

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
August 13, 2019

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, August 13 at 6:00 p.m. in the Council Chambers at Village Hall.

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

Councilmember Whitney moved, and Councilmember Frankel seconded, to excuse Councilmember Reynolds.

Police Chief Minichello introduced new Patrol Officer Jessica Newsome. Mayor Schneider administered the Oath of Office to Officer Newsome.

The minutes of the July 9, 2019 Council meeting were presented by the Clerk. It was noted that language on page 2 regarding the Gates Mills Land Conservancy and Village land swap of Woodstock Road and Mayfield at Chagrin River Road had been rewritten and copies provided to Council. It was moved by Councilmember Sogg, seconded by Councilmember AuWerter, that the July 9, 2019 minutes be approved.

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

The minutes of the July 16, 2019 Special Council meeting were presented by the Clerk. It was moved by Councilmember Sogg, seconded by Councilmember Frankel, that the July 16, 2019 minutes be approved.

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

Pay Ordinance #1228 in the amount of \$806,749.07 was presented by the Clerk. It was moved by Councilmember Welsh, seconded by Councilmember Sogg, that Pay Ordinance #1228 be approved.

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

Finance Chair Whitney commented on the Financial Report in the absence of Treasurer Reynolds. She noted the receipt of \$62,500 from the County for road materials used in 2017. Finance Administrator Mulh advised Council that the August Financial Report and Pay

Ordinance would not be ready for the September Council meeting, due to a planned absence. The August Financial Report will be emailed to Council as soon as it is prepared in August.

Mayor Schneider provided her report. She noted the great summer band concert with fantastic attendance and dancing. Some councilmembers suggested changing the name of the event next year.

The Clerk reported seeing the Community Club bocce courts in Marston Park in use late into the night. Councilman Frankel added he had met some younger families at the park that would like events geared at having families meet one another. Mayor Schneider suggested they join the Friday playgroup that meets at 11:30 a.m. Councilman Frankel also suggested the addition of swings in the future along with events for families with two working parents.

Councilmember AuWerter reported the Master Plan Selection Committee is learning a lot. The Committee will be ready to propose a consultant in October or November. The master plan process could be in the \$50,000 range. It should take nine to twelve months to complete. There will be many ways to get community involvement and feedback during the open process.

On behalf of the Recreation Committee, Councilmember AuWerter reported the pickleball event was successful. Bocce is also a growing activity. Councilman Frankel noted the tennis courts are starting to crack in some areas. Service Director Biggert responded that he has already contacted companies in regard to repairs needed.

Councilmember Turner, on behalf of the Gates Mills Land Conservancy, reported GMLC has completed the purchase of the Clark property. They are applying for Clean Ohio grant funds for conservation. Chagrin River Watershed Partners has been invited to join with the GMLC and consult in completing the application, which is due October 11. They may receive \$380,000 - \$400,000 in funding. An endorsement from Council will be needed for the application.

Councilmember Turner next reported on Positively Gates Mills' new resident program. The goal was to contact new residents and arrange to meet with them and connect them with resources in tune with their interests. Over the past six months, Janet AuWerter tried to meet with new residents. However, not many people were interested. It can be challenging with later move-ins, homes titled to LLCs, and many moves taking place between homes within the Village. They would like to beef-up the Welcome Packets that can be available to residents after they receive a letter from the Mayor welcoming them. It was suggested to continue to encourage residents to sign up for Gates Mills Connect through *The Pink Sheet*, possible post card, or by forwarding a Connect message to a friend.

Councilmember Sogg reported for Planning and Zoning. She will be introducing Ordinance No. 2019-28 today and it is the result of a recent pool cover education the Commission had received. Fencing is not the best or most modern way to keep safe. The legislation will be put on first reading tonight.

Police Chief Minichello had provided a written report in the Council packet. Chief Minichello noted school starts this Thursday. He had the speed trailer put in the school zone as a reminder to drivers. Village Engineer Chris Courtney confirmed that bus traffic in the Cedar area will be fine. Chief Minichello stated Wilson Mills Road is scheduled to open on Friday. There will be a Safety Committee meeting in October. Village Engineer Courtney noted they are still waiting on the final decision for the traffic project for Chagrin River Road and Mayfield Road. Mayor Schneider asked how many children went to Safety Town. Chief Minichello responded 45 children, with about 10 being from Gates Mills. Councilmember Welsh asked when Cedar Road will be open. Village Engineer Courtney responded it would open in a few months.

