

Village of Gates Mills  
MINUTES OF A REGULAR MEETING OF COUNCIL  
November 14, 2017

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, November 14 at 6:00 p.m. in the Village Hall with President Pro Tem Reynolds presiding.

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

It was moved by Councilmember Whitney, seconded by Councilmember Turner, that Councilmember Welsh be excused from the meeting.

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

Councilmember Sogg shared with Council a recent article by David Rockefeller.

The minutes of the October 10, 2017 Council meeting were presented by the Clerk. Councilmember Turner referenced language on page 5 regarding the 319 grant and clarified that the Village is not making any contributions. It was moved by Councilmember AuWerter, seconded by Councilmember Whitney, that the minutes, as amended, be approved.

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

Pay Ordinance #1207 in the amount of \$354,748.82 was presented by the Clerk. Councilmember AuWerter mentioned pay periods catching up. Councilmember Frankel referenced the line item for Valley Ford Truck repair and suggested that at the next Safety and Service Committee meeting to highlight that vehicles are not just changed out due to age but also due to wear and tear. Councilmember Whitney asked if the charge for the tree service was for a one-time event or for ongoing maintenance. Service Director Biggert said that cost was for clearing done on Mayfield Road and advised the same was included in the Budget. Councilmember Frankel asked if the tree service was bid out. Service Director Biggert confirmed.

It was moved by Councilmember Frankel, seconded by Councilmember AuWerter, that Pay Ordinance #1207 be approved.

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

Treasurer Reynolds provided the financial statement for the period ending October 31, 2017. He highlighted the following:

- Operating Revenues are \$116,000 below this time last year. In particular, municipal income tax receipts are almost \$200,000 lower than last year. However, he shared that November's municipal tax receipts were received today and totaled \$210,000. December receipts over the last four years have ranged between \$43,000 and \$100,000. Treasurer Reynolds believes it is likely to equal or exceed last year's total receipts. Councilmember AuWerter expressed his concern regarding the possibility of having a low year with regard to municipal income tax receipts.
- Real estate taxes through October exceeded the full 2017 Budget by about \$20,000.
- Operating Expenses are \$472,000 below this time last year. While there are lower revenues, there are also much lower expenses. He noted lower transfers to other funds.
- Police, Fire and Safety spending is generally within budget. Administration is above last year but is below the 12-month Budget numbers.
- General Fund YTD has a \$520,000 surplus. Total current balance of all funds represents a \$600,000 decline compared to last year.

Councilmember AuWerter noted a correction to the financial report regarding the last year column. Finance Administrator Mulh advised that she will double check the report and correct as necessary.

Councilmember Turner asked about less transfers this year. Treasurer Reynolds explained that transfers are now done and will continue to be done on an as needed basis. He said doing so makes the monthly statements easier to interpret. He added that generally the expenses out of the other funds are predictable. Also, he noted that once you move something, you cannot take it out without Council approving it. Councilmember Turner then asked if money is being invested with AllianceBernstein now. Treasurer Reynolds responded that the Village is waiting for the agreement with the investment firm to be finalized. Law Director Hunt said a conference call to go over all of the documents is scheduled for tomorrow.

Councilmember AuWerter asked about capital expenses. Village Engineer Courtney responded that the only lingering item relates to the Sudbury project. Councilmember AuWerter then asked about salt and aggregate. Service Director Biggert confirmed that the Village's salt supply is good. He then noted that the cost of aggregate is going up. The Village uses about 60% aggregate and 40% salt. Responding to Treasurer Reynolds, Service Director Biggert believes the increase of price for aggregate is due to supply and demand.

In light of Mayor Schneider's absence, President Pro Tem Reynolds relayed the Mayor's report. First, she extended Mayor Schneider's congratulations to those Councilmembers that were re-elected. Next, she reminded everyone of *The Pink Sheet's* 70<sup>th</sup> anniversary. She announced that the Little Church in the Vale has a new pastor and encouraged Councilmembers to extend their welcome to him. She shared Mayor Schneider's appreciation to all of the volunteers, Service Department and staff that assisted with the Village's Halloween party. Referring to the topic raised at the last Council meeting of a possible locomotive being buried in Gates Mills, President Pro Tem Reynolds reported that imaging was done and it was confirmed

that neither a locomotive nor railroad tracks are buried in the Village green in front of Town Hall. President Pro Tem Reynolds then shared that imaging was done at the Cemetery and it was confirmed that no one was buried in the Potter's field located at the North Cemetery. As a result, ten additional burial plots are confirmed.

She then shared Mayor Schneider's compliments to Councilmember Turner and the Positively Gates Mills Committee for their recent open house event. President Pro Tem Reynolds added that it provided an opportunity to educate the public about buying a house in the historic district. She referred to a handout from the event regarding the same and shared the intent to turn it into a pamphlet to make available in the future. She commented on how much geographic area of the Village falls in the historic district. In the pamphlet she suggested including information about the Land Conservancy as well as information on easements. She intends to share a draft at the next Council meeting for further consideration prior to finalizing. She opined it will be a great way to communicate with new residents and puts the Village in a better place legally.

