

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
July 14, 2020

A public hearing was called to order by Mayor Schneider at 5:55 p.m. on July 14, 2020 via a virtual meeting. In attendance were Councilmembers Reynolds, Sogg, Welsh, Whitney, AuWerter, and Frankel along with Clerk DeCapite, Treasurer Reynolds, Law Director Hunt, Chief Robinson, Chief Minichello, Service Director Biggert, Village Engineer Courtney and Finance Administrator Mulh. The Mayor asked for any questions or comments relating to the 2021 tax budget from those in attendance or listening to the livestream. After receiving no questions or comments, the hearing was closed at 5:59 p.m.

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, July 14, 2020 at 6:00 p.m. with Mayor Schneider presiding in a remote, virtual meeting that was livestreamed to the internet.

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

Also present were Chief Minichello, Chief Robinson, Service Director Biggert, Finance Administrator Mulh, Clerk DeCapite, Treasurer Reynolds, Village Engineer Courtney, and Law Director Hunt.

Councilmember Welsh moved to excuse Councilmember Turner. Councilmember Frankel seconded the motion.

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

The minutes of the June 9, 2020 Council meeting were presented by the Clerk. It was moved by Councilmember Welsh that the June 9, 2020 minutes be approved. Councilmember Whitney seconded the motion.

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

The minutes of the June 23, 2020 Special Council meeting were presented by the Clerk. It was moved by Councilmember Sogg that the June 23, 2020 minutes be approved. Councilmember Welsh seconded the motion.

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

Pay Ordinance #1239 in the amount of \$577,799.27 was presented by the Clerk. Councilmember Reynolds inquired about an invoice for Dustbuster for \$510.00. Mayor

Schneider responded that is the company that cleans Village Hall. It was moved by Councilmember Welsh, seconded by Councilmember Reynolds, that Pay Ordinance #1239 be approved.

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

Treasurer Reynolds gave his report. He noted municipal income tax receipts are down \$512,472 from this time last year. This is likely due to the economic impact of the pandemic along with delayed payment deadlines. Operating expenses are within budget and slightly below this time last year. Total Fund balances are \$5,131,004, which is \$77,905 lower than last year at this time. The Ancora investment balance is \$4,877,573 including accrued interest.

Treasurer Reynolds added that the Long Range Financial Planning Committee is continuing its work. The three subcommittees met during the month and are identifying and quantifying options to enhance our Village financial structure. This work will continue over the next month or two. He expects to have a final report to Council no later than the September meeting.

Councilmember Sogg asked if the income tax collections are less due to the transition to RITA. Treasurer Reynolds responded collections are down due to the extension provided by the State of Ohio to pay by July 15 and because CCA is behind in processing payments received due to the pandemic's effect on CCA being able to work in the office. Councilmember Turner joined the meeting at 6:06 p.m. Councilmember Frankel noted CCA should be caught up by October. Treasurer Reynolds confirmed this. Councilmember AuWerter added that real estate taxes are due a month later than normal as well.

Mayor Schneider gave her report. She noted the Therapeutic Riding Center's annual Chef's Unbridled event has been cancelled. She commented that there has been a lot of coordination between local leaders during this time. Thank you notes had been received regarding the July 4th parade, Nature Camp, and the Police Department assisting at a candlelight vigil in Woodmere. Mayor Schneider read a few for Council.

Clerk DeCapite gave her report. She commented that having the Extreme Teen Camp at Feller Field was a great idea.

Councilmember Turner applauded the virtual parade and said it was great. It is still available to watch online. Mayor Schneider asked if additional pictures were going to be put up. Councilmember AuWerter said that they have to build a link and will be talking with Becky Burrington about it. Councilmember Turner collected 1,115 photos of past parades. Treasurer Reynolds thanked Councilmember AuWerter, Councilmember Turner, Chief Robinson and Chief Minichello for their efforts. He added it was so much fun to drive around the neighborhood and the event was a home run. Councilmember Reynolds also thanked those from the Service Department who gave up their day to come in and drive in the parade.

Councilmember AuWerter thanked Clark Langmack, Councilmember Turner, Mayor Schneider, Chief Minichello, Chief Robinson and Service Director Biggert.

