

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
March 8, 2022

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, March 8, 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, Welsh.

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

Mayor Schneider introduced Chief Minichello. Chief Minichello provided background on Sergeant Michael Pollutro's career with the Village of Gates Mills. He has 24 years with the Village and received the Medal of Valor in 2009 for saving a victim from a burning vehicle. He has served as a Field Training Officer and been on the Bomb Unit. He serves as a Firearms Instructor and Field Training Supervisor. He has a wife and two sons and lives in a nearby community. His father, Rocco Pollutro, is a retired Cleveland Police Chief of 30 years and is in attendance tonight. Mayor Schneider administered the Oath of Office for Lieutenant Michael Pollutro and his wife pinned on his new badge.

The minutes of the February 8, 2022 Council meeting were presented by the Clerk. Councilmember AuWerter moved to approve the February 8, 2022 minutes, with Councilmember Press seconding the motion.

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

Pay Ordinance #1259 in the amount of \$411,363.03 was presented by the Clerk. It was moved by Councilmember Welsh to approve Pay Ordinance #1259. Councilmember AuWerter seconded the motion.

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

Clerk DeCapite read Treasurer Siemborski's report pertaining to the February 28, 2022 Financial Statement. The report is attached.

Mayor Schneider read a thank you card from Julie Hullett from the Chagrin Valley Times.

Clerk DeCapite had no report.

Councilmember AuWerter reported he has been working on getting more cell towers in the Village for a few years. Gilmour Academy wants to install stadium lights with cell towers on light poles. The Village and Gilmour are dealing with the same carrier and are going to review the area to see which site would be best for covering as many Villagers as possible.

Councilmember Turner reiterated the importance for the use of the new Village email addresses for Village business. She reminded new councilmembers to take public records, sunshine law, ethics and social media training. She mentioned the upcoming community leader breakfast scheduled for Friday, March 18 at 7:30 a.m. at Mayfield High School.

Councilmember Steinbrink reported, for the Real Estate Committee, that multiple parties are interested in Cindy Halle's old space. He further reported that the Safety Committee met on March 4. Gatso came out to site work for the traffic cameras, which will not be up and running until summer. The Village has ordered 6 body cameras that will be funded by a grant and the Safety Fund. Dashboard cameras have been ordered as well. He reported on fireworks legislation that goes into effect July 1. The legislation permits setting off fireworks 20 days per year. There are storage concerns and safety concerns. The Safety Committee voted to recommend to Council to opt out of the 20 permitted days.

Councilmember Press suggested that Councilmember Steinbrink, as Chair of the Planning and Zoning Commission, identify someone to take Nancy Sogg's place at the end of her term and to start shadowing her at meetings to be ready to take over. Councilmember Steinbrink stated he appreciated Mrs. Sogg's institutional knowledge and diversity of opinion is important on the Commission. He likes the cross section now that represents various interest of the entire Village. Councilmember Press expressed concern over the Commission being out of balance with Councilmembers and former Councilmembers in favor of development. He stated he will not support Mrs. Sogg being reappointed. Councilmember AuWerter stated that Councilmember Press is accusing him, as a member of the Planning and Zoning Commission, of being pro-development and that is not true. He noted everyone works for the good of the Village on a volunteer basis.

Police Chief Minichello presented his report. Councilmember Atton remarked that speeding tickets are down compared to last year. He asked how many speeding

tickets were given on Mayfield Road. The Chief responded that he will look into the answer. It was noted that most of law enforcement has concerns over HB 215 as some safety training should be obtained for one carrying a handgun. There will be a unicycling event in the Village this summer by a national group. More information will be disseminated as it becomes available.

Service Director Biggert noted his report was in Council's information packet. The poles have been delivered for the Mayfield Road at Chagrin River Road intersection, but there may be more issues with them. Village Engineer Courtney showed a presentation for the Road Assessment and Data Capture to be performed by Pavement Management Group. The goal is to use technology and data to make better roadway maintenance decisions. The road videos would be updated every two to three years. There is an annual fee of \$1,000 to access the data.

