efficiency and the funds will be used to replace the boiler in the Mills Building.

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2018-32 be placed upon its final passage.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
Nays: None.
Motion carried.

It was moved by Councilmember Whitney, seconded by Councilmember AuWerter, that Resolution #2018-32 be approved.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
Nays: None.
Motion carried.

Mayor Schneider advised Council of the Lowenstein lot split. She believes Council should be aware when there is a lot split or consolidation. Councilmember Sogg explained the Ross property includes a 22,000+ sq. ft. house which has been on the market for 4 to 5 years. The lot split creates the opportunity for a possible conservation development which could possibly include up to five houses. She noted the need for an easement for a driveway. Planning & Zoning determined such lot split was the only viable way to remarket the house – hoping to

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find a buyer to develop the property. She noted that there is a lot of land to conserve. She further stated that Planning & Zoning split the house out so that there are two parcels. Mayor Schneider confirmed that a lot split would not be filed until there is a purchaser. Councilmember Sogg said that only one area would have houses and the rest would be conserved. Mayor Schneider said the house is historic. Councilmember Welsh asked if the neighbors were ok with the plan. Councilmember Sogg confirmed. Councilmember Sogg added that this may not lead to anything. Councilmember Frankel asked about the land conservation. Councilmember Sogg said that would be done through the Land Conservancy. It was confirmed that the immediate neighbors were informed and participated in the Planning & Zoning meeting.

Business from the audience:

Resident Trina Nemastil asked about the bike path. Mayor Schneider said she is still waiting for the final report from the Metroparks. She added that she intends to apply for money from NOACA to address three safety spots on River Road. Mayor Schneider explained there is an area above Riverview that needs a bike pass on both sides of the road. A second area is south of the cemetery wherein a retaining wall and widening of the road is needed along with improved site distance. Mayor Schneider confirmed the correction to the road is a safety issue for both cars and bikes. She further stated that the other area to address is located in Hunting Valley. Responding to the question regarding enforcement and ticketing, Police Chief Minichello highlighted the usual lack of witness(es) which makes it difficult, noting the challenge to answer in the court of law, and that the Police Department works to educate parties. Councilmember Frankel suggested adding bike safety education in *The Pink Sheet*.

There being no further business, it was moved by Councilmember Reynolds, seconded by Councilmember Turner, and unanimously carried, that the council meeting be adjourned.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.
 Nays: None.
 Motion carried.

Respectfully submitted,



~~Beth DeCapite~~, Clerk Pro Tem
Janet M. Mulh

Approved:



Karen Schneider, Mayor