

**Village of Gates Mills**  
**MINUTES OF A REGULAR MEETING OF COUNCIL**  
**August 9, 2022**

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, August 9, 2022 at 5:30 p.m. with Mayor Schneider presiding. The meeting was livestreamed to the internet.

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

Other Village officials present were Treasurer Siemborski, Police Chief Minichello, Fire Chief Robinson, Finance Administrator Mulh, Village Engineer Courtney, and Law Director Hunt.

Councilmember AuWerter moved to excuse Councilmember Deacon and Clerk DeCapite. Councilmember Turner seconded the motion.

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

Councilmember Steinbrink moved to appoint Janet Mulh as Clerk Pro Tem. Councilmember Press seconded the motion.

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

The minutes of the July 12, 2022 regular Council meeting were presented by the Clerk. Councilmember Steinbrink suggested a new paragraph be formed on page 4, top of the page where American Security was discussed. Councilmember Atton stated the comprehensive plan survey had a 30% individual response rate and a margin of error of +/- 4.7%, not +/- 3%. Councilmember Turner moved to approve the July 12, 2022 minutes, with Councilmember Steinbrink seconding the motion.

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

Pay Ordinance #1264 in the amount of \$497,896.44 was presented by the Clerk. It was moved by Councilmember Steinbrink to approve Pay Ordinance #1264. Councilmember AuWerter seconded the motion

Roll call:       Ayes: Atton, AuWerter, Press, Steinbrink, Turner, Welsh.

Nays: None.  
Motion carried.

Treasurer Siemborski's report was delayed until his arrival.

Mayor Schneider read thank you letters. The Safety Town Coordinator from Orange thanked the Village and Officers Newsome and Suchetka for participating in the Safety Town program. Jim and Kathy Pender thanked Officers Cole and Rotunno for their professional response to an incident on Old Mill Road. The Gates Mills Players President, Dale Fant, thanked the Village for its help and support during its show, "You Can't Take It With You", on the Village green. He thanked Dave Biggert, the Service Department, Jean Mish, Trevor Murfello, John Pata, Mike Feig and Tom Majeski for assistance with setting everything up. Mayor Schneider announced that August 28 from 2:00 – 4:00 p.m. there will be a "Rock Around the Clock" dedication for the new clock on the Village green. There will be speeches, a band, dancing, ice cream and cake. She also noted school begins the week of August 21<sup>st</sup>.

Mayor Schneider introduced Rob Galloway, President of the Gates Mills Land Conservancy, to present its report to Council. Mr. Galloway noted GMLC has \$826,000 in assets with a \$282,000 liability mortgage to the estate of Jane Clark. A \$20,000 bequest from the estate of Ann Dickenson was received along with levy proceeds of about \$62,000. Membership dues have totaled \$20,200 so far this year, while the total for 2021 was \$23,000 for the entire year. There were 104 members last year and there are already 98 members this year. The highest membership was 8-10 years ago, when there were about 200 members. It was clarified that you do not have to be a resident to be a member, but to be a voting member you must be a Gates Mills resident.

Mr. Galloway stated the group's website was redone by Jamie Carracher and it is more interactive and robust. He mentioned the new digital newsletter, done by Celeste McClung, and what a tremendous effort it has been. He stated they hope to do three per year. You can get the newsletter by providing an email address to GMLC. A GIS mapping mechanism is also being undertaken. They would like to turn a map into a dynamic map with information that one can't come across in a written document. It is a challenge to keep updated.

Mr. Galloway thanked Councilmember Turner for the school collaborative effort. Science programs get teachers and students onto the properties to do research and invasive species removal. Other engagement opportunities included a tour of the Clark property and a tour of the Sherman Road Preserve with a naturalist to look at wildflowers. The beekeeper from the Sherman Road Preserve also did a presentation at the Village's summer band concert.

Parking possibilities are being reviewed for the Sherman Road Preserve as well as mowing a walking path. Annual inspections, monitoring trees and fences, and preparing for the 5-year re-accreditation are also taking place.

The Board of Governance for the GMLC has four people with terms ending in December 2022. He believes Cindy Zins, Leah Whidden and Nancy McGuinnis will run again. Cindy Altus resigned. The Mayoral appointment of Sandra Turner will end this year as well.