Fire Chief Robinson reminded everyone to change the batteries in smoke detectors with the time change this weekend.

Ordinance No. 2022-8 "An Ordinance to Approve Current Replacement Pages to the Gates Mills Codified Ordinances" was read by Councilmember Turner.

Councilmember Turner moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2022-8 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.

It was moved by Councilmember Turner to approve Ordinance No. 2022-8. Councilmember Steinbrink seconded the motion to approve Ordinance No. 2022-8.

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

Resolution No. 2022-9 "A Resolution Expressing the Intent of the Village of Gates Mills in 2022 to Sell by Internet Auction Personal Property, Including Motor Vehicles and Other Property Referenced in Ohio Revised Code §721.15 Which is No Longer Needed for Public Use or is Obsolete or Unfit for the Use for Which it was Acquired; Authorizing GOVDEALS.COM, INC. to Perform the Sales; and Authorizing the Sale of Specific Personal Property by Internet Auction" was read by Councilmember AuWerter. He noted we are selling a 2003 Ford F250 flatbed truck with a snow plow and a 2006 Ford F550 dump truck.

Councilmember AuWerter moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2022-9 be placed upon its final passage. Councilmember Steinbrink seconded the motion to suspend the rules.

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

Councilmember AuWerter moved to approve Resolution No. 2022-9. Councilmember Welsh seconded the motion to approve Resolution No. 2022-9.

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

Councilmember Turner made a motion to approve the membership of the Comprehensive Plan Advisory Group. Councilmember Steinbrink seconded the motion. Councilmember Turner provided background on the Comprehensive Plan project, the selection of CT Consultants and the delay of the project due to the pandemic. In October 2021, the Village re-committed with CT Consultants. Volunteers were sought out to serve on various committees related to the Comprehensive Plan through the *The Pink Sheet*, during meetings, in Mayor's letters, and articles in *The Chagrin Valley Times*. The Mayor asked Councilmembers AuWerter and Turner to be the project managers. They worked with the consultant regarding criteria for selecting members of the Advisory Group. They approached the selection process in a way that volunteers would be looking out for the whole community, while acknowledging there will be conflicts of interest that exist. All meetings are open meetings and the process will be data and information driven with questionnaires, focus groups, and Town Hall meetings. While having the committee approved by Council, she is sensitive about discussing individuals who are volunteering. She is asking for questions or comments and thoughts and then approval of the group.

Councilmember Atton presented a handout to Council that is attached. He noted 51 of the 76 volunteers live south of Mayfield Road. He asked why groups such as the Metro Parks, Gilmour Academy and Mayfield City Schools are not involved in the process. He provided his observations on two prominent landowners who own close to 200 eminently developable acres which presents the perception of a conflict of interest and is bad for the process. He is dissatisfied with the list. He noted the value of the plan will depend on the extent of participation by Villagers and Villagers will participate more if the members are unbiased. He stated the quality of the process is crucial, not the pace. Councilmember Turner stated she appreciated his comments. There was a timeline in the State of the Village letter that was sent to all residents. She personally questions the north/south designations as Council represents the entire Village. Councilmember Atton stated the north/south issue is a proxy for a fundamental difference in the Village. Those

who believe they have great influence over the Village government and those who know they don't.

Councilmember Steinbrink said we are all in the same Village. Saying the plan is all about land use and assuming that large landowners are pro-development is not the way to move forward. You do not know what those landowners want and this is about more than land use. Councilmember Atton responded that he didn't say it is all about land use, but it is a reasonable assumption and a possible conflict of interest. Councilmember AuWerter added the handout statistics are too simple. For example, there are 5 members of the land conservancy group on the committee, 5 people who have leadership positions in different organizations and others with valuable skills. He is hard-pressed to believe residents on Dorchester and Riverview think differently. He stated they asked over and over again for volunteers and any who stepped up are on a committee. Councilmember Atton stated *The Pink Sheet* is a weak form of communication. Councilmember Press said the real divide that is perceived to exist is those who are in control and those that believe they have no say.

