

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
October 10, 2017

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, October 10 at 6:00 p.m. in the Village Hall.

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

The minutes of the September 12, 2017 Council meeting were presented by the Clerk. It was moved by Councilmember Sogg, seconded by Councilmember Welsh, that the minutes be approved.

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

Pay Ordinance #1206 in the amount of \$415,695.89 was presented by the Clerk.

It was moved by Councilmember Welsh, seconded by Councilmember Sogg, that Pay Ordinance #1206 be approved.

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

In light of Treasurer Reynolds' absence, Councilmember Whitney read the financial statement for the period ending September 30, 2017. She highlighted the following:

- YTD Revenues trail last year by 3% – \$120,000 – due to lower municipal income tax receipts which are approximately \$190,000 lower than last year.
- Real estate tax receipts are roughly even with last year.
- Budget numbers are running ahead with Revenues to date exceeding the Budget by 14%.
- Operating Expenses are approximately \$500,000 below this time last year including transfers and running about 2% higher than YTD Budget levels.
- All Departments are running at or near Budget levels.
- Last year, transfers from the General Fund to various other funds were made at the beginning of the year based on the Budget. This year, funds are being transferred from the General Fund to other funds on an as needed basis throughout the year. As a result, the General Fund is currently higher YTD compared to last year by approximately \$184,000 and the total of all Other Funds is lower YTD by approximately \$740,000 compared to last year.
- Total Fund Balance YTD is \$5,380,105 which is lower than last year by \$556,000.

Councilmember AuWerter mentioned that one of the reasons for being below last year's numbers is due to capital expenses being spent earlier in the year. He then asked about any additional anticipated expenses with regard to the year-end budget. Village Engineer Courtney and Finance Administrator Mulh advised of a few outstanding items to be paid. Service Director Biggert responded he does not anticipate going over budget. Councilmember Reynolds asked about Other Sources of income including building permits. Service Director Biggert confirmed that building permits are seasonal and added that the projected Budget income would likely not be met. Finance Administrator Mulh said the figure for the Budget is determined based on the average of a few years. Councilmember Reynolds highlighted the interest income exceeding budget projections and complimented Finance Administrator Mulh. Councilmember AuWerter said he did an analysis based on the averages of the last 7 years. Councilmember Reynolds opined it should be an interesting year-end report. Councilmember AuWerter mentioned that Hunting Valley switched their investments between Ancora and AllianceBernstein to using AllianceBernstein exclusively. Councilmember Sogg said that results will vary from projections. In response to Councilmember Turner's question regarding the discrepancy regarding the 2017 road program, Finance Administrator Mulh advised that the data did not print completely and would resend a complete print out. Councilmember Reynolds requested the Minutes have the amended data sheet attached.

Mayor Schneider read a thank you card from Fieldstone Farm regarding the use of the polo field for their annual fundraiser. She then reported on a recent meeting she, Finance Administrator Mulh and Village Engineer Courtney attended regarding the Metroparks' Connector Study. Additional participants included representatives from Hunting Valley, Moreland Hills, NOACA and the Cleveland Metroparks. It was communicated at the meeting that Gates Mills and Hunting Valley are not interested in being a part of the Study. She added that a small portion of funds remaining would be spent on finishing the study with Moreland Hills. Mayor Schneider shared that representatives from the Metroparks intend to hold a meeting in the Village to address residents regarding the Study. Councilmember Welsh asked if the Village faced any penalties for not finishing the study. Mayor Schneider confirmed it did not.

A letter regarding a matching grant from the Chagrin Valley Watershed Partners was then distributed to Councilmembers. Mayor Schneider expressed her opinion that the Village should participate. The cost to the Village would be \$2,500 for two years and Mayor Schneider confirmed that conservancy funds could be used. She added that Chagrin Valley Watershed Partners, Lake County and the Metroparks are involved among others. Councilmember Reynolds inquired on the purpose. Mayor Schneider responded for planting and restoration and noted additional details are included in the letter that was handed out. Councilmember Turner asked how much the Village had to contribute. Mayor Schneider reiterated it would be \$2,500 over two years.

Next, Mayor Schneider described a request from The Mill to host a community event on Village property. Councilmember AuWerter said he is not in favor of supporting such event and said he did not see any benefit to the Village. Councilmember Welsh questioned the use of the polo field. It was confirmed the same is private property. Councilmember Sogg also voiced that she is not in support of such event.

