

**Village of Gates Mills**  
**MINUTES OF A REGULAR MEETING OF COUNCIL**  
**July 12, 2022**

A public hearing for the 2023 Tax Budget was called to order at 5:31 p.m. by Mayor Schneider. There being no comments, the Mayor closed the hearing.

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, June 14, 2022 at 5:32 p.m. with Mayor Schneider presiding. The meeting was livestreamed to the internet.

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

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

The minutes of the June 14, 2022 regular Council meeting were presented by the Clerk. Councilmember AuWerter moved to approve the June 14, 2022 minutes, with Councilmember Deacon seconding the motion.

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

The minutes of the June 28, 2022 special Council meeting were presented by the Clerk. Councilmember AuWerter moved to approve the June 28, 2022 minutes, with Councilmember Steinbrink seconding the motion.

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

Pay Ordinance #1263 in the amount of \$416,357.31 was presented by the Clerk. It was moved by Councilmember AuWerter to approve Pay Ordinance #1263. Councilmember Atton seconded the motion

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

Treasurer Siemborski read his report for the six months ending June 30, 2022. The report is attached. The second tranche of the ARPA funding will be received in July. The road budget is currently \$635,000, but more may be necessary. There will also be broadband considerations to discuss. The appropriation ordinance on tonight's agenda will be skipped for tonight until next month after the Finance/Budget Committee meets. Councilmember Atton inquired about the payment to Hunting Valley. It was noted we utilize the gun range in Hunting Valley. Councilmember Atton asked about the \$8,500 payment to Walter Haverfield. Law Director Hunt noted there was a hearing and briefing to prepare for a lawsuit between two property owners. The case is still pending, but a motion to dismiss is pending as well. The issue is over a fence permit where one neighbor sued the other stating the proper process was not followed. Councilmember Atton asked how the ARPA funds will be used. Treasurer Siemborski noted the purpose for the funds has not been discussed yet. Councilmember AuWerter noted he reviewed the last six years of income tax collected as of the end of June and end of year. He stated if collections are like last year, we may see \$2.7 million by year end.

Mayor Schneider noted the Fourth of July Parade was a success. She stated the Village may receive over \$13,000 from the Opioid Settlement. She commented on the cost of demolishing two homes on land conservancy property. A handout was provided that showed the expense as \$8,410.24.

Clerk DeCapite stated the new walkway from the walking bridge to the post office is wonderful.

Councilmember Turner, on behalf of the Gates Mills Land Conservancy, noted the Board had met this morning. They are recognizing an increase in membership and in contributions. She will try to schedule them to make a report to Council at the August Council meeting.

Councilmember AuWerter has been advised there is a lot of interest for a cell tower with Verizon and T-Mobile. The next step is to consider building the tower ourselves or having someone else build one as a land lease. He will start the process of getting bids and proposals, while consulting with the Law Director.

Chairperson Ann Whitney, Broadband/Fiber Optic Committee, noted the Committee's report was in Councilmembers' packets. The report and proposals are attached. She noted the exploratory nature of the process and provided some survey results from a two-question survey sent out last year. The two questions were: Are you satisfied with the speed and reliability of your current internet service? If fiber optic were available, although at an additional cost, would you be interested in subscribing to that service? The results were interesting and as follows:

372 Total responses  
146 are satisfied, 223 are not satisfied, 3 were 50/50  
61 would not pay more

21 would possibly pay more

290 would pay more

Sixty-seven satisfied residents responded that they would be willing to incur a higher expense for improved service and understood the value of upgrading the infrastructure in the Village.

Chairperson Whitney read the Committee's report aloud, which is attached. The Committee had met with Spectrum, AT&T, Ohio Gig and Lit Communities. Proposals that were received are attached. She stated the next steps are for the Mayor and Council to digest the information and to share any questions they may have. She thanked Committee members Larry Frankel and Michael Press for their time, help and thoughtful input.

Councilmember Turner provided an update on the Comprehensive Plan. She congratulated the Village on exceeding the goal of 500 responses received from the community survey. We received 542 valid responses. Post cards were mailed to 969 addresses and 418 households responded, which is a 43% response rate. CT Consultants is analyzing the data and will present the results at the Advisory Committee meeting to be held on July 19. There is a 99% level of confidence about the results due to the number of responses received, with a 3% +/- variance. Neighborhood responses ranged from 33% to 52% in the 10 neighborhoods defined. After the Advisory Committee meets, there will be a public forum in August with individual neighborhood meetings to follow. It is an involved process and we are grateful for the volunteers who have been helping. As for expenses, the second invoice was just received in the amount of \$6,615. This represents drafting the survey, meeting with the Advisory Committee and an additional 8 hours for survey comments and revisions to the post card. The neighborhood captains will be trained in early August. Larry Frankel and Russ Berzin are 2 facilitators for the neighborhood outreach campaign. Neighborhood meetings should begin a few days after the public forum. The estimated cost of the project is about \$70,000 at this time.

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.

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

Nays: None.

Motion carried. Entered Executive Session at 6:25 p.m.

Mayor Schneider reconvened the Council meeting at 6:58 p.m.

Police Chief Minichello provided his report. He noted that Gates Mills has used the Hunting Valley range for the last six years. Councilmember Atton inquired about the status of the traffic cameras. Councilmember Steinbrink stated there was a meeting with Judge Coletta, Village officials, and Sensys Gatso last week. Programming work will

take up to 40 days to configure between Sensys Gatso and the court. There is a backlog for surveyors, so Service Director Biggert was able to provide surveys from ODOT to help move the process along. We are looking at September or October to start up. There is not an exact number for the court's fee yet. Citations will be issued by Gatso with follow-up letters to be on Lyndhurst Municipal Court letterhead. Judge Coletta would like the court to accept the payments as it provides a cleaner audit trail for them.

The American Security alarm monitoring program is a grandfathered program where the Village paid for basic alarm monitoring when the Village went to a central dispatch. The accounts are being audited to see if the homeowners are using the service or not. If not, they are removed. If a home sells, the new homeowner would have to pay for the service through American Security if that is who they choose to use.

Service Director Biggert had provided his report in the Council packets. In his absence tonight, Councilmember AuWerter discussed the road program and referred to a handout he had prepared. We need to decide how much we want to spend this year. If we can do some asphalt surface recycling in some areas, it is effective and less expensive. The issue will be discussed at the Finance/Budget Committee meeting and brought back to Council in August. Asphalt prices are almost double from last year's price per ton. The main roads being recommended are Chartley, which has high traffic and is in bad shape, Norvale West and Norvale East, which are in poor condition. He suggests that Councilmembers look at the excel file from Engineer Courtney and filter it by failed roads to look at Carpenter Road. Engineer Courtney will have the road program work bid with and without using asphalt surface recycling and then make a recommendation.

Fire Chief Robinson provided his report in the Council packet and there were no further questions.

Councilmember Steinbrink, Real Estate Committee, reported that Sara's withdrew its interest in renting additional space at the Mills Building.

Councilmember Deacon reported the Summer Band Concert will be held on Sunday, July 24. Red Light Roxy will perform along with having a balloon artist and beekeeper on-hand. Community groups are putting together groups to attend. She thanked Gail Palmer, Jean Misch, Sandra Turner and Janet Mulh for helping.

**Resolution No. 2022-19** "A Resolution Approving and Adopting the Tax Budget for the Village of Gates Mills for Fiscal Year 2023; and Declaring an Emergency was read by Councilmember Turner.

Councilmember Turner moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2022-19 be placed upon its final passage. Councilmember AuWerter seconded the motion to suspend the rules.

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

Nays: None.  
Motion carried.

Councilmember Turner moved to approve Resolution No. 2022-19, with Councilmember Steinbrink seconding the motion.

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

**Resolution No. 2022-20** “A Resolution Submitting to the Electorate the Question of the Renewal of a 3 Mill Tax Levy for the Purpose of Current Expenses Pursuant to Ohio Revised Code Section 5705.19(A) and 5705.191; and Declaring an Emergency” was read by Councilmember Turner. The county’s estimated revenue for the levy is over \$453,000 per year.

Councilmember Turner moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2022-20 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

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

Councilmember Turner moved to approve Resolution No. 2022-20. Councilmember Welsh seconded the motion to approve Resolution No. 2022-20.

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

**Resolution No. 2022-21** “A Resolution Authorizing the Mayor to Enter into a Fourth 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 Councilmember Steinbrink.

Councilmember Steinbrink moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2022-21 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

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

Councilmember Steinbrink moved to approve Resolution No. 2022-21. Councilmember Welsh seconded the motion to approve Resolution No. 2022-21.

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

Ordinance No. 2022-22 “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 removed from the agenda by Treasurer Siemborski and Mayor Schneider.

Council Matters:

Councilmember Turner presented information pertaining to Hyfi and water level sensors in the Chagrin River. A handout was distributed and is attached. A grant had been received for sensors that determine water levels along the Chagrin River Watershed. The Great Lakes Protection Fund grant paid for the installation and annual maintenance of the sensors. The grant funding is over and now Hyfi is negotiating with communities to maintain the sensors. We are looking at three sensors in Gates Mills at a cost of \$1,495 each per year. Sensors to the south of us help provide advance notice if water levels are rising. Chief Robinson currently drives to the river to look at the level during a storm. The sensors can provide information that would be beneficial for planning for evacuations due to flooding. There is a lack of sensors upstream from us and we would like one in Hunting Valley. It is a cooperative program and we all need to work together. Our information is helpful to those downstream, so the upstream information is important for us. Councilmember Steinbrink asked if it would be a good use of Land Conservation funds. Councilmember Turner would support that, as would Mayor Schneider.

Councilmember Atton asked if a representative from the Mayfield City School District would be attending a Council meeting soon. Councilmember Turner noted they prefer to come in the fall.

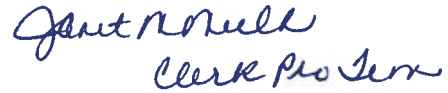
Councilmember Press noted the Planning and Zoning Commission minutes in the packet were from the May meeting and asked for a report on the recent meeting. Councilmember Steinbrink reported a variance was granted for a lot split on Brigham Road. One lot is being split into three lots with the remaining 16 acres having a deed restriction prohibiting further development. The outcome was a win for the Planning and Zoning Commission, the Village and the landowner. There will not be any further drive cuts at the street.

Business from the audience: Chuck Spear inquired about the unicycle race. Chief Minichello responded that it was held on June 28 and there were about 70 participants. The event lasted about 3 hours.

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

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

Respectfully submitted,

Handwritten signature in blue ink, appearing to read "Beth DeCapite" with a flourish underneath.

Beth DeCapite, Clerk

Approved:

Handwritten signature in black ink, appearing to read "Karen E. Schneider" in a cursive style.

Karen E. Schneider, Mayor