Councilmember AuWerter had two points to make. He mentioned the tree canopy trends in the Village and the ability to allow the public on conservancy property. Councilmember Press agreed and said he noticed twice as much deterioration in tree canopy in Gates Mills as compared to Hunting Valley in the initial presentation by CT Consultants. If we conserve more land, it would be nice if people could use it within reason. Mr. Galloway stated they would not have the scientific competence to give advice on tree canopies or reforestation. They could collaborate with the effort, but cannot lead the charge. On the point of public/free access, there are liability issues and some of the properties are small lots and neighbors do not want people walking around on them. Planned access and focus on the larger properties is how they manage it. It is a struggle to find a balance when there are wetlands, ravines and slopes on properties. Property on Riverview Road along the river could be used for education along the river with access to the water. Mayor Schneider stated it may be a good idea to have an article explaining the use of conservancy properties in the newsletter. When asked if there are any land acquisitions pending, Mr. Galloway stated he received a phone call about a conservation easement, but had not looked into it yet. Resident Charlie Baker stated there is federal money available, if a person has 10 acres, to have an arborist complete a plan for the area. Mr. Galloway noted each parcel has its own characteristics. Mayor Schneider thanked Mr. Galloway for his report.

Councilmember AuWerter, noted Verizon will be progressing with cell tower coverage at the Gilmour site. (Treasurer Siemborski entered the meeting at 6:06 p.m.) The cell towers will not be on top of the light poles, however. If they proceed, it will be a stand-alone tower.

Councilmember AuWerter provided an update on the Comprehensive Plan. The second Advisory Committee meeting was held to discuss the survey results. The results are online. The latter part of the meeting was the initial cut of goals and issues from the consultant. There will be five more Advisory Committee meetings, with the next one occurring in September. Monday, August 15, 2022 is the Town Hall Workshop at the Community House from 6:00 – 8:00 p.m. Neighborhood meetings will also begin. Door hangers and post cards will be delivered noting dates and times for neighborhood meetings. The neighborhoods are also on the website. Gates Mills Connect will also be used for the Town Hall meeting and neighborhood meetings. The neighborhood meetings will have an introduction, posters to review, and roundtable discussions about issues. There are approximately 100 volunteers getting the word out. The Town Hall meeting will have a 45-minute presentation. There will be overlap in material between the Town Hall meeting and the neighborhood meetings. You may attend one or both. The Town Hall meeting will allow for one-on-one feedback versus a question-and-answer period. Feedback can be provided at the stations that will be set up. Councilmember Atton noted

1,300 residents did not fill out the survey and now there are a 2-hour or two 2-hour meetings being offered. Councilmember AuWerter noted that we can't make more of an effort than is being done. The goal is for everyone to know about the comprehensive plan and we have seen a higher than typical response rate so far. Councilmember Atton asked if the rest of the written responses and comments from the survey will be posted. Councilmember AuWerter stated it is being worked on.

Councilmember Steinbrink, on behalf of the Safety Committee, reported that October is still the timeframe for the traffic cameras to go live. Lyndhurst Municipal Court has decided on the advance deposit fee and amendment language from Sensys Gatso is being reviewed by the Law Director for next month's meeting. Councilmember Atton asked if Mayfield Village, using handheld photo enforcement cameras, will forego local government funding. Councilmember Steinbrink noted Mayfield Village uses the handhelds on the bridge or on the freeway and there is not a safe place to do that on Mayfield Road. Mayfield will not be foregoing the funding, but it is only a matter of time before handhelds are included in the language.

Councilmember Steinbrink noted the Village is not in the alarm monitoring business anymore. Any issues need to be taken up with the alarm company, not the Village. Eighty to one hundred communicator devices need to be swapped out due to technology changes.

Councilmember Steinbrink reported on the Planning and Zoning Commission meeting. A newer homeowner wants to have alpacas on the property. This is prohibited currently. A use variance is being reviewed. The proactive approach to the issue is to explore an ordinance that would be approved by Council. He asked Council for comments regarding allowing alpaca. Councilmember Press stated Council should be involved in some way. Councilmember Atton stated Council should be involved. Law Director Hunt stated the homeowner can ask for a variance, but it would be good to look at an ordinance. Alpacas are docile and nonintrusive. Council has to have a rational basis for the decision it is making, such as less intrusive/more intrusive. Councilmember AuWerter noted it would be better for Council to decide rather than the Planning and Zoning Commission. A use variance would decide a lot of parameters and it is better for Council to decide that. If something is prohibited, it is prohibited. If you open the door, then you open yourself up to further interpretation. One may not want farm animals next door, and people don't move here for farm animals to be around. Councilmember Turner asked Law Director Hunt how to proceed. He stated Planning and Zoning should review and recommend an ordinance for Council to review.