President Pro Tem Reynolds highlighted that the Community Club Holiday Luncheon is scheduled for December 7 and guests are welcome. Additional information can be found in *The Pink Sheet*. President Pro Tem Reynolds highlighted that the next Council meeting falls on the same night as the lighting of the Menorah and polled Councilmembers whether the Council meeting should be moved or delayed to accommodate the same. After a brief discussion, it was confirmed that the lighting is scheduled for 5:30 p.m. with refreshments available afterward at the Community House and there should be plenty of time for Councilmembers to arrive at the next meeting as scheduled. Councilmember Frankel referred to the open house event and said the map circulated at the same was from 2007 and asked about having it updated. Finance Administrator Mulh said she plans to speak with Village Engineer Courtney regarding the same. Councilmember Turner and Finance Administrator Mulh both advised that they will not be in attendance at the next Council meeting.

Clerk's report. None.

On behalf of Positively Gates Mills, Councilmember Turner thanked everyone for their help with the recent open house event. She said it was a great turnout at the Community House with representatives from the different organizations as well as St. Christopher's. She said that although not a lot of potential home buyers visited the Community House, she has received a lot of positive feedback from realtors reporting a good turnout. She noted that 31 houses had open houses in the Village that day.

Councilmember AuWerter reported on the recent meeting of the Service Committee and thanked Councilmembers who attended the meeting. He shared that input from members regarding next year's road program was received. He also provided at that meeting a rough ballpark of the Village's financial picture for next five years. At the meeting, members went over the basics of what is being done for the roads and the challenges that will be faced. The consensus was not to spend extra money now. Cedar Road was also discussed. Councilmember AuWerter noted that Hunting Valley patched their side of the road but opined that the edge is so bad that any repairs would be a waste of money. He further commented that there is roughly \$400,000 to \$450,000 between culverts and roads to maintain our infrastructure including the

Mayfield culvert. He shared that the Committee will meet once a year and feels it is on track now for what to look for in the roads. He added that Deerfield will not be included in next year's road program.

On behalf of the Safety Committee, Councilmember Frankel reported that the following items were discussed: budgeting for the replacement of the Fire Engine that is 26 years old; the Opticom program as well as Lexipol. Councilmember Frankel explained that the Opticom system allows emergency vehicles to stop traffic in all directions which improves response time and increases safety. He advised the cost is approximately \$80,000. He is hoping that Hillcrest Hospital might assist. It was noted that Mayor Schneider plans to meet with other mayors about intersections that are shared with other communities. Councilmember Sogg raised the issue of the amount of energy wasted waiting for traffic lights and suggested that lights should be on a timer. President Pro Tem Reynolds suggested the possibility of a traffic circle at Cedar/SOM. Councilmember Sogg said efficiency should be a consideration as well. Service Director Biggert shared that, using existing structures, the cost would be approximately \$75,000 to \$80,000 per intersection to replace the traffic light.

Councilmember Frankel then explained Lexipol which is online training for police officers. He noted it would serve as a way to get updates on new laws as well as provide online training for continuing education. Chief Minichello is looking into it further. Finance Administrator Mulh spoke of The Public Entities Pool of Ohio ("PEP") which has similar law enforcement resources that does a lot of what Lexipol does but is free of charge if you are a member of the group. Since she will be seeking quotes for the Village's property and casualty insurance, she is going to look into this possibility as well. Otherwise, she said Lexipol is about \$5,000 to \$6,000 a year. Finance Administrator Mulh said that Hunting Valley is a part of the PEP group and is satisfied. Councilmember AuWerter suggested that when seeking quotes to limit it to a certain number of carriers. Councilmember Turner asked about the Cities and Villages Magazine. Finance Administrator Mulh said she only receives a few copies. She further stated that should there be any useful articles and/or information, she will highlight and circulate the same. Councilmember Turner then asked about cameras used for ticketing speeding. Law Director Hunt noted that it was outlawed but has now been overturned. He said that there are certain parameters that must be met, including that a police officer must be present.

Police Chief Minichello provided a written report. Responding to Councilmember Turner's request, Police Chief Minichello provided an overview of a traffic accident that occurred earlier in the day. He said a report of a serious motor vehicle crash was reported on Mayfield Road with an unresponsive male. Safety forces arrived at the scene around the same time wherein the male in question was doing okay. Chief Minichello further explained that three vehicles were involved. One vehicle was traveling northbound through the intersection and that vehicle was t-boned by a paint truck traveling eastbound on Mayfield Road. The paint truck pushed that vehicle into another vehicle that was waiting westbound at the traffic light. He added that the paint truck overturned. Councilmember Frankel asked where the accident occurred. Police Chief Minichello responded at Mayfield and River Roads. Councilmember Frankel said there is a pattern where vehicle accidents are happening and questioned what can be done to provide more enforcement at those areas. Chief Minichello remarked that police officers are out there and are doing a good job and clarified that the data is showing that these accidents are caused by driver error. Specifically, in today's crash, the driver ran a traffic light. Referring

