

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
November 9, 2021

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, November 9, 2021 at 6:00 p.m. with Mayor Schneider presiding. The meeting was livestreamed to the internet.

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

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

The minutes of the October 12, 2021 Council meeting were presented by the Clerk. Councilmember Sogg moved to approve the October 12, 2021 minutes. Councilmember Whitney seconded the motion.

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

Pay Ordinance #1255 in the amount of \$381,140.48 was presented by the Clerk. It was moved by Councilmember Welsh to approve Pay Ordinance #1255. Councilmember Steinbrink seconded the motion to approve Pay Ordinance #1255.

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

Treasurer Siemborski read his report for the month of October, which is attached. He noted the Village is on very solid financial footing. The General Fund balance is \$7.7 million representing over 12 months of operating needs. If revenues and expenses follow last year's pace, the Village could complete calendar year 2021 with an operating surplus in excess of the planned surplus of \$777,000 for the General Fund. He reported that he and the Finance Administrator had met with Ancora Advisors regarding the Village's portfolio management. He reported the Wage and Benefit Committee will meet this Thursday and the Finance and Budget Committee is scheduled to meet on Saturday. His report will also be posted on the Village website every month.

Mayor Schneider gave her report. She congratulated Councilmembers-elect Steinbrink, Atton, Deacon and Press and thanked Councilmembers Frankel, Sogg and Whitney for their years of service on Council. She read a thank you card from Jean Misch's family for the tray of food provided at her father's calling hours. The Mayor thanked an anonymous resident for providing a donation to the Safety Fund to help fund the purchase of new police cruiser dashboard cameras.

Clerk DeCapite did not have a report.

Councilmember AuWerter reported on the Master Plan process. The Master Plan Advisory Committee is being formed. The Advisory Committee's goal is to make recommendations to Council and the Mayor. The Mayor and Councilmembers AuWerter and Turner have been reaching out to those who have mentioned they would like to volunteer. If you have received a call from one of them, please reach out to them. Master Plan information will be available on the website soon and an introductory meeting will take place in January. Councilmembers may attend meetings, but will not be on the Advisory Committee.

Councilmember AuWerter noted the formation of a finance task force to review how communities are billed by Chagrin Valley Dispatch. Currently, a community's call volume percentage is used to determine the amount of costs owed. In 2022 there is going to be a 7% increase for all communities. The task force is challenged with determining if there is a better way to charge communities. A Trustee from Chagrin Township is heading the group. Councilmember Welsh suggested the Village establish its own dispatch center again. Councilmember AuWerter replied the expense to do so is too high.

Councilmember AuWerter, for the Service Committee, reported on the road program. There was a lot accomplished this year. Next year, major work is planned for Gates and Sherman Roads along with mill-and-fill work on Hillcreek. The annual county program for reimbursing the Village for materials on County Road work is still in place. Battles, Berkshire, Brigham, County Line and Old Mill are County roads where those funds may be helpful.

Councilmember Turner provided an overview on the Positively Gates Mills Committee and new resident outreach. COVID has made things difficult, but there is an individual outreach done by Officer Strasshofer. We are collecting new resident information to have socials. Twenty-six new residents attended in October. Councilmember Turner hopes to have events on a semi-annual basis. We do have information for residents in The Pink Sheet and through Gates Mills Connect, but we are working to enhance the New Resident section of the website. Susan Oros has agreed to assist with the project. It was noted that new resident packets were not very successful and had no personal connection.

Councilmember Turner reported on the Gates Mills Land Conservancy. The Board met this morning. The levy had a 76% approval, which is the highest ever approval rating for the levy. The Board is recommending two new Boardmembers, Celeste McClung and Anthony Fazio. The GMLC will vote on the new Boardmembers at its December 7 annual meeting. The Nominating Committee included John Kramer, John Kozak and Cindy Altus.

Councilmember Frankel noted the upcoming Hanukkah celebration and Menorah lighting. The community lighting will take place on November 29 at 5:30 p.m. in the garden opposite of Village Hall on Chagrin River Road.

Chief Minichello provided his report. He noted the Tesla has been outfitted and we took possession of the vehicle last Friday. It was on the road yesterday and today and has been well-received. He stated the Village has applied for a grant to pay for body cameras and is awaiting the results. The department's dashboard cameras (dash cams) are 15 years old. Through Chagrin Valley Dispatch's purchasing power, we are able to obtain new dash cams for \$7,000 per car for a total of \$37,250. We have received a donation of \$18,675 to pay for 50% of the cost. The Watchguard dash cams will integrate with the body cams they would like to obtain. With regard to the traffic camera program, a Community Open House will be held on Tuesday, November 30 at 6:00 p.m. Councilmember Welsh questioned why the State doesn't put the program in place and pay for legal fees when we get sued. Chief Minichello noted the State asked us to consider the program. Councilmember Frankel noted the citations are civil infractions that haven't seen any lawsuits and we are not the only community doing this. Chief Minichello noted he had received supportive communications regarding the program from a resident on Fox Hill and a resident on Mayfield Road.