Councilmember Turner, for Positively Gates Mills, thanked Karen Galloway and Jim Stafford for the idea to have a "Little Art House." It is on the sidewalk between the Post Office and the walking bridge. It has art for admiring, borrowing, or taking which is similar to a lending library.

Councilmember Press noticed a chain link fence in the Village and our ordinance reads they are not allowed in the front yard. Should the ordinance state the fence should not be visible from the road instead? He stated it is something to consider. Law Director Hunt will draft an ordinance.

Councilmember Press stated the Charter Review Committee has not met yet.

Councilmember Press stated the Broadband Committee gave its report last month, but we now need a way forward. Mayor Schneider will meet with committee members Ann Whitney, Larry Frankel, and Councilmember Press later this month when they are all in town.

Councilmember Atton, for the Mayfield Schools Liaison Committee, reported that Superintendent Barnes was invited to attend the September 13 Council meeting. The enrollment and GMES is 93 students and 23 live in the Village.

Councilmember Turner made a motion to go into Executive Session to discuss the disposition of Village Property by lease and to obtain legal advice from the Village's legal counsel. Councilmember Steinbrink seconded the motion. Councilmember Press asked if the issue could be handled in public. Law Director Hunt noted this is a particular lease with a particular tenant. Councilmember Turner stated it protects the lessee and the lessor and supports transparency. Councilmember Atton, attending his first executive session last month, noted the motion represented a third of the meeting and other topics were discussed. Councilmember Press agreed with Councilmember Atton. Law Director Hunt stated it all related to the lease and to the motion. Councilmember AuWerter disagreed with Councilmembers Press and Atton.

Roll call: Ayes: Atton, AuWerter, Press, Steinbrink, Turner, Welsh.  
Nays: None.  
Motion carried. Entered Executive Session at 6:50 p.m.

Mayor Schneider reconvened the Council meeting at 7:16 p.m.

Treasurer Siemborski provided his report, which is attached. He noted the Finance/Budget Committee had met on August 3. The Committee recommends the approval of the Resolution to approve \$72,000 for the comprehensive plan from the Local Fiscal Recovery Funds available through the American Rescue Plan Act. The Committee reviewed a second half outlook. Minutes will be forthcoming from that meeting. Long range plan assumptions were discussed as well. The Treasurer and Finance Administrator will take the assumptions and create new numbers by October. Councilmember Atton expressed his displeasure at this now being done in the fourth quarter instead of the third quarter as originally talked about. Treasurer Siemborski is attending the September Advisory Committee meeting to talk about Village funding and operations.

Chief Minichello had provided his report in the Council packet. There were no other questions.

Service Director Biggert had provided his report in the Council packets. Councilmember AuWerter asked if we will get the truck this year. Service Director Biggert noted we have the equipment but are still waiting on the chassis.

Fire Chief Robinson provided his report in the Council packet. July 25<sup>th</sup> was extremely busy for 2.5 hours. From midnight until 2:30 a.m. there were roads closed and trees down throughout the Village.

**Resolution No. 2022-22** “A Resolution Authorizing the Expenditure of Local Fiscal Recovery Funds to Reimburse Revenue Expended to Date for Professional Services Provided by CT Consultants Under Agreement for the Village’s Comprehensive Plan and to Fund Ongoing Expenditures to CT Consultants Under that Agreement” was read by Councilmember AuWerter. The maximum to be used is \$72,000 for this allowed and permitted use.

Councilmember AuWerter moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2022-22 be placed upon its final passage. Councilmember Steinbrink seconded the motion to suspend the rules.

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

Councilmember AuWerter moved to approve Resolution No. 2022-22, with Councilmember Steinbrink seconding the motion.

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

**Ordinance No. 2022-23** “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 AuWerter. Treasurer Siemborski noted we set the budget really tight, and further needs have us come back for adjustments. We expected this to come. Councilmember AuWerter noted the Parks and Recreation increase is for the sidewalk which was funded through donations received.

Councilmember AuWerter moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2022-23 be placed upon its final passage. Councilmember Turner seconded the motion to suspend the rules.

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

Councilmember AuWerter moved to approve Ordinance No. 2022-23.  
Councilmember Press seconded the motion to approve Ordinance No. 2022-23.

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

Resolution No. 2022-24 “A Resolution Awarding a Contract for the Repair and Resurfacing of Various Public Roads in 2022; and Declaring an Emergency” was read by Councilmember AuWerter.

Councilmember AuWerter reviewed handouts that he had distributed. Bids were received and came in 18% better than anticipated but are up 30% from last year. Carpenter, Chartley, Norvale East and Norvale West are to be addressed. The total failed and poor roads full depth repair would be a five-year average of \$630,354 per year. Proposals on page 2 of the handout include road maintenance and poor/failed road full-depth repair. We are approving the bid, but there is engineering work that goes along with it. PM stands for preventative maintenance and crack sealing, while spot repairs are mill and fill work. He recommends Scenario 2 for \$805,440 with Ronyak Paving. The culverts budget is \$135,000 and we have only spent \$30,000 and may end up only spending \$50,000 for the year. Engineer Courtney had viewed the asphalt surface recycling process and the traditional pavers knew they were going to be bidding against this process, which effectively helped the bids. The bids were 15-20% lower than other bids they are seeing. Asphalt prices were lower when the budget was prepared. Treasurer Siemborski stated he likes option 2 and the analysis. He also reminded Council we are waiting on \$115,000 from the County for the 2021 reimbursement.

Councilmember AuWerter moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2022-24 be placed upon its final passage. Councilmember Steinbrink seconded the motion to suspend the rules. (Councilmember Welsh had left the room).

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

Councilmember AuWerter moved to approve Resolution No. 2022-24 with Sections I, II, III, IV, V, VI and VIII for \$712,779 to Ronyak Paving. Councilmember Steinbrink seconded the motion to approve Resolution No. 2022-24. Councilmember Press state he would prefer doing roads that council doesn't live on.

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

Council Matters:

Councilmember Press stated he met with Shawn Riley the day before the July Council meeting and discussed the provision in the Gavi's/Sara's lease regarding operating hours and that it is being violated. No action has been taken on this. Councilmember Press then made the following motion:

Whereas Sara's Place is a valuable and highly regarded restaurant located in the Village of Gates Mills.

Whereas Sara's Place elected to discontinue serving lunch due to COVID 19 and that remains the status to date.

Whereas Council wishes to preserve their rights with respect to the terms of the Sara's Place lease while retaining a good relationship with Sara's Place.

Council agrees as follows:

Gavi's LLC will be notified in writing that they are currently in default of the terms of the lease with respect to the provision relating to hours of operation.

Gavi's LLC will be allowed to continue to operate in violation of the terms of the lease agreement temporarily.

The Village of Gates Mills reserves the right to enforce the terms of the lease relating to hours of operation on 30-days notice.

He stated this asserts the fact that they are in violation. It preserves our rights under the lease. Councilmember AuWerter stated he also spoke with Shawn Riley and that is not what he said. Councilmember AuWerter stated Mr. Riley is not here, so he should be left out of this. Councilmember Press said he may not support this but agrees we need to assert our rights. Councilmember AuWerter stated we do not need to. Councilmember Atton seconded the motion made by Councilmember Press. Councilmember Turner noted this is a real estate matter and no one from the Real Estate Committee has offered this. Councilmember Atton stated this is contract administration 101. Councilmember Press said the Gromelskis won't have a problem with this. Councilmember Turner stated this does not enhance what we have. Councilmember Press stated we lose the right to enforce if you don't assert your right. Councilmember Steinbrink stated he has had a number of conversations with the Gromelskis. They tried 12 tables for lunch and customers were concerned over being too close together. It is hard to find workers for lunch, as well. If it were normal times, maybe, but at this point



in time and with where things stand, he doesn't know what this is trying to accomplish. Councilmember AuWerter stated it is technically correct, but doesn't mean you do a draft and say here, approve this. You sit down and have conversations and understand the situation. Councilmember Press stated if they continue to operate as they are then this will end all of the lunch discussion. They are aware of the motion. We should assert our rights and let them continue to not have lunch. Councilmember Press stated he advised the Gromelski's attorney before the meeting. Councilmember Steinbrink stated it would have been nice to know Councilmember Press was going to do this. Councilmember Atton stated there a lot of questions about real estate decisions. The Real Estate Committee hasn't had a meeting for six months or had any minutes from meetings. He added you have to protect your rights and the Mayor administers contracts.

