

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
April 13, 2021

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, April 13, 2021 at 6:00 p.m. with Mayor Schneider presiding in a remote, virtual meeting that was livestreamed to the internet.

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

Also present were Chief Minichello, Chief Robinson, Service Director Biggert, Finance Administrator Mulh, Clerk DeCapite, Treasurer Reynolds, Village Engineer Courtney, and Law Director Hunt.

The minutes of the March 9, 2021 Council meeting were presented by the Clerk. Councilmember Sogg noted a typographical error at the bottom of page 2 where “and” should be “an”. Councilmember Turner noted a typographical error in the first paragraph of page 2 where “homes” should be “home”. Councilmember Welsh moved to approve the February 9, 2021 minutes as amended. Councilmember Frankel seconded the motion.

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

Pay Ordinance #1248 in the amount of \$333,829.52 was presented by the Clerk. It was moved by Councilmember Welsh to approve Pay Ordinance #1248. Councilmember Turner seconded the motion to approve Pay Ordinance #1248.

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

Treasurer Reynolds read his report for the month of March, which is attached. He noted the House Committee on Oversight estimates that the Village will receive \$434,679 with the passage of the American Rescue Plan Act. The estimate will be refined by the U.S. Department of Treasury. The Long Range Financial Plan assumes recent increases in income taxes to be one-time events. Deficits will depend on the amount of capital and infrastructure projects to be completed. A final version of the Long Range Financial Plan was distributed to Council and will be posted on the Village’s website. Potential uses for the American Rescue Plan funds were discussed. Councilmember Turner noted the higher income tax expense line item being due to the larger collections. Treasurer Reynolds added the Village pays a percentage to RITA as receipts come in.

Mayor Schneider gave her report. The Easter Egg Drive Through Event went well. The Village distributed 165 bags of eggs and goodies to residents. On Friday, April 30th at 1:00 p.m. the Garden Club will have a tree dedication and plaque ceremony for Connie White in Marston

Park. We were going to have Nick DiCicco from Chagrin Valley Dispatch come to this meeting, but they are going to assemble a committee to review expenses and formulas for billing communities. John Finley, Chagrin Falls Township Trustee, will be heading the committee. Councilmember AuWerter will serve as the Gates Mills' representative with Councilmember Sogg serving as an alternate. St. Francis is having a pick-up dinner event on Sunday, April 26 to help fund 8th grade activities. In February, Chief Robinson introduced an idea for employees and Council to take a two-hour online class on how to eliminate social media mistakes that destroy the public's trust. The Mayor believes it is a good idea. Chief Robinson will be getting relevant information together for everyone. Chief Robinson noted the importance of keeping employees and the Village safe from liability issues. He added that a social media policy, that is defensible in court, will be provided to the Village. He will be requesting a current email address for all participants.

Clerk DeCapite inquired about the July 4th parade time. To accommodate those who go to church, the parade is scheduled for 1:00 p.m. instead of the usual 11:00 a.m. There will be a meeting in May to discuss the parade.

Councilmember Turner, on behalf of the Gates Mills Land Conservancy, requested volunteers to assist with a spring cleaning of the Sherman Road Preserve. Invasive species removal will take place on Tuesday, April 27. Volunteer shifts are from 9:00 – 11:00 a.m. or 2:00- 4:00 p.m. Students from the Environmental Center will be there from noon until 2:00 p.m.

Councilmember Turner, on behalf of the Community Club, announced that fluorescent safety vests will be on sale Saturday, April 24 at the Community House from 9:00 a.m. until 1:00 p.m. They will be recognizing the Mayfield High School student who designed the artwork for the vests.

Councilmember Whitney reported that she and Councilmember Frankel had met with representatives from AT&T about better internet service in the Village. They have spoken with other third party providers as well. They would like to send a survey to residents to see if they are satisfied with the current service or if they are interested in fiber optic service, if available, at a possibly higher rate. When asked about the benefit of fiber, Councilmember Whitney responded fiber is quicker and more reliable, as wires fry and burn in the event of a weather event or storm and fiber does not. Treasurer Reynolds noted fiber is typically buried and this would introduce competition in the market. Councilmember Frankel noted fiber is used by the library and Town Hall. Councilmember Sogg stated it is a great idea, but sounds like a very expensive project. Councilmember Turner inquired as to how the library and Town Hall got fiber optic usage. Service Director Biggert responded the main line runs along Chagrin River Road. Part of the agreement when the library was built was that it would have fiber. We upgraded Town Hall about a year ago. Mayor Schneider asked if we know where it is available in the Village. Engineer Courtney said that is a tough question and OUPS and AT&T won't release the information. Councilmember AuWerter suggested asking AT&T how other similar sized Villages financed having fiber. Councilmember Whitney noted Hudson paid to have their own system. Treasurer Reynolds said it is a meaningful revenue stream for Hudson now. Councilmember AuWerter stated there could be a 20-year bond issues with a charge to the residents. Law Director Hunt noted Hudson did not make money for a long time, but they are

turning the corner now. Councilmember Sogg stated unless we have some idea of the cost, it doesn't make sense to do the survey. Councilmember Frankel said the provider needs to have a number of people interested in the service to come up with a cost. Law Director Hunt noted there are consultants that can do a feasibility analysis, but it is expensive. Councilmember Whitney responded that we are looking for interested parties at this time. Mayor Schneider advised that we think it over and go from there.

Chief Minichello provided his report. He met with ODOT officials to improve bicycle safety signs from Rogers Road to the Old Mill bridge. Newer signs will be installed in 4-6 weeks. The Mayfield Road project begins April 19 for the traffic project at Mayfield and Chagrin River Roads. Mayor Schneider stated Mayfield Road will be one lane in each direction. Councilmember Sogg asked about bicyclists riding single file and noted that the clump riding on River Road is scary to drive around. Chief Minichello stated there will be about fifteen new signs installed. Treasurer Reynolds asked if bicyclists can be ticketed for not riding single file. Chief Minichello responded we have an ordinance that says that, but cyclists have the right to take up the whole lane. Councilmember Reynolds noted most riders are savvy about safety and local ordinances. They know the risks they are taking and are aware of the risk of injury. Chief Minichello added that River Road is very narrow and cyclists have the right to take up a lane. Councilmember AuWerter noted that cyclists speed on Berkshire and asked if they can be ticketed for that. Chief Minichello noted there is personal accountability. Chief Minichello reported they held a crime prevention seminar last night. The Ohio Crime Prevention Association assisted in the presentation. There were approximately 50 attendees. He noted it is important to have safe storage for guns and to inform children about them. It was suggested to host a seminar about gun safety and guns in the home. Chief Minichello added that gun locks are available at the station.

Service Director Biggert provided his written report. Councilmember Frankel stated some residents are concerned about the debris piles that have built up from the storms. Service Director Biggert responded he asked for quotes from contractors and only VanCuren bid on the job. He gave them permission to do the work and will follow up with them. He has also been providing updates to some residents. Councilmember AuWerter commended the Service Department for all of the work done to clean up the Village.

Chief Robinson provided his report. He provided details on the March 24 brush fire in the Cleveland Metro Parks. It was reported as a very large fire and is considered suspicious at this time. There were three fires burning in one field and then two of the fires joined together. Some above-ground fiber optic lines were damaged. The Department also assisted Willoughby Hills with a fire in a high rise. There was a house fire on West Hill Drive where a three-car attached garage was on fire. The actions of the crew saved the house, which new residents had just moved into. The crew laid 900 feet of five-inch hose down the driveway to take care of the situation.

Resolution No. 2021-11 "A Resolution Authorizing the Purchase of a 2022 39,000 GVWR International Truck Chassis HV507 from Rush Truck Center" was read by Councilmember AuWerter.

Councilmember AuWerter moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2021-11 be placed upon its final passage. Councilmember Sogg seconded the motion to suspend the rules. Councilmember AuWerter noted that Resolutions 11 and 12 are the two components of a new plow truck. The new truck replaces a 2007 Sterling plow truck and is in the budget.

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

It was moved by Councilmember AuWerter, seconded by Councilmember Turner, that Resolution No. 2021-11 be approved.

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

Resolution No. 2021-12 “A Resolution Authorizing the Purchase of a Dump/Spreader Bed and Plow Equipment from Judco Truck Equipment” was read by Councilmember AuWerter.

Councilmember AuWerter moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2021-12 be placed upon its final passage. Councilmember Sogg seconded the motion to suspend the rules.

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

It was moved by Councilmember AuWerter, seconded by Councilmember Welsh, that Resolution No. 2021-12 be approved.

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

Resolution No. 2021-13 “A Resolution Authorizing Participation in the ODOT Road Salt Contracts Awarded in 2021” was read by Councilmember AuWerter.

Councilmember AuWerter moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2021-13 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules. Councilmember AuWerter noted the Village will submit for 1,700 tons of salt again. It is great that Service Director Biggert switched to all salt with slag costing much more and the clean-up is much easier.

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 No. 2021-13 be approved.

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

Resolution No. 2021-14 “A Resolution Authorizing the Mayor to Enter into an Agreement with the Board of Park Commissioners of the Cleveland Metropolitan Park District for the Furnishing of Police Mutual Aid Services” was read by Councilmember Frankel. This action is to formalize mutual aid with an agreement.

Councilmember Frankel moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2021-14 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules

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

It was moved by Councilmember AuWerter, seconded by Councilmember Welsh, that Resolution No. 2021-14 be approved. Councilmember Turner asked why the District wanted to formalize the agreement now. Chief Minichello noted there was a change in leadership in the District about one year ago and this is something they wanted to do.

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

Councilmember AuWerter made a motion to advertise for bids for the 2021 road program. Fox Hill, Fox Hill East, Riverview will be repaired along with additional maintenance work. Quotes will determine how much more work, if any, can be accomplished. Councilmember Turner seconded the motion to advertise.

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

There were no questions from the audience. There were nine people viewing the meeting. Mayor Schneider stated she would like to meet in-person for the May Council meeting at the Community House. Law Director Hunt noted there is now an exception for meetings with regard to the 10-person rule. While the state of emergency remains in effect, participation continues to be permitted via Zoom as well.


There being no further business, it was moved by Councilmember Reynolds, 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 E. Schneider, Mayor

Village of Gates Mills

Treasurer's Report

Month Ended March 31, 2021

Revenues for the month totaled \$371,407. Expenses for the month totaled \$323,500 before transfers to other funds of \$530,000. The general fund produced a small surplus, before transfers, of \$47,907. All departments are operating at or below budget.

Our All Fund Balance stands at \$8,863,840. Our Ancora account now stands at \$6,824,157.86 including accrued interest. As noted during the February meeting, we transferred \$2,000,000 from our cash accounts to the Ancora account to maintain a normal operating fund balance.

The House Committee on Oversight estimates that the Village will receive \$434,679 with the passage of the American Rescue Plan Act. This estimate will be refined by the US Department of Treasury. When received, our allocation will be added to the Ancora Account.

As discussed previously, the Village now stands with an abundance of reserves, largely because of unexpected municipal tax payments in 2020 and 2021. Without evidence either way, our Long Range Financial Projection assumes that these payments were one time events and will not continue. The projection therefore produces annual deficits, starting in 2023, resulting from "normal" revenue projections and structural operating and capital expenditures. The amount of the deficit in any given year is largely dependent on the amount of capital expenditures on roads, bridges, culverts, and vehicle purchases) in that year. The receipt of the ARP allocation pushes out a return to our reserve target of one year's operating expenses to sometime beyond 2025.

The final version of the Long Range Financial Plan projection is completed and has been sent to Council Members. I request that it also be posted on the Village website, replacing the older draft. It is expected that the projection will be reviewed and revised as necessary on an annual basis going forward.