

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
October 12, 2021

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, October 12, 2021 at 6:00 p.m. with Mayor Schneider presiding.

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

Councilmember Sogg moved to excuse Councilmember AuWerter from the meeting. Councilmember Frankel seconded the motion.

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

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

Mayor Schneider stated we would now hear a presentation regarding traffic cameras and introduced Chief Minichello. Chief Minichello noted that the Village has a speeding problem on State Route 322 (Mayfield Road). Statistics from the Ohio Department of Transportation (ODOT) show between 15 and 17 thousand cars traveling through Gates Mills on SR322 in a 24-hour period. The data shows about 7% of the traffic is traveling 15 mph over the speed limit. We have a civil photo enforcement opportunity for this section of road. Mayfield Road presents many problems. There are no shoulder areas, no places to run radar, and stopping a vehicle is done within a lane of traffic. The safety issues to officers and vehicles are many. The Chief introduced Dorian Grubaugh, National Sales Manager for Sensys Gatso Group. Mr. Grubaugh noted the company does product delivery, image processing, citation issuance (once approved), fine collections and customer service. The traffic camera enforcement program does not cost the municipality money as it is a violation-funded program. The T-Series cameras are what the Village is considering. The camera can watch six lanes of traffic at a time. It performs vehicle detection and targeting functions, holds data from the traffic coming through, counts vehicles and registers speeds of cars, motorcycles and trucks. Over a 12 to 18-month period, there should be a dropoff of traffic and lowered speeds. Mr. Grubaugh stated we should want to keep traffic under double digits over the speed limit. The Police Department receives still images of the vehicle and the registered owner information. Once an Officer approves the citation, Sensys Gatso mails it out the next day. Day 1 an event is captured. Day 2 the event is assessed by Sensys Gatso. Days 3 and 4 would involve approval by the Police Department. By Day 5, a citation is mailed. He projected an image on a screen that shows what the desktop and pending events would look like for Police. Many reports can be run from the system as well, such as events by zip code of the owners and how many are cited from a certain zip code. Reports are available in Excel and PDF formats. Mayfield Village has made arrangements with Lyndhurst Municipal Court already, so that helps us with setting up the program. Customer service representatives are currently working from their homes. An Online Payment Portal is available for the payment of citations. There is a PIN and Citation number on each ticket. The individual

will see the documentation, the citation, and everything that goes with that ticket (i.e. our ordinances). Individuals can also pay via check or over the phone. They may also select to have a hearing or transfer liability if they were not the one driving the vehicle. If the person you lent the car to does not pay the citation, it will revert back to the registered owner. Sensys Gatso partners with communities in their traffic safety. They bring in the technology and work with the Police Departments. In doing so, they collect a percentage of the revenue collected. Councilmember Sogg asked if there is the ability to negotiate a ticket. Mr. Grubaugh stated there is. The Police Department still has control and can address that. Councilmember Sogg asked how the Chief would assign the review of the events. Chief Minichello responded he has some concern over the volume, but has been assured that we would be able to handle the program with himself and the supervisors to start. Councilmember Turner inquired about the setup and implementation process. Mr. Grubaugh replied that it takes roughly 90 days. He said it depends on permitting as they have to meet ODOT standards. An engineer works with us to look at the placement of the cameras. It is up to the municipality as to how they want to handle calls and situations that arise. The municipality sets the threshold as well. They will build the program to suit our needs. When the program begins, there is a warning period for the first 30 days. Postings and letters are sent out to inform the community. After the warning period, the program goes into enforcement. Signs go up and all efforts are made to give everyone notice in order to bring the speed down. Councilmember Welsh asked about the legality of the program and being sued for privacy invasion. Mr. Grubaugh responded that the program is permitted in the Ohio Revised Code. If the Village were to be sued, he noted, there is no right of privacy in filming automobiles. Councilmember Steinbrink asked if the signs are posted to warn a driver that they are approaching a camera. Mr. Grubaugh noted that the main roadways and entries to the Village will have signs that note photo enforcement is being utilized. At the cameras, there are speed limit signs and photo enforcement language. Mr. Grubaugh noted this is one of the first times he has had ODOT ask for the municipality to look into the program due to the issues on the road. Councilmember Welsh stated that traffic lights seem to be a problem. He asked if they do light enforcement too. Mr. Grubaugh replied that they do and the camera has to be within 100 feet of the light. Councilmember Whitney asked about the general terms of a contract with Sensys Gatso. Mr. Grubaugh responded they keep 38% or \$38 of every \$100 for a five-year period with an automatic renewal. Councilmember Whitney asked about payment options. Mr. Grubaugh reiterated one may pay online, over the phone or by sending in a check. There is a credit card convenience fee. Councilmember Sogg asked where Mayfield Village will have cameras. Mr. Grubaugh noted they are using handheld devices on the interstate. Councilmember Welsh asked how many municipalities in Ohio have a program. Twelve to fifteen was Mr. Grubaugh's response. Councilmember Steinbrink provided some history and summary. State Route 322 used to be 55 mph and the State of Ohio reduced it to 45 mph. We have just realigned the 322 and 174 intersection for traffic safety. He noted that the Village has had two officer-involved accidents on this section of road. We have had two cruisers totaled and an officer out of work for over two years. When you have a small department, it hurts to lose one. Also ODOT says we should consider this. Chief Minichello added that cars speed when passing an Officer that has someone stopped. The Chief would like to see the program up and running in the spring. Councilmember Frankel stated we would have the ordinance at the next meeting with three readings and then one month of warnings. Councilmember Sogg noted Council had received a letter from resident and Safety Committee member Scott Broome that should be added to the minutes. Resident David Atton, Chagrin River Road, asked if the