Roll Call:     Ayes: Atton, Press.  
                  Nays: AuWerter, Steinbrink, Turner.  
                  Abstain: Welsh.

Councilmember Welsh stated he had a conflict of interest as he has been friends with the Gromelskis for 20 years and at first abstained. Councilmember Turner noted they all know the Gromelskis. When reminded of his responsibility as representative of Village residents to assess the motion and make a decision, he changed his vote on the motion to "No".

Councilmember Atton asked if the Post Office Clock would be taken down as it is always wrong.

Business from the audience:

Betsy Dvorak, Brigham Road, noted two cell towers were possibly going to be built in the Village. She stated the tower are carcinogenic and that children are more susceptible to carcinogens than adults. We should obtain someone in the field to read studies from other countries about this.

Mark Shoag, Brigham Road, referred to Councilman AuWerter's comments about reforestation and thought the comprehensive plan would address this. He stated he moved here 10 years ago for safety, privacy, beauty and wildlife. He stated we have hired a consultant and are looking at cluster homes being built and smaller lots. We are also looking at strip malls and retail. He lived in East Flatbush in Brooklyn, New York and in 5-10 years the realtors took a beautiful, lower middle class, safe community and destroyed it. There is no more destructive group to a community than realtors. They do not care about the short, middle, or long-term outcome of the community. It is crooked to have 50 realtors' opinions. How are they part of the conversation. He'd rather have 50 ecologists or naturalists than realtors. He lived for 20 years across from the Beachwood Mall. He stated that Councilmember AuWerter said we don't have a great website to attract more people. Beachwood had a magazine with shopping and there have been at least six shootings at or near the mall. We do not need more retail here.

Pinecrest has had two major riots and people are looking to get out of there now. We have poor seniors who are really struggling with inflation. He is buying groceries for two of them. How many people on the Council or on the 27-member Advisory Committee have connections to real estate or development. Councilmember AuWerter responded that realtors were interviewed to get insights to what buyers are looking for and that was his idea. He hears his sentiment and the real estate people and developers were not seen as a characteristic for the Advisory Committee. There is no underlying conclusion or objective in this process. Mr. Shoag responded that he put 5 kids through private school and residents are paying \$110,000 per student at Mayfield Schools. He didn't want to move here for the taxes because most of it goes to the schools. He wants to know Council's connection with the school district. Councilmember Turner stated she will get information to him from the school district. Taxes are high if you only look at our resident's students. Many have family histories with the private schools and legacy. Councilmember Press stated it is worth looking at options as the survey showed it's an issue. It is a radioactive subject, racist/elitist and out of our control are reasons not to talk about it. Councilmember Atton stated we should let Dr. Barnes know what has come out of the survey and knows where Mark is coming from too. At the end of the day, we spend more money with Mayfield City School District than anywhere else. Mayor Schneider asked for questions to be provided ahead of time for Dr. Barnes. Mr. Shoag responded the schools get away with murder. Public schools closed for 2 years while Catholic and Jewish schools remained open. The danger to kids being at home was exponentially grown during the public school closures.

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

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

Respectfully submitted,



Janet M. Mulh, Clerk Pro Tem

Approved:



Karen E. Schneider, Mayor

## **Treasurer's Report for 7 months ended July 31, 2022**

Financial statements were distributed to the Mayor, Clerk and Council in advance of the Council meeting. Further, several members of Council, the Mayor and the Clerk attended the August 3, 2022 Finance and Budget Committee meeting.

The Village is in a solid financial position which is enabling it to address the economic pressures of inflation, rising costs and supply chain disruptions without adversely impacting our service levels to Villagers. That said, the Village is not immune to the economic effects around us. Accordingly, we have completed a review of our revenue and expenditure levels for the second half of the year. I report on that outlook below.

### **GENERAL FUND --JULY 31 RESULTS and CASH POSITION**

In July, the Village received \$463,000. Revenue from real estate taxes was \$101,000 and revenue from municipal income taxes was \$304,000. For the year to date, real estate taxes collected are \$1,470,000, \$20,000 below prior year of \$1,490,000. Year-to-date, Municipal income tax revenue was \$1,945,000, down from 2021 when the Village received a non-recurring receipt of \$2,177,000. Excluding that large receipt, the 2022 figure of \$1,945,000 is quite favorable. Overall, the tax receipts to date continue to be stronger than were budgeted in December for 2022.

