

Village of Gates Mills
MINUTES OF A SPECIAL MEETING OF COUNCIL
June 29, 2023

A special meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Thursday, June 29, 2023, at 5:30 p.m. with Mayor Schneider presiding. The meeting was livestreamed to the internet.

1. Roll Call starts at 4:53

Councilmembers present: Atton, Deacon, Press, Steinbrink, Turner, Welsh.

Other Village officials present were Treasurer Siemborski, Clerk DeCapite, Service Director Biggert, Police Chief Minichello, Finance Administrator Mulh, Village Engineer Courtney, and Law Director Hunt.

Councilmember Steinbrink moved to excuse Councilmember AuWerter and Councilmember Welsh seconded the motion.

Ayes: Atton, Deacon, Press, Steinbrink, Turner, Welsh.
Nays: None
Motion carried.

2. Comments from the audience regarding agenda items only - None

3. Resolution No. 2023-19 (Second Reading) starts at 5:43

Resolution No. 2023-19 “A Resolution Authorizing An Emergency Services Agreement with Mayfield Village for the Provision of Emergency Medical Services” was read by Mayor Schneider. This was introduced at the June 20th meeting. We used to have a three-year contract and after negotiating with Mayfield Village this is a five-year contract with 3% increases each year. Councilmember Welsh moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2023-19 be placed upon its final passage. Councilmember Turner seconded the motion to suspend the rules.

Ayes: Atton, Deacon, Press, Steinbrink, Turner, Welsh.
Nays: None
Motion carried.

Councilmember Press questioned whether the performance times are sensible given other ambulance services around and responses from Mayor Schneider and Councilmember Welsh starts at 7:01

Councilmember Press questioned the liability waiver and why would we waive all liability. Law Director Hunt responded that applies to our (Gates Mills) ability to make a claim against them (Mayfield Village). That’s all that is. An individual patient still has the right to make a claim. Starts at 9:30

Councilmember Press noted we are contributing pro rata to their EMS capital program. Is that a normal feature? Mayor Schneider stated we've had that for the last number of years and they have been quite fair with us. It's not a 50/50 split, it's a percentage arrangement. Councilmember Deacon and Finance Administrator Mulh agreed it has been very fair and the pro rata payment is spread over the useful life of the equipment, 10 or 15 years, so if you were to terminate the contract you would have only paid for the used life at your percentage. They talk to us before making a purchase. Starts at 10:46

Councilmember Press stated apparently if two people are taken in the same ambulance to the same place we pay twice. Comments from Finance Administrator Mulh, Councilmembers Atton and Welsh, and Mayor Schneider starts at 12:26.

Councilmember Press stated he had been told that Hunting Valley approached us about working together and pooling our EMS services last year. Is that the case? Responses from Mayor Schneider, Councilmembers Welsh and Deacon, and Finance Administrator Mulh starts at 15:08

Councilmember Atton stated long response times and understanding why they happened are more important than average response times. Response time should mean the elapsed time between when the call is made from the scene of the problem to the EMS vehicle arriving. We've got two dispatch centers on the chain in between and they can be slow and make mistakes. Mayor Schneider agreed and explained response times for all areas of the village is something the Fire Chief is charged with looking at on an ongoing basis. It's possible for three different connections to be involved depending on how the call is made - cell or landline. Councilmember Welsh mentioned Mayfield Heights is our ambulance back up. Starts at 18:09

Councilmember Turner asked for clarification of the benchmarks named in Item 5 of Exhibit A. Councilmember Welsh and Mayor Schneider responses start at 20:14

Councilmember Welsh moved to approve Resolution No. 2023-19 with Councilmember Turner seconding the motion.

Ayes: Atton, Deacon, Press, Steinbrink, Turner, Welsh.

Nays: None

Motion carried.

4. Resolution No. 2023-20 (Second Reading) starts at 23:10

Resolution No. 2023-20 "A Resolution Authorizing the Mayor to Enter into a Fifth One-Year Extension of an Agreement for the Provision of School Resource Officer Services with the Mayfield City School District and Declaring an Emergency" was read by Mayor Schneider. Councilmember Steinbrink stated this will be the sixth school year that this program has been in place and Officer Arch Kimbrew has been a fantastic addition to Gates Mills Elementary School not only from a safety standpoint but more importantly from a role model standpoint - a positive influence on the children. Could we have this document earlier next year and put it on three readings? Police Chief Minichello and Mayor Schneider answered school calendar timing does not allow for that. Councilmember Steinbrink moved that the rules requiring ordinances to be read

on three different days be suspended and that Resolution No. 2023-20 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

Ayes: Atton, Deacon, Press, Steinbrink, Turner, Welsh.
Nays: None
Motion carried.

Councilmember Steinbrink moved to approve Resolution No. 2023-20 with Councilmember Welsh seconding the motion.

Ayes: Atton, Deacon, Press, Steinbrink, Turner, Welsh.
Nays: None
Motion carried.

5. Resolution No. 2023-21 (Second Reading) starts at 25:45

Resolution No. 2023-21 “A Resolution Expressing the Intent of the Village of Gates Mills in 2023 to Sell by Internet Auction Personal Property, Including Motor Vehicles and Other Property Referenced in Ohio Revised Code 721.15 Which is No Longer Needed for Public Use or is Obsolete or Unfit for the Use for Which It Was Acquired; Authorizing GOVDEALS.COM, INC. to Perform the Sales; and Authorizing the Sale of Specific Personal Property by Internet Auction” was read by Mayor Schneider. Service Director Biggert described the three items for sale and Law Director Hunt explained the Ohio Revised Code requires us to adopt this ordinance on an annual basis if we sell things on the internet and to publish that we have such an ordinance. It does not confine us to using GOVDEALS.COM alone. Anybody can bid. Councilmember Steinbrink moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2023-21 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

Ayes: Atton, Deacon, Press, Steinbrink, Turner, Welsh.
Nays: None
Motion carried.

Councilmember Steinbrink moved to approve Resolution No. 2023-21 with Councilmember Welsh seconding the motion.

Ayes: Atton, Deacon, Press, Steinbrink, Turner, Welsh.
Nays: None
Motion carried.

6. Resolution No. 2023-22 (Second Reading) starts at 29:03

Resolution No. 2023-22 “A Resolution Awarding a Contract for the Repair and Resurfacing of Various Public Roads in 2023; and Declaring an Emergency” was read by Mayor Schneider. Village Engineer Courtney explained the two options. One option would be a not to exceed \$750,000 reward which would include Service Dept. repaving behind Village Hall up to the Post Office and around the Community House. The other option for reward does not include Service Dept. repaving and the amount would not exceed \$684,000. If we don’t have to use the \$40,000 contingency section, the contract would be closer to \$640,000. Since the contract work will not begin until mid-

August/early September and more will be known about the budget at that point in time, we can add the Service Dept. work as an additional award at a later date.

Councilmember Turner asked if the bids received were lower than expected and Village Engineer Courtney replied yes, 7.76% below his estimate. Councilmember Turner asked if Service Dept. repaving was deferred until later this year, would the bid price remain the same. Village Engineer Courtney replied that beyond 60 days the bid amount (\$61,027.50) could be updated but he would expect the amount to be very close.

Councilmember Welsh asked if we have to pay for the almost \$500,000 in Mayfield Road culvert work. It's a state road. Village Engineer Courtney answered it is not part of the road program, will be paid for by ARPA money, and was included on the spreadsheet to provide an overall budget check. Councilmember Atton asked if bids have been received for the Mayfield Road culvert work. No.

Councilmember Atton stated he rarely has seen situations where the lowest and best bid are not the same. Village Engineer Courtney stated all contractors have to pass certain muster in order to be able to bid the project and Cole-Burton is a contractor we're familiar with. They were the lowest bid and there was no reason to disqualify them. The next bid was quite a bit higher so there was no advantage to go on to the second bidder. Councilmember Atton asked if Ronyak Paving bid the project. They were the third bidder at 13.37% over the estimate. Starts at 33:12

Councilmember Atton observed that deferring something that we wanted to do because income tax revenue is down is a knee jerk reaction. Consider a longer term perspective. Just like that we spent maybe \$50,000 on architectural work on Sara's expansion and now we're looking at deferring a sensible investment because our income tax receipts are lower than expected. Starts at 34:12

Treasurer Siemborski asked Village Engineer Courtney about the \$39,945 contingency within the \$750,000 program. Does the contingency take care of the unforeseen or unexpected items, and anything above that amount would come back to Council for approval? Yes, and the base full road sections established include more robust quantities so that no surprises like last year are expected. Starts at 36:05

Treasurer Siemborski stated we need to be cognizant of the fact that we have several unknown budget items - traffic fines, positive interest income, lower income tax revenues, and some higher expenses. This road program structure is ideal. He would like to go forward with the \$689,000 option knowing that we still have the latitude to go to \$750,000 with Council approval. Starts at 36:51

Councilmember Turner stated despite the uncertainty about our budget, taking care of our roads is the single biggest thing we do for our residents. Starts at 39:47

Village Engineer Courtney suggested either awarding the full \$750,000 with the understanding the Service Dept. work will not be performed before coming back and getting Council approval and if it turns out the budget will not accommodate the Service Dept. work, we will non-perform the Service Dept. section, or, awarding the \$689,000 and come back for formal Council action to award the Service Dept. section at the September Council meeting. Starts at 41:37

Law Director Hunt explained that the way the resolution is drafted is the first scenario that Village Engineer Courtney just mentioned. If we want to limit the award to \$688,000 we will need to make an amendment. Starts at 42:15

Councilmember Turner moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2023-22 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

Ayes: Atton, Deacon, Press, Steinbrink, Turner, Welsh.
Nays: None
Motion carried.

Councilmember Turner moved to approve Resolution No. 2023-22 (as written for \$750,000 with Council action for the Service Dept. section in September). Councilmember Press seconded the motion.

Ayes: Atton, Deacon, Press, Steinbrink, Turner, Welsh.
Nays: None
Motion carried.


7. Adjourn

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

Respectfully submitted,


Beth DeCapite, Clerk

Approved:


Karen E. Schneider, Mayor