Mayor Schneider then shared that there may be a steam locomotive from the Civil War era buried below the Village green. A request stemming from the Cottage Committee has been made to explore the possibility of determining if it exists. She polled Councilmembers' interest in finding the engine. Mayor Schneider remarked that it may be possible to find an organization to underwrite the cost. Village Engineer Courtney addressed Councilmember Sogg's question and said it could be found using penetrating radar. Mayor Schneider said if there is no cost to the Village she has no objections and would like to know if it is there.

Clerk's report. None.

On behalf of the Safety Committee, Councilmember Frankel said the 911 app was well received. The Committee also spoke about the "meet up" spot, the prescription drug drop off box, staffing issues, grants that are being applied for as well as the possibility of reducing the acreage requirements for deer culling. Regarding the deer culling acreage, he noted that Council would have to pass the same. Councilmember Sogg suggested considering that at the November Council meeting. Police Chief Minichello said it is currently 10 acres with the reduction being to 5. It was confirmed this relates to bow hunting. Councilmember Welsh asked if the person has to be approved by the Police Department. A permit would have to be issued. Councilmember Welsh then asked about coyote hunting. Police Chief Minichello said it could be looked into.

Councilmember Turner reported that the Positively Gates Mills Open House is planned for November 5. An ad will be in both the *Sun Messenger* and the *Chagrin Valley Times*. She believes that there will be at least 12 listings that will have open houses that day. Additionally, representatives from various Village organizations will be at Burton Court and the school will be open as well. Councilmember Reynolds said she would like to have copies of historic homes ordinances available for the event as well.

Councilmember Frankel said the grant for planting at the Newell property resulted in 2,800 plants, shrubs and trees being planted by Davey Tree and community volunteers. He said the Fire Department also assisted that day with watering the plants.

Councilmember Turner shared that a Positively Gates Mills Committee member communicated with Executive Arrangements in an effort to promote Gates Mills as a place for executives to move to. An invitation to the event along with additional information was provided.

On behalf of the Service Committee, Councilmember AuWerter shared that he along with Village Engineer Courtney and Service Director Biggert are working on targeting roads to work on next year. He explained different levels of repair work from section work, to resurfacing to complete reconstruction and noted the elevating costs associated with each. Although he mentioned the potential substantial cost related to addressing Cedar Road, he expressed his belief that next year's budget for roads may not be all that much. Councilmember AuWerter said a meeting of the Service Committee will take place in November. Councilmember Reynolds asked if the amount of usage has been considered. Councilmember AuWerter said that roads are being classified into different categories but usage has not yet been considered. The topic of drivability, as well as aesthetics, were commented on by Councilmember AuWerter and Village

Engineer Courtney. Councilmember Sogg referred to a previous handout by Village Engineer Courtney that suggested a 20-year time frame for the life of Village roads. Although certain repairs could be done in the interim, she emphasized that the time will come when the Village roads will require significant work. Village Engineer Courtney confirmed the eventual need for reconstruction but that certain repair may buy some time. Village Engineer Courtney addressed Councilmember Whitney's question of aesthetics with regard to the repairs by saying it relates to patching versus resurfacing. Mayor Schneider encouraged Councilmembers to attend the next meeting of the Service Committee. Councilmember Welsh commented on the effect of heavy truck traffic.

Police Chief Minichello provided a written report. Councilmember Reynolds shared that she plans to participate in Chuck Fazio's self-defense class. Councilmember AuWerter asked about the amount of funds that would not have been received if not for the Violations Bureau. Chief Minichello said it would have been a smaller percentage. He offered to provide a more detailed breakdown at the next Council meeting. Councilmember Frankel raised the issue of encouraging residents to sign up for the 911 cell app. Police Chief Minichello said that as of today, 80 have signed up and that it is slow moving. He suggested sending a mailer out when the Code Red program is discontinued. He added that residents have to sign themselves up. Mayor Schneider suggested including the topic in the *State of The Village* in January. Councilmember Frankel suggested adding step-by-step instructions on the Village's website. Councilmember AuWerter asked if the Police Department is back to full staff. Chief Minichello responded that one officer continues to be off as a result of a car crash and will likely be off for a while. He mentioned that the Department was down two officers but now is only down by one.