Councilmember Welsh asked if there is anything new on the cemetery. Mayor Schneider noted there is not.

Councilmember Turner, for the Gates Mills Land Conservancy, noted they may apply for more funds for the Clark property on Sherman Road. They closed on the Goldberg property and may have another donation coming in from a property owner on Berkshire.

Chief Minichello provided the Police Department report. He noted that training recommendations are provided annually for legal, policing, use of force and mental health areas. Officers will continue to be trained in all areas. Much of the training is being held online due to the pandemic. Law Director Hunt has reviewed the use of force policy and it is in good shape. He also reviewed the vehicular pursuit policy as well. Use of force and vehicular pursuit are the top two policies. Law Director Hunt stated the policies are very good. He made some suggestions based on the national narrative on de-escalation training. The policies were compared to other Police Departments serviced by WalterHaverfield. Councilmember Sogg inquired about shared services for social work or psychological issues to help in situations where needed. Chief Minichello stated we use countywide services and Hillcrest. Councilmember Welsh asked about the status of body cameras and if we have a COVID count for the Village. Mayor Schneider responded the cases are up one or two a day and they are not skyrocketing in our area. Chief Minichello stated they are looking at two companies right now for body cameras. The cameras are not in this year's budget and the department is looking into funding options.

Service Director Biggert provided his report. Councilmember Frankel noted there is a lot of building going on in the Village.

Fire Chief Robinson gave his report. He noted we received \$5,000 for the sale of the old fire engine.

Ordinance No. 2020-09 "An Ordinance Adopting New Chapter 1176 "Riparian Setback", of the Codified Ordinances of the Village" remained on third reading. Councilmember Welsh asked how many residences would be affected by the riparian setback. Councilmember Whitney stated that living in a valley, it could affect everyone. Engineer Courtney stated it depends on what level of involvement the Village selects based on drainage areas, being along the river and how in-depth the Village wants to go.

Resolution No. 2020-19 "A Resolution Approving and Adopting the Tax Budget for the Village of Gates Mills for Fiscal Year 2021; and Declaring an Emergency" was read for the second time by Councilmember Whitney.

Councilmember Whitney moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2020-19 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

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

It was moved by Councilmember Whitney, seconded by Councilmember Welsh, that Resolution No. 2020-19 be approved.

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

Resolution No. 2020-24 "A Resolution Submitting the Question of the Renewal of an Existing 3.5 Mill Tax Levy for the Purpose of Current Expenses Pursuant to Ohio Revised Code Sections 5705.19(A) and 5705.191; and Declaring an Emergency" was introduced by Councilmember Whitney.

Councilmember Whitney moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2020-24 be placed upon its final passage. Councilmember AuWerter seconded the motion to suspend the rules.

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

It was moved by Councilmember Whitney that Resolution No. 2020-24 be approved. Councilmember Frankel asked how often the County does the appraisals. Treasurer Reynolds stated they do physical appraisals every six years and do updates during the third year between appraisals. He added that only charter millage changes with the assessed values. Councilmember Frankel seconded the motion to approve Resolution No. 2020-24.

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

Resolution No. 2020-25 "A Resolution Authorizing the Mayor to Enter into Community Cost-Share Agreements with the Northeast Ohio Regional Sewer District for Stormwater Related Work and Expenditures, and Declaring an Emergency" was read by Councilmember Reynolds. She noted this covers \$42,098 in expenditures.

Councilmember Reynolds moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2020-25 be placed on its final passage. Councilmember Turner seconded the motion.

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

Motion carried.

It was moved by Councilmember Reynolds, seconded by Councilmember Welsh, that Resolution No. 2020-25 be approved.

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

Ordinance No. 2020-26 “An Ordinance to Amend the Annual Appropriations Ordinance No. 2020-2 to Increase Certain Appropriations and Other Expenditures of the Village of Gates Mills, Ohio for the Fiscal Year Ending December 31, 2020” was read by Councilmember Whitney. She noted this is for the Corona Relief Funds.

Councilmember Whitney moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2020-26 be placed on its final passage. Councilmember Sogg seconded the motion.

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

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that Ordinance No. 2020-26 be approved.

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

Resolution No. 2020-27 “A Resolution Awarding Contracts for the Repair and Resurfacing of Various Roads in 2020; and Declaring an Emergency” was read by Councilmember AuWerter.

Councilmember AuWerter noted the Village was approved to receive up to \$90,000 for materials used for maintenance on County roads. Bids for this year’s road program came in very attractive. Engineer Courtney stated the estimate was \$645,000 and bids came in at \$420,000. Councilmember AuWerter stated the Village could proceed with \$190,000 in mill and fill repairs and have a net cost of \$100,000 after the County reimbursement. We have already spent \$30,000 on an emergency repair on Old Mill Road. As this was a good year for bids, does the Village want to do additional work while facing a deficit and the effects of COVID? The additional work that was bid was as follows:

Woodstock Road for \$112,000,
Chartley Road for \$57,000 and
Dorchester Road for \$82,000.

We are not tackling Fox Hill, Fox Hill East or Riverview this year. The capital budget this year includes \$176,000 for the ODOT Mayfield Road at Chagrin River Road project. Village Engineer Courtney stated the plans are filed for the project, but it could be delayed a year. Treasurer Reynolds asked which of the projects have an immediate impact on public safety. Village Engineer Courtney replied that Fox Hill, Fox Hill East and Riverview would. Councilmember Reynolds noted those roads are low traffic volume roads. Treasurer Reynolds asked if the lower bids are due to low oil prices. Village Engineer Courtney responded the Village received 7 bids and the companies are eager for work as COVID has affected their work. Treasurer Reynolds is concerned about the long range projections. We have budgeted \$600,000 per year for capital projects of which \$250,000 is for the road program. What will it look like for 2021-2025 based on our road conditions? We have a \$450,000 deficit per year, so we need to know what the future of the road work is to be so that the projections can be updated. Councilmember Sogg noted we are getting to the end of the roads in terms of useful life and it is critical to do these three additional roads. The roads are very important and residents deserve the best, most decent roads we can provide. Mayor Schneider stated if we don't do the three roads mentioned; it will be as bad next year. Councilmember Welsh asked about using tar and chip. Village Engineer Courtney responded that material is not used for repairs, but is used over repairs. Councilmember Frankel noted we have an approved budget and this would put the Village in more of a bind. He asked if there is a way to figure out other ways to pay for the requested additional road work. Treasurer Reynolds noted we won't be in debt in the short-term; however, we are using reserves at a faster pace. Councilmember Turner clarified that the ODOT project would cost the Village \$176,900 that is in the budget. She reiterated that the project cannot be let go and reapplied for at the 100% grant award, as we may not be awarded the funds again. She stated she does not feel prepared to decide on the additional work at this time. Councilmember AuWerter said that the Village has to approve the work due to a time limit. Village Engineer Courtney replied that the Village can award the County roads now and the other projects would be contingencies which can be awarded in August. NES is \$3,000 higher for the County road work than Chagrin Valley Paving, but when the additional work is added in, NES is substantially lower than Chagrin Valley Paving. Village Engineer Courtney will check with ODOT to see if the Mayfield Road at Chagrin River Road project can be completed in 2021 to accommodate doing the additional road work this year. Service Director Biggert noted that if safety is the priority, than the Mayfield Road at Chagrin River Road should be first. Councilmember Frankel stated the Village should take care of Mayfield Road at Chagrin River Road and the \$190,000 of County road work now and do the additional work later. Councilmember AuWerter recommended approving NES up to \$190,000 on County roads including Brigham, Wilson Mills, Old Mill and Chagrin River Roads.

Councilmember moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2020-27 be placed on its final passage. Councilmember Reynolds seconded the motion.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Whitney.
 Nays: Welsh.
 Motion carried.

It was moved by Councilmember AuWerter, seconded by Councilmember Turner, that

Resolution No. 2020-27 be approved.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Whitney.
Nays: Welsh.
Motion carried.

There was no business from the audience on YouTube. Six people were viewing the meeting. One comment was posted from Joe Evans stating the meeting was informative.

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

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

Respectfully submitted,



Beth DeCapite, Clerk

Approved:



Karen E. Schneider, Mayor