Other revenue of \$411,000 for the seven months, was \$93,000 less than prior year of \$505,000 due to decreases in Other Source categories—notably, permits and licenses, interest income, Mills Building rental income and Misc. income. Permits and licenses are a function of building and commercial activity. Interest is down as expected and budgeted. Mills building has gone through a change in tenants. And Miscellaneous in 2021 included a Bureau of Workers Comp refund of \$49,000.

Expenditures were \$414,000 for the month and \$3,330,000 for the year which includes \$451,000 of transfers from the General Fund to Other special purpose funds. Departmental expenses of \$414,000 are the expenditures for operating the Village. Compared to prior year-to-date, there were some notable differences. In Administration, legal and professional services were doubled compared to last year, income tax collection expense was down due to lower receipts this year and personnel costs were up as budgeted. The Police Department is generally in line with last year except for higher personnel costs as budgeted, and higher gas costs. Dispatch operating costs are within \$5,000 of budget. In the Fire Department, our EMS costs continue to run higher than budget. As a partial offset, we have been able to collect \$30,000 in ambulance income this year so far, compared to \$7,000 in 2021. The Service Department is running \$90,000 over last year's pace—some of that was the tough winter weather and overtime in the first three months, a new air conditioner and building improvements for the Mills Building and vehicles.

The books of the Village are maintained essentially on a cash basis. As such, there can be large variances based on when cash is received and when expenses are paid. It is not uncommon to have a surplus one month or period and a shortfall the next month or period.

### **AMERICAN RECOVERY PLAN ACT ("ARPA") FUND**

The Village received in July the second and final receipt of the Local Fiscal Recovery funds that were part of the American Recovery Plan Act. That brings our total collections to \$233,000. These funds are available

for a broad range of services and improvements, subject to reporting, government guidelines and audit. ARPA funds need to be appropriated before the end of 2024 and spent before the end of 2026. In the Village, we have set a process for the Finance and Budget Committee to evaluate the possible uses of these funds, and to recommend such uses and amounts to Council which makes the decision. With the full amount now in hand, the Village knows the amount available and we have started evaluating uses.

#### CONSERVATION FUND

In July, the Village distributed \$61,981 to the Gates Mills Land Conservancy as its 50% share of the tax revenues from the renewed conservation levy and retained the other 50%. The Village's Conservation Fund stands at \$71,668 on July 31, 2022.

#### CASH POSITION ON JULY 31, 2022

At month-end July 31, 2022, General Fund cash was \$7,952,000 and cash in other funds was \$1,567,000 for a total cash position of \$9,500,000. We ended 2021 and started 2022 with combined cash of \$8,266,000. The Village has no debt and is in a strong financial position.

#### OUTLOOK FOR SECOND HALF

As mentioned, we have taken a diligent look at the second half of 2022. The Budget and Finance Committee met on August 3 and reviewed the seven-month numbers, evaluated variances, and discussed an outlook for the second half of 2022. Our income tax revenues continue to be stronger than expected and RITA has advised us to expect that favorability to continue for 2022. As a point of conservatism in these difficult-to-predict times, we have reduced estimates of two other revenue sources. We have evaluated our expenditures and foresee the need for an additional \$161,000 in operating costs. Those costs are for gas, legal and professional fees, insurance premiums and dispatch and EMS. The additional \$161,000 will bring the total for the year to \$5,812,000, an increase of 2.8%. The Finance and Budget Committee recommends Council's approval of Appropriation Ordinance 2022-22 authorizing these additional costs. Overall, our Outlook is that we will receive an additional \$175,000 and spend an additional \$161,000. On a Village that operates on a \$5.5 million base, those revenue and expense figures are modest.

#### LEVY

The levy renewal was approved to be on the ballot this November. That levy generates \$450,000 for General Fund operating costs. We believe the financial and operating activities of the Village shown through increased transparency and leadership demonstrate good financial stewardship to the Villagers as they consider the levy renewal.

This report will be posted on the Village's website.