Councilmember Deacon stated it is helpful to take a step back and note that a lot of work went into the process. If there is an issue with being an influencer or not, it is a separate problem that needs to be addressed. There are broad committees that will roll-up recommendations that were developed collaboratively. If we do have individuals that feel they don't have a voice, they should be involved and come to the neighborhood meetings. She stated the process for the Committee will be a fair and balanced process. Mayor Schneider added her hopes that Councilmembers and others come to Advisory Group meetings. The meetings will be open for public comments. Councilmember Atton suggested substituting some people for others on the Committee, not adding more.

Clerk DeCapite remarked that she has lived in the Village for 62 years and has never heard of such differentiation and is sad to hear the north/south comment. Councilmember Atton stated there is a cultural difference.

Mayor Schneider asked for public comments. The following residents spoke:

Mark Shoag, Brigham Road – If we have these committees, people must be free to say what needs to be said. He stated Councilmember Atton is taking heat for saying something that others disagree with.

Les Jacobs, Woodstock – Stated concerns about so many spouses of public officials being on the committee. One spokesperson per household is appropriate.

Don McClung, Chagrin River Road – He stated he watched the Outside Perspectives Group meeting and noted attractions and deterrents that were discussed. Prestige, history and safety were all noted as attractions of the Village, while housing stock was both an attraction and deterrent. Access to I271 was considered both as well. We should only focus on things our community can impact. He asked if we don't have

restaurants, coffee shops or affordable housing, must they all be in the Village when they are nearby? Are we trying to overlay a template of what makes a perfect community? Councilmember Press added the Village is unique with a rural nature and that's why people stay. Councilmember AuWerter remarked that we are not looking to change the Village. We just want to see what buyers see in Gates Mills versus other communities.

Celeste McClung, Chagrin River Road – What three things are we trying to achieve with the plan? Councilmember AuWerter responded for him the controversy over the Glynos property development brought the cluster home issue to light. Some people want cluster housing and some do not. He remembered Councilmember Atton stating the whole problem is that we don't have a master plan. He wants a clear sense of direction. He wants to keep pace and maintain the attractiveness of the Village to homebuyers.

Betsy Dvorak, Brigham Road – She asked what we are trying to keep pace with. Councilmember Turner commented on the housing market two years ago versus today along with housing trends. Ms. Dvorak stated she had never heard of cluster home developments in the Village until the Glynos property. Mayor Schneider noted it has come up several times over the years. The Red Fox property and Old Mill at Berkshire were two examples provided. Had the Glynos property plan been approved by Planning and Zoning, it still would have had to come to Council. Councilmember AuWerter noted there is an ordinance on the books for conservation cluster developments.

Caitlyn Nemastil, Chagrin River Road – She stated if residents like Gates Mills the way that it is, is it worth spending \$60,000. Councilmember Turner responded the process of having people get together is improving the Village.

Lisa Pilla, Mayfield Road – She is glad Councilmembers Atton and Press brought up good points and there are only a few people that control the Village. She stated that Council meetings can even be intimidating. Why do we need a pavement management system? We do not need all of these committees. It is ridiculous. What do we need to find out? She wants services, such as garbage pick-up. She stated Councilmembers Atton and Press are right and it is the old money and people who have been here forever that control things.

Councilmember Welsh, Hillcreek – He stated the fear here is that there are hidden agendas for people on the list and maybe we should table this and get some of the silent majority on board.

Councilmember Turner asked that the vote be taken.

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

Councilmember Press wished Councilmember Turner a Happy Birthday.

Business from the audience: Trina Nemastil, Chagrin River Road, asked if the money received from traffic cameras is earmarked for a specific purpose. Mayor Schneider noted it will go into the General Fund and a purpose may be discussed. Councilmember Steinbrink asked Mrs. Nemastil if she had a suggestion and she replied for safety purposes.

Charlie Baker confirmed that Advisory Committee meetings will be open meetings. The Mayor confirmed that all meetings are open for the Comprehensive Plan.

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

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

Respectfully submitted,



Beth DeCapite, Clerk

Approved:



Karen E. Schneider, Mayor