Service Director Biggert provided a written report. Village Engineer Courtney distributed photos of the sewer separation project, the Berkshire creek stabilization project and the Sudbury project. He advised that dormant planting will be done at the Sudbury project and shared that an old stone wall that was around 100 years old was able to be salvaged. Councilmember Sogg said after the Service Department mowed, it made a huge improvement. Councilmember Reynolds said it looks fabulous.

Councilmember Reynolds referred to the recent article in *The Pink Sheet* that featured Service Director Biggert. She would like to see additional articles planned featuring Police Chief Minichello, Fire Chief Robinson as well as Finance Administrator Mulh.

Fire Chief Robinson provided a written report. Chief Robinson reported that when the merger of the tactical rescue teams occurred there were remaining funds held by two different organizations which resulted in the Village receiving a refund check in the amount of \$10,083. Additionally, he explained that prior to transitioning to the State radio system; the Hillcrest communities contributed funds to a radio fund reserved for big ticket items. As a result, a refund from that balance was also received in the amount of \$1,939.50.

It was moved by Councilmember Turner, seconded by Councilmember AuWerter, that Janet Mulh be the designee for the HB9 training for the elected officials.

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

Resolution #2017-35 "A Resolution Exercising The First Option Year To An Existing Contract With Rumpke Of Ohio, Inc., For Solid Waste Collection, Disposal And Recycling Services" was introduced by Councilmember AuWerter. Councilmember AuWerter explained that this contract was negotiated several years ago and this is to extend the contract by one year and then the Village will have the option to go out one more year. He said this will result in a slight increase of approximately \$1.50 a month for residents. He said this issue can be revisited in the future to extend or seek bids but supports the current one year extension.

It was moved by Councilmember AuWerter, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2017-35 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 AuWerter, seconded by Councilmember Reynolds, that Resolution #2017-35 be approved.

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

Resolution #2017-36 "A Resolution Authorizing The Mayor To Enter Into An Agreement With The Ohio Environmental Protection Agency For Funding Under The Agency's 319 Grant Program For Restoration And Stabilization Of Certain Areas of The Chagrin River Bank In The Village; And Declaring An Emergency" was introduced by Councilmember Turner. Councilmember Turner said the grant is for \$209,747 with monies contributed by certain residents and the church. She confirmed this Resolution will allow the Village to manage and implement it. Councilmember Reynolds asked if the homeowners agreed to their portion of the expense. Councilmember Turner confirmed. She further stated that the Village will not proceed until the money from the residents has been received. She then advised that residents may give their portion to the Western Reserve Land Conservancy allowing them to receive a tax benefit and then Land Conservancy would pay the Village.

It was moved by Councilmember Turner, seconded by Councilmember Reynolds, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2017-36 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 Turner, seconded by Councilmember AuWerter, that Resolution #2017-36 be approved.

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

Councilmember Sogg thanked Councilmember Turner for all her work.

Turner announced she will be retiring from Ernst & Young.

Business from the audience: None.

There being no further business, it was moved by Councilmember AuWerter, seconded by Councilmember Frankel, 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

Approved:



Karen Schneider, Mayor

Project	September 30, 2017	BUDGET	SEPTEMBER	YEAR TO DATE EXPENSES	COURTNEY	OTHER	SCMR
CAPITAL IMPROVEMENT							
138	2017 ROAD PROGRAM	150,000	279	232,533	35,222	47,311	150,000
137	2017 STORM SEWER/CULVERT REPAIR	65,000	10,478	10,478	10,478		
121	BERKSHIRE STREAM PROTECTION	35,000	279	1,766	1,766		
124	CHAGRIN RIVER RD @ ROGERS	50,000		1,279	1,279		
	CHARTLEY WET WEATHER STUDY	3,000					
38	STORM SEWERS - GENERAL	15,000		186	186		
57	STORM WATER REGULATIONS	35,000	1,041	11,410	11,410		
137	SERVICE YARD STORM SEWER SEPARATION	145,000		131,442	20,202	111,240	
	MILLS BUILDING - EXTERIOR	15,000					
136	SUDBURY STREAM BANK	120,000	23,004	168,261	37,727	130,534	
	CONTINGENCIES	20,000					
88	OLD MILL SLOPE FAIL CARPENTER			47	47		
94	OLD MILL SLOPE			217	217		
	BRIGHAM CULVERT C-6 REPAIR		977	3,782	3,782		
114	SUFFOLK EST SANITARY I/I STUDY			93	93		
TOTAL	CAPITAL IMPROVEMENT	653,000	36,058	561,493	122,408	289,085	150,000