Service Director Biggert provided his report. Mayor Schneider inquired about the status of the new poles and lights for the Mayfield Road and Chagrin River Road intersection. Service Director Biggert noted he has asked ODOT for an update, but has not heard back as of yet. Councilmember Welsh asked if the Christmas lights will be turned on the day after Thanksgiving and Service Director Biggert confirmed that they would. Councilmember Turner asked if the delay in receiving the new truck will affect snow plowing efforts. Service Director Biggert stated we still have the old truck, but may have to accommodate more repairs. We may receive the new chassis in April and we would still have to add the plow and dump body.

Chief Robinson provided his report. The cost of EMS service was discussed. The cost is more than we thought it would be this year; however, we will not receive our next invoice until January 2022.

Councilmember AuWerter made a motion to go into Executive Session to discuss with the Law Director a dispute that is the subject of imminent court action; to consider the purchase of property for public purposes; and to obtain legal advice from the Law Director. Councilmember Sogg seconded the motion.

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

The Mayor reconvened the council meeting at 7:16 p.m.

Ordinance No. 2021-36 "An Ordinance Enacting Gates Mills Codified Ordinance Chapter 318 'Automated Speed and Traffic Enforcement Program'" was read by Councilmember Frankel. Councilmember Frankel noted unsafe conditions, excessive speed, loss of cruisers, an injured Officer, and the inability to stop on Mayfield Road. The Ordinance is on first reading.

Resolution No. 2021-37 “A Resolution Authorizing the Mayor to Enter into a Contract with Sensys Gatso Group for an Automated Photo Traffic Enforcement System” was read by Councilmember Frankel. The Resolution was put on First Reading.

Ordinance No. 2021-38 “An Ordinance Authorizing a Contract with Aetna Health Care to Furnish and Provide Hospitalization and Health Care Coverage for Village Employees and Declaring an Emergency” was read by Councilmember Whitney. Councilmember Whitney noted the Insurance Committee had met and reviewed the health and dental insurance renewals. Aetna provided a 5.5% renewal but will reduce it to 2% if the Village renews 30 days prior to December 31.

Councilmember Whitney moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2021-38 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

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

It was moved by Councilmember Whitney to approve Ordinance No. 2021-38. Councilmember Sogg seconded the motion to approve Ordinance No. 2021-38

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

Ordinance No. 2021-39 “An Ordinance Authorizing a Contract with Delta Dental to Provide Dental Insurance Coverage for Village Employees and Declaring an Emergency” was read by Councilmember Whitney. The renewal came in at 8% and was reduced to 4.8%. Delta Dental had held the renewal steady two years in a row.

Councilmember Whitney moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2021-39 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

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

It was moved by Councilmember Whitney to approve Ordinance No. 2021-39. Councilmember Welsh seconded the motion to approve Ordinance No. 2021-39.

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

Motion carried.

Ordinance No. 2021-40 “An Ordinance to Amend the Annual Appropriation Ordinance No. 2021-4 to Increase Certain Appropriations and Other Expenditures of the Village of Gates Mills, Ohio for the Fiscal Year Ending December 31, 2021” was read by Councilmember Whitney.

Councilmember Whitney moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2021-40 be placed upon its final passage. Councilmember Turner seconded the motion to suspend the rules.

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

It was moved by Councilmember Whitney to approve Ordinance No. 2021-40. Councilmember Steinbrink seconded the motion to approve Ordinance No. 2021-40.

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

Resolution No. 2021-41 “A Resolution Authorizing and Directing the Transfer of Certain Sums from the General Fund to the Wastewater Fund” was read by Councilmember Whitney.

Councilmember Whitney moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2021-41 be placed upon its final passage. Councilmember Steinbrink seconded the motion to suspend the rules.

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

It was moved by Councilmember Whitney to approve Resolution No. 2021-41. Councilmember Frankel seconded the motion to approve Ordinance No. 2021-41.

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

Business from the Audience:

Brent Stewart, River Oaks Trail, commented on the discussion regarding traffic cameras. He stated there may be fewer violations in a year but to say it will be preventative for egregious speeders is not true. He stated we need to think this through. Have we considered all of the options such as lowering the speed or rumble strips? There can be referendums to stop this and it

all needs to be discussed.

Caitlyn Nemastil, Chagrin River Road, stated that the police car accidents on Mayfield Road were not affected by speed. She stated an Officer pulled out in front of a car and a garbage truck rolled back into a cruiser. She stated it is false advertising and there are two lanes and she has never heard of a Police Officer being in an accident when helping someone. It is a fast-moving highway and it is more dangerous to have bicyclists on Chagrin River Road than traffic on Mayfield Road. She also stated she lives at the bottom of the hill and it is a drug trafficking area.

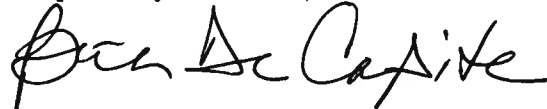
Lisa Pilla, Mayfield Road, stated the cameras are a total turnoff. It is tacky and we are losing rights in this country. It is a highway and she does not want cameras. We do not need that and Officers can stop people and give them a ticket. She stated it is hard to go 45 mph and we do not need to be babysat.

Charlie Baker, Echo Glen, stated he is totally in favor of the cameras. The signage that goes with the cameras is important as well. Speed, over the years, along with traffic has increased during his years here. Signs that show the speed electronically have also been helpful. He has talked to many residents who are also in favor of the program.

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

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

Respectfully submitted,



Beth DeCapite, Clerk

Approved:



Karen E. Schneider, Mayor