Steven L. Siemborski  
Treasurer, Village of Gates Mills  
Chair, Budget/Finance Committee  
August 4, 2022



Orange Community  
Education & Recreation

Orange City Schools Campus  
32000 Chagrin Blvd., Pepper Pike, Ohio  
44124  
(216) 831-8601 [www.orangerec.com](http://www.orangerec.com)

7.11.22

Mayor Schneider ~

We appreciated Gates Mills providing police officers for our Safety Town program last week. Officer Newsome and Officer Suchetta were assets to our program. They helped teach safety lessons to our participants. We appreciate the continued support of Gates Mills in our program and look forward to next year.

Thank you,

Betsy Plenzke,  
Coordinator

Safety Town + Campers  
volunteers

## Karen Schneider

---

**From:** Jim Pender <jp@jimpender.com>  
**Sent:** Friday, July 15, 2022 8:00 PM  
**To:** Karen Schneider  
**Cc:** Chief Gregg Minichello; mike.casey.mccartney@att.net; Andy McCartney; Amy McCartney; Kathy Pender  
**Subject:** Thank You

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Mayor Karen Schneider,

Karen,

Several days ago, Kathy was heading West on Old Mill Rd. and, as she approached the "S" curve, realized Em McCartney had apparently fallen and was near the edge of the Eastbound lane.

She immediately had the police called and, in spite of this harrowing experience, somehow a further serious tragedy was avoided.

The purpose of this letter is to compliment the professional response of Officers Mitchell Cole and Anthony Rotunno to the specific circumstances at the scene and their sensitive follow up thereafter.

How fortunate we are to have Chief Gregg Minichello leading the competent men and women our Police Department.

Kathy and I express our gratitude to you and The Council.

All The Best

Jim & Kathy Pender  
7845 Old Mill Rd.  
Gates Mills, Ohio, 44040  
216 403 7631  
[JP@JimPender.com](mailto:JP@JimPender.com)  
Romans 8:38-39

## **Mayor Karen Schneider**

---

**From:** drfant@gmail.com  
**Sent:** Saturday, August 6, 2022 8:30 AM  
**To:** Mayor Karen Schneider; Dave Biggert; Jean Misch  
**Cc:** stchrisbytheriver@gmail.com  
**Subject:** "Play in the Park" wrap up

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Mayor, Dave and Service Department, Jean, St Christopher Staff:

Last night, we concluded our inaugural production of "You Can't Take It With You" as part of our "Play In The Park" series.

Not knowing just how many people would attend, I would say we had a rousing success. We had about 60-70 people attend, from the village, guests of the cast and other people who had heard or read about the production. We even avoided all the rain in the area (didn't even get wet).

Thank you all for your help and support.

Mayor, there is always a big thank you to you from the players in your support of community theater. You were willing to take a chance on a new event in our community. Dave, you and your staff are the best in any city around. Your help in working with St. Christophers, in securing the tent and all the set up shows just how much you love the village. Thank you all. This could not have been done without all their help. Please give a special thanks to Trevor and John from the players.

Jean, Also to you, Thanks for getting the word out to the community and being there to support our production. Please send out a follow up message to the village about how well the event went.

And please do not forget Mike and Tom in the community house. They also are always there to help the players.

Looking forward to working on the next event.

**Dale R Fant, Gates Mills Players**  
**drfant@gmail.com**

## Janet Mulh

---

**From:** Michael Press <MWPRESS13@msn.com>  
**Sent:** Tuesday, August 09, 2022 3:07 PM  
**To:** rthunt@walterhav.com  
**Cc:** Janet Mulh; bdecapite@me.com  
**Subject:** POSSILBE MOTION FOR AUG 9 COUNCIL

### PROPOSED MOTION RE SARA'S PLACE -GATES MILLS COUNCIL AUGUST 9, 2022

Whereas Sara's Place is a valuable and highly regarded restaurant located in the Village of Gates Mills.

Whereas Sara's Place elected to discontinue serving lunch due to Covid 19 and that remains the status to date

Whereas Sara's Place is in violation of the terms of their lease with the Village of Gates Mills which requires them to be open and in operation from 1100 am until 1000 pm.

Whereas Council wishes to preserve their rights with respect to the terms of the Sara's Place lease while retaining a good relationship with Sara's Place

Council agrees as follows:

-Gavi's LLC will be notified in writing that they are currently in default of the terms of the lease with respect to the provision relating to hours of operation.

-Gavi's LLC will be allowed to continue to operate in violation of the terms of the lease agreement temporarily

-The Village of Gates Mills reserves the right to enforce the terms of the lease relating to hours of operation on 30 days notice