Service Director Biggert asked for any questions relating to his written report. Councilmember Turner asked about the riparian setback status. Councilmember Whitney reported that Kim Brewster at Chagrin River Watershed Partners is working on a draft for the Village. Councilmember AuWerter asked about Cedar Road. Village Engineer Courtney noted it has been dug out for widening. They saw-cut the existing road and excavated two feet on either side of the road. They filled the area with crushed asphalt, milled, and adjusted castings. They will do an intermediate surface and then surface asphalt. Curbs will be firm. Flexible pavement will always have movement and cracking though. In response to a question from Councilman AuWerter, Village Engineer Courtney noted Gates Mills Boulevard was a different construction than Cedar Road is. Cedar Road is a resurfacing project, while Gates Mills Boulevard was a reconstruction project.

Fire Chief Robinson provided a written report in the Council packets. Chief Robinson reported a typical month for the Fire Department. EMS numbers are down a bit from last year. The new fire engine is expected to arrive in November.

Ordinance No. 2019-26 "An Ordinance to Amend the Annual Appropriation Ordinance No. 2019-2 to Increase Certain Appropriations and Other Expenditures of the Village of Gates Mills, Ohio for the Fiscal Year Ending December 31, 2019" was introduced by Councilmember Whitney.

Councilmember Whitney moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2019-26 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

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

It was moved by Councilmember Whitney, seconded by Councilmember Welsh, that Ordinance No. 2019-26 be approved.

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

Resolution No. 2019-27 “A Resolution Awarding Sections I and IA of the 2019 Road Repair and Resurfacing Program to Burton Scot Contractors, LLC; and Declaring an Emergency” was introduced by Councilmember AuWerter. Councilman AuWerter stated the quote was better than expected. There will be a fresh assessment of what needs to be done, as this is a heavy year for expenses. He is looking at critical needs. Councilman Frankel asked if a linear foot quote was received and then it is decided what to repair. Village Engineer Courtney stated bids are based on the linear feet for mill and fill and can be anywhere in the Village. We have to be careful with the amount and the location of the work in order to balance the work in an efficient manner. Streets that we held over from last year were included along with county road work that is part of the materials award we receive for 2019.

It was moved by Councilmember AuWerter, seconded by Councilmember Whitney, that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2019-27 be placed upon its final passage.

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

It was moved by Councilmember AuWerter, seconded by Councilmember Welsh, that Resolution No. 2019-27 be approved.

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

Ordinance No. 2019-28 “An Ordinance Amending Sections 1157.03 and 1157.031, ‘Accessory Uses in U1 Single-Family House District’, Both ‘New Standards’ and ‘Old Standards,’ of the Codified Ordinances of the Village of Gates Mills to Permit the Use of Pool Safety Covers to Prevent Uncontrolled Swimming Pool Access by Children” was introduced by Councilmember Sogg. Councilmember Sogg noted the Ordinance is being referred to the Planning and Zoning Commission for review and recommendation to Council. She added there are locking mechanisms on the pool safety covers that prevent children from falling into the pool. In response to a question from Councilman Frankel regarding the phrase “children from the street or adjacent properties”, Alex Cortes from Walter Haverfield explained that in his research, instances where “children from the street” is used it encompasses anyone that trespasses on property and enters the pool. It was suggested to change the language to “children, including from the street and adjacent properties, in order...”.

Business from the audience:

Brent Stewart, River Oaks Trail, asked what was discussed at the Special Council meeting on July 16. Finance Administrator Mulh responded it was for the levy ballot language being submitted to the Board of Elections.

Dr. Mrs. Duanjak suggested providing names of new residents to the neighboring homeowners or current neighboring resident names to the new homeowner. This could be looked into with the homeowner permission to share information.

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

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Beth DeCapite".

Beth DeCapite, Clerk

Approved:

A handwritten signature in cursive script that reads "Karen E. Schneider".

Karen E. Schneider, Mayor