cameras detect sound. Mr. Grubaugh replied that product is being tested. Resident Michael Press, County Line Road, stated some municipalities may put the cameras in and then take them out and asked why this happens. Mr. Grubaugh stated that many times, in a larger city, the voice of those who are against the program are the loudest. They frighten public officials and then get the cameras removed. There is an argument that the program is a money grab. Red light programs can cause accidents, as people decide to stop or not. With speed you are trying to reduce speeding as a factor for accidents. Sometimes there are political issues. Resident Celeste McClung, Chagrin River Road, thanked Council and the Chief for looking into this issue. There are a lot of cyclists that travel the 322 and 174 intersection and she is grateful it is being looked into. When asked about the placement of the cameras, Chief Minichello stated he is projecting to start with two cameras and will work with the engineers regarding the best placement. The goal is to make the area safer. The cameras are just a tool, or a force multiplier, for the department.

The minutes of the September 21, 2021 Council meeting were presented by the Clerk. Councilmember Sogg moved to approve the September 21, 2021 minutes, with Councilmember Turner seconding the motion.

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

Pay Ordinance #1254 in the amount of \$548,733.99 was presented by the Clerk. It was moved by Councilmember Whitney to approve Pay Ordinance #1254. Councilmember Sogg seconded the motion to approve Pay Ordinance #1254. (Councilmember Welsh exited the room).

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

Treasurer Siemborski read his report for the month of September, which is attached. The report will be posted on the website. He noted the Village is on very solid financial footing. General Fund revenues exceeded expenses by \$105,000. For the nine months year-to-date, General Fund revenues have exceeded expenses by \$2,592,000. The General Fund cash balance is \$7.7 million, representing over 12 months of operating needs.

Mayor Schneider gave her report. She noted that new street signs are being installed throughout the Village, with about one-third already in place. The family ice cream social was held on Sunday with a nice turnout. The Police Department's Crime Prevention was held last night and had a good turnout. It will be available on the website soon. She read a thank you letter from Jim and Cathy Pender. They thanked Chiefs Robinson and Minichello along with Firefighters Majeski and Reda and Police Officers Cole and McKillen for their assistance. Mayor Schneider read a thank you letter from Highland Heights Mayor Brunello for our participation in the 20-year anniversary of 9/11 by providing a ladder truck for the event. Mayor Schneider asked Councilmember Whitney to read a letter that she had received from Dan Collister, resident and former Mayor, regarding the conservation levy. The letter is attached.

Clerk DeCapite did not have a report.

Councilmember Turner reported that the Gates Mills Land Conservancy welcomes volunteers to help with the removal of invasive plants at the Sherman Road Preserve. Saturday, October 23rd and Tuesday, October 26th from 9:00 a.m. until 3:00 p.m. are the dates and times for the work to be done. She also noted membership renewal letters will be sent out shortly from the Land Conservancy. They will hold their annual meeting in December.

Councilmember Turner, on behalf of Positively Gates Mills, reported there will be a new resident social held on Friday, October 22nd. They are hoping for 25 or more new residents to attend. She stated there will be ice breakers along with information from community groups available. This is not a political event for candidates to attend.

Councilmember Frankel stated he is excited for the traffic camera opportunity and it is a safety game-changer.

Chief Minichello provided his report. He noted the department had applied for a \$25,000 grant for body cameras for police officers. He is optimistic about getting approved. This amount would cover about 6 cameras. Councilmember Frankel asked if legislation is needed for body cameras. Chief Minichello will discuss the matter with the Law Director. He informed Council about a dog attack incident. A pit bull dog attacked another dog that was with a 16-year old girl, who was shaken up. Treasurer Siemborski mentioned that the Village should advertise that the police will do a security system inspection at homes if requested.

Service Director Biggert provided his report, which noted the installation of the new street signs. There were no questions.

Chief Robinson provided his report. He presented photos of two incidents; a dehumidifier event and a breaker panel incident. Smoke was coming out of the breaker panel. The connectors in the panel were not compliant. Chief Robinson reached out to Building Official Biggert and our electrical inspector. The call speaks to how well the departments work together as they did a site visit and made further recommendations for safety. Chief Robinson noted maintenance such as cleaning the back and under the refrigerator and cleaning clothes dryer vents are important. It is important to pull permits for electrical work and to use certified electricians. During an incident, the Fire Department owns your home and then gives it back to you once it is safe. The owner doesn't have to let the Fire Department come back. In this case, Chief Robinson called the homeowner and they allowed us to come back to inspect the panel. This was important as it concerned the safety of the family. Councilmember Turner asked the Chief if he had followed up on the response time questions that had come up recently. Chief Robinson replied that he had researched two incidents. A third incident did not have a good location or address. One event was a resident that felt it took 15 minutes for the ambulance to arrive. He listened to the tapes and made a timeline from the start of the call at CVD to the moment the ambulance arrived. The total time was 11 minutes 37 seconds. When you are having a difficult time breathing, it's a long time. The travel time to this residence is 8 minutes. The ambulance made it to the residence in 6 minutes 32 seconds. Response times include

picking up the phone at dispatch, which starts the process. The dispatcher has to get the information from the caller, collect the data and then dispatch the appropriate responder. In this case, Mayfield Village's Dispatch center then had to collect the data. This call was not brought to his attention, as 11 minutes 37 seconds would not seem out of place. We augment the EMS service with our Police Department. The Police Department is notified when the ambulance is notified. Our Police Officer arrived at the resident in 3 minutes 37 seconds. Our Officers are trained in CPR, first aid, defibrulators, and Narcan. The Officer was out on patrol and got there quickly. It is nice to get everywhere in 5 minutes, but that is just not possible over 9 square miles.

The other incident he researched was for Fire Department response. This incident was three years ago. He dealt with this personally three years ago. There was a problem with the call to the monitoring company. The homeowner told the alarm company not to send the Fire Department. They wanted to know how to silence the alarm and turn it off. The alarm company does not have a home's code. The homeowner didn't want the Fire Department and then finally said to send them out. Chief Robinson talked to the resident 3 years ago. It took the Fire Department, once the call was received, 7 minutes 49 seconds to arrive at 1:46 a.m. Arrival times can be long, as we are not a staffed station. The real problem with the call was not with us or our dispatch center, but with the monitoring company being told not to dispatch the Fire Department. There were 13 minutes of time where the homeowner argued with the monitoring company. Councilmember Turner said she is reassured by how thorough Chief Robinson is and how responsive he is. Chief Robinson noted the biggest problem is perception and expectations. On television, responders get there really quick. We are not in that situation and we are not staffed 24 hours a day, 7 days a week. In trying to make things safer, we started the smoke detector program years ago. If you call dispatch and say the word "smoke" or "fire", dispatch will call our Fire Department and six others out at the same time. Mayor Schneider asked Chief Robinson to reiterate the difference between calling from a landline or a cell phone. He said when you dial 911 from a cell phone, it can go to the Geauga County Sheriff, downtown Cleveland to C-Comms or to Kirtland and the emergency operating center near Lakeland Community College. The dispatch center that receives the call may not know your community. Residents of Gates Mills should program our dispatch center phone number into their cell phones. The Your 911 app was supposed to help with this issue, but people don't use it. The app works well on a campus, but in a panic situation, most will dial 911. The phone number for dispatch is 440-423-4456. Councilmember Frankel met with Chief Robinson after the September Council meeting and was enlightened by the records and great job by the Police and Fire Departments. Chief Robinson noted that he did talk with the resident that had been choking and noted the Police Officer did as trained to do. It wasn't a full obstruction and calming the patient is what is important in a partial obstruction.

Ordinance No. 2021-33 "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 noted a correction in Section 1 to change 2020-2 to 2021-4 and to delete "to the Fire Department Salaries and Wages" from Section 2.

Councilmember Whitney moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2021-33 be placed upon its final passage.

Councilmember Sogg seconded the motion to suspend the rules.

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

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that Ordinance No. 2021-33 be approved with the noted corrections.

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

Ordinance No. 2021-34 “An Ordinance Authorizing the Disposal by Sale of a Vehicle that is Unfit, Obsolete and Unneeded for Village Purposes; and Declaring an Emergency” was read by Mayor Schneider. This is a used police cruiser with over 120,000 miles to be sold for \$9,000.

Councilmember Welsh moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2021-34 be placed upon its final passage. Councilmember Steinbrink seconded the motion to suspend the rules.

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

It was moved by Councilmember Welsh, seconded by Councilmember Steinbrink, that Ordinance No. 2021-34 be approved. Councilmember Frankel added that he discussed the sale with Chief Minichello and Carmax was the highest offer.

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

Resolution No. 2021-35 “A Resolution Authorizing the ‘Phase II Stormwater Services Agreement’ with the Cuyahoga County Board of Health for Calendar Years 2022 and 2023” was read by Councilmember Sogg in Councilmember AuWerter’s absence. Councilmember Sogg noted this is an agreement where the Cuyahoga County Board of Health provides necessary services for \$1,000 and we can be reimbursed by the Northeast Ohio Regional Sewer District.

Councilmember Sogg moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2021-35 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

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

Motion carried.

It was moved by Councilmember Sogg to approve Resolution No. 2021-35. Councilmember Turner seconded the motion to approve Resolution No. 2021-35

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

Business from the Audience:

Celeste McClung, Chagrin River Road, had a question about the new resident event and there being no council or candidates in attendance. Councilmember Turner replied the Mayor will welcome everyone and hosts Susan Oros, Jim Stafford, Laura Cotton, Community Club members Cathy DