

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
May 10, 2022

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, May 10, 2022 at 6:00 p.m. with Mayor Schneider presiding. The meeting was livestreamed to the internet.

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

Councilmember Turner moved to excuse Councilmember Welsh with Councilmember Steinbrink seconding the motion.

Roll Call: Ayes: Atton, AuWerter, Deacon, Press, Steinbrink, Turner.
 Nays: None.
 Motion carried.

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

The minutes of the April 12, 2022 Council meeting were presented by the Clerk. Councilmember Steinbrink moved to approve the April 12, 2022 minutes, with Councilmember Press seconding the motion. Councilmember Atton noted a typographical error on Page 3, the word "Plant" should be "Plan".

Roll call: Ayes: Atton, AuWerter, Deacon, Press, Steinbrink, Turner.
 Nays: None.
 Motion carried.

Pay Ordinance #1261 in the amount of \$470,869.67 was presented by the Clerk. It was moved by Councilmember AuWerter to approve Pay Ordinance #1261. Councilmember Press seconded the motion. Councilmember Atton clarified that this is a ratification of payments made the previous month.

Roll call: Ayes: Atton, AuWerter, Deacon, Press, Steinbrink, Turner.
 Nays: None.
 Motion carried.

As Treasurer Siemborski was not yet in attendance, Mayor Schneider proceeded with her report. She noted the Art Show was very successful and concluded this past Sunday. She announced there will be a ceremony honoring Dan Collister on May 30th at 10:30 a.m. at the Polo Field with a reception to be held at the Historical Society until noon.

Mayor Schneider asked Council to approve the appointment of Michael Press to the Broadband/Fiber Optic Committee. Councilmember AuWerter moved to approve the appointment with Councilmember Deacon seconding the motion.

Roll call: Ayes: Atton, AuWerter, Deacon, Steinbrink, Turner.
Nays: None.
Abstain: Press.
Motion carried.

Clerk DeCapite mentioned an article from the Chagrin Valley Times that detailed an incident at the Chagrin Falls Village Hall where a resident, who happened to be a Gates Mills Elementary Teacher, and her child entered the Village Hall and were not able to lock a door for a safe place to stay. She noted that Gates Mills Village Hall vestibule can be locked from the inside to provide a safe space for anyone needing that option.

Councilmember AuWerter reported the Task Force regarding Chagrin Valley Dispatch's cost allocation is nearing a point of making a recommendation. Any change that is implemented will be a change for all communities using the dispatch center. There should be a concluding report at the July or August Council meeting.

Councilmember AuWerter took a moment to remind residents about the House Key Program offered by the Police Department and the Home Safety Check Program available through the Fire Department.

Councilmember Turner reported on behalf of the Gates Mills Land Conservancy. She noted that with the renewal of the levy it is important for everyone to know what is happening with the organization. She is excited about the newsletter and thanked Celeste McClung and Jamie Carracher for their work on it. There are also changes being made to the website. It was noted that a representative from the Land Conservancy provides a report to Council once per year. There was discussion regarding the approval process for Land Conservation levy funds to be used by the Village for projects.

Councilmember Turner provided an update on the Comprehensive Plan project. The first Advisory Committee meeting is Wednesday, May 11 at 6:00 p.m. The neighborhood map and updated comprehensive plan schedule was included in councilmember packets. The community workshops are intended to provide information to the residents. Treasurer Siemborski entered the meeting. The Advisory Committee is responsible for the questionnaire, along with the consultant. The consultant has completed 48 interviews of key residents, while the Outside Perspective group has conducted 27 interviews with 29 realtors about the opinions of buyers. The consultant has over 30 years of experience with the process. After a discussion regarding allowing questions or comments from the public at the end of the Advisory Committee meeting, it was decided to see what the consultant could do to hear questions tomorrow evening.

Councilmember Turner reviewed the neighborhood map. The Village was divided into areas by looking at the number of homes and natural boundaries. When asked about the questionnaire, it was noted it will be posted on the website. Neighborhood team captains are being confirmed and assigned to areas. The first invoice has been received from CT Consultants for just over \$30,000. Councilmember Turner noted this invoice includes time for conducting interviews, analysis and reporting, and some out-of-scope work. The Advisory Committee will hear the summary of what information was obtained from the interviews at its meeting tomorrow night.

Councilmember Steinbrink, for the Real Estate Committee, reported that Sara's is interested in renting the space formerly occupied by Cindy Halle at the Mills Building. They will use it as a private dining space and possibly for some lunch items during the day. Council can expect a lease to be on next month's agenda for review. In response to a question from Councilmember Atton regarding the price per square foot to be charged, Councilmember Steinbrink stated it would align with Sara's current lease.

Treasurer Siemborski provided his report. He noted the Finance/Budget Committee had met on May 5 and the minutes are available on the website. The financial statements, variances and quarterly meetings were discussed. Overall revenue is favorable to budget. Income tax may be favorable due to work-at-home changes. Gas, equipment maintenance and repairs and service overtime were discussed and are not material issues at this time. The long-range planning updates will be done by the end of the 3rd quarter, possibly sooner. There was a brief discussion about broadband and fiber optic opportunities for the Village. Treasurer Siemborski noted we should receive the remainder of our ARPA funds in May with potential projects to be suggested. The funds need to be appropriated by the end of 2024 and spent by the end of 2026.

Councilmember Press stated the Broadband Committee is meeting with Spectrum tomorrow morning at 10:00 a.m. Ann Whitney, member of the Broadband Committee, clarified that the committee is taking proposals from different providers and will present the proposals to Council. The Broadband Committee is doing the information gathering.

Police Chief Minichello announced that SRO Kimbrew was named SRO of the year in the State of Ohio. He was nominated for the award by Gates Mills Elementary School. He will be recognized at the state conference on June 19. Sensys-Gatso has reported that ODOT is not requiring any permitting for the traffic cameras. We are anticipating installation of the cameras to take place at the end of July or beginning of August.

Service Director Biggert had provided his report in the Council packets and there were no questions.

Councilmember Steinbrink reported for the Planning and Zoning Commission. A new homeowner on County Line Road has two non-conforming structures on the property. The homeowner is able to update one of the tired, non-conforming structures

into a cottage for family use only. An affidavit will be signed stating the cottage is not going to be a rental unit.

Fire Chief Robinson reported there was a housefire on Saturday evening on Timberidge. The home was being remodeled and no one was living in the structure. Sawdust and rags with stain on them had been deposited in a container together. A neighbor reported the fire, which resulted in an estimated \$25,000 in damages. Councilmember AuWerter asked if we educate homeowners about shutting off water when they are away for long periods of time. Chief Robinson responded that Home Safety Surveys can be scheduled with the Fire Department and those shutoffs are made known to the homeowner.

Ordinance No. 2022-12 “An Ordinance Amending Section 572.10 of the Codified Ordinances of the Village of Gates Mills to Prohibit the Discharge, Ignition, or Explosion of Fireworks at All Times and Dates, Including Certain Days Each Year Pursuant to State Law” was read by Councilmember Steinbrink. He put the ordinance on **second reading**.

Ordinance No. 2022-14 “An Ordinance Authorizing All Actions Necessary to Accept Northeast Ohio Public Energy Council (NOPEC) 2022 Energized Community Grant” was read by Councilmember Turner. She noted the grant amount is \$7,190 for 2022. In the past we have installed a new commercial dishwasher, double ovens, air conditioning units and duct work with grant money.

Councilmember Turner moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2022-14 be placed upon its final passage. Councilmember AuWerter seconded the motion to suspend the rules.

Roll call: Ayes: Atton, AuWerter, Deacon, Press, Steinbrink, Turner.
Nays: None.
Motion carried.

Councilmember Deacon moved to approve Ordinance No. 2022-14. Councilmember AuWerter seconded the motion to approve Ordinance No. 2022-14.

Roll call: Ayes: Atton, AuWerter, Deacon, Press, Steinbrink, Turner.
Nays: None.
Motion carried.

Ordinance No. 2022-15 “An Ordinance to Amend the Annual Appropriation Ordinance No. 2021-50 to Increase Certain Appropriations and Other Expenditures of the Village of Gates Mills, Ohio for the Fiscal Year Ending December 31, 2022” was read by Councilmember Steinbrink. The increase is to accommodate the body camera purchase and the receipt of the body camera grant money.

Councilmember Steinbrink moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2022-15 be placed upon its final passage. Councilmember Deacon seconded the motion to suspend the rules.

Roll call: Ayes: Atton, AuWerter, Deacon, Press, Steinbrink, Turner.
Nays: None.
Motion carried.

Councilmember Steinbrink moved to approve Ordinance No. 2022-15. Councilmember AuWerter seconded the motion to approve Ordinance No. 2022-15.

Roll call: Ayes: Atton, AuWerter, Deacon, Press, Steinbrink, Turner.
Nays: None.
Motion carried.

Ordinance No. 2022-16 “An Ordinance Amending Codified Ordinance Section 131.01, Meetings of Council, to Revise the Time for Regular Meetings of Council; and Declaring an Emergency” was read by Mayor Schneider. She noted this allows the Law Director to attend more of our meeting. Our meetings are running longer than typical; and the Law Director has a meeting in Richmond Heights at 7:30 p.m. The time of the meeting has changed over the years. Councilmember Atton wanted to know how villagers feel about this. Councilmember Steinbrink responded that villagers should be happy as there is more substantive and robust conversation than in the past and meetings can run late.

Councilmember Turner moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2022-16 be placed upon its final passage. Councilmember Deacon seconded the motion to suspend the rules.

Roll call: Ayes: AuWerter, Deacon, Press, Steinbrink, Turner.
Nays: Atton.
Motion carried.

Councilmember Steinbrink moved to approve Ordinance No. 2022-16. Councilmember Turner seconded the motion to approve Ordinance No. 2022-16.

Roll call: Ayes: Atton, AuWerter, Deacon, Press, Steinbrink, Turner.
Nays: None.
Motion carried.

Council Matters:

Councilmember Press brought up the Charter Review. At the April Council meeting, we agreed such a review is needed and the Law Director would come up with some issues. Councilmember Press asked who will review the issues and carry this forward. He recommended forming a temporary committee to look at what Law Director Hunt comes up with and to recommend changes. He recommended himself, Shawn Riley, Laurie Deacon and Les Jacobs to be on the committee. Mayor Schneider responded that she has spoken with Mr. Riley and he will put together a committee. Councilmember Atton asked if a committee would be appointed in June. Mayor Schneider stated she is not sure yet.

Business from the audience:

Larry Frankel, Brigham Road, commented on the definition of contentious and noted tonight's meeting was contentious based on the questioning and tone, in his opinion. He then referred to last month's meeting and comments made pertaining to the Mayfield City School District. He stated that during the last election, there was an issue that came up about leaving Mayfield's school district and going elsewhere where it is cheaper with possibly better quality. He doesn't want the Village to think there is a problem with the school district. He noted statistics from Niche.com and the Ohio Department of Education. He added that there are many factors that go into a quality education and one cannot just look at it as a dollars and cents issue.

Mark Shoag, Brigham Road, stated school systems should be looked at by Council and not by looking at different organizational ratings. Council should look into the issue and look carefully.

Councilmember Press noted we are paying over \$100,000 per student in Gates Mills.

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

Roll call: Ayes: Atton, AuWerter, Deacon, Press, Steinbrink, Turner.
 Nays: None.
 Motion carried.

Respectfully submitted,



Beth DeCapite, Clerk

Approved:

Karen E. Schneider
Karen E. Schneider, Mayor