to a recent accident on Brigham Road, Chief Minichello said the vehicle overturned as it was overweight. President Pro Tem Reynolds suggested increasing the delay when turning from red to green and then green to red. Councilmember Frankel commented that it is already a long light. He opined that many drivers try to beat the light even with a long yellow. Councilmember Sogg questioned if it would make sense to provide a warning of an upcoming light, such as a flashing light. Police Chief Minichello said as it is a State Route, so he will contact the State to see what their recommendations may be. Councilmember Frankel then asked if Chief Minichello had received the report back from the coroner. Police Chief Minichello responded that he has only received verbal communications and noted the toxicology report will take several weeks to complete. He advised of no medical conditions but that the positioning of the body prevented his breathing.

Service Director Biggert provided a written report. Councilmember AuWerter asked about the service driveway being concreted. It was explained that was done temporarily for the plow. Service Director Biggert reported that there was a good turnout of applicants for the mechanic position created by the upcoming retirement of Scott Magoch. Ultimately, the recommended candidate, Armando Farinacci, was interviewed by Mayor Schneider. He was offered and accepted the position. Service Director Biggert shared that as Mr. Farinacci is currently on the Fire Department, he has already gone through a background check. He expressed his opinion that he has a lot of ambition and, although he may need additional training, expects he will be a great fit. Mr. Farinacci begins November 27 and will be shadowing Mr. Magoch.

Councilmember Turner referred to an article in the *Chagrin Valley Times* about Hunting Valley working with a company called Gardiner to do an analysis of their gas and electric. She shared that Gardner paid for the necessary equipment which resulted in an approximate savings of \$18,000 wherein Gardner's compensation was 70% of the savings realized and 60% for the second year, etc. Councilmember Turner asked if it would be appropriate to look into for the Village. Service Director Biggert said a few years ago the Village received a grant for an energy study. At the conclusion, it was determined that the Village was doing a very good job and that the energy loss was minimal. There were not a lot of recommendations at that time that would be cost effective. Councilmember Frankel asked what Gardner charged. Councilmember Turner said they took a risk with Hunting Valley and was compensated by a portion of savings realized.

Fire Chief Robinson provided a written report. Fire Chief Robinson advised that it was a busy month for the Fire Department. President Pro Tem Reynolds highlighted four incidents at Chagrin River and Wilson Mills Road and that it speaks to the comment made earlier about that intersection and questioned if incidents could be researched over the past few years and a plan developed to address the amount of incidents. Fire Chief Robinson responded that accidents have been caused due to people breaking the laws. Next, Fire Chief Robinson shared that "Your 911 app" was successfully used by a resident for a recent fire alarm at the Hunt Club. He then highlighted that it was a record year with 195 calls. He said the average is around 150-155 calls. Chief Robinson said the high volume of calls offers perspective on how much we owe our firefighters as they are going on a lot more calls than in the past. Councilmember AuWerter shared a recent experience wherein he used the "Your 911 app" and complimented the response for the same.

Ordinance #2017-37 "An Ordinance To Approve Current Replacement Pages To The Gates Mills Codified Ordinances" was introduced by Councilmember Sogg. Councilmember Sogg explained this is a housekeeping measure. In response to Councilmember AuWerter's question, Finance Administrator Mulh said this is for any items passed this year by the State or the Village through October. Councilmember Turner noted that copies of the ordinances are available online as well.

It was moved by Councilmember Sogg, seconded by Councilmember Frankel, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2017-37 be placed upon its final passage.

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

It was moved by Councilmember Sogg, seconded by Councilmember Frankel, that Ordinance #2017-37 be approved.

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

Business from the audience: None.

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

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

Respectfully submitted,

  
Beth DeCapite, Clerk

Approved:



Karen Schneider, Mayor

## Treasurer's Report

For the Month of October, 2017

Operating Revenues are running \$116,383 below this time last year, though they are coming in at a faster pace than anticipated in the budget. Our municipal income taxes are currently \$199,537 lower than last YTD. However, we recently received our November Muni tax receipts, totaling \$210,007. December receipts in the past four years have ranged between \$43,000 and \$100,000. So, it is likely that we will equal or exceed last year's receipts and come close to our budget projection. On the other hand, year to date Real Estate taxes exceed our full 2017 budget by \$19,711 already, which is why we are outpacing our total revenue budget so far this year.

Our operating expenses are running \$472,510 below this time last year. This is largely because we have significantly lower transfers to other funds (\$645,500 lower) than last year. Police, Fire and Safety are all spending generally within budget. Our Admin department is \$18,583 above last year to date, but running well below the 12 month budget rate.

On Balance, our General Fund has a year to date surplus of \$520,439. Our total current Balance – All Funds has declined \$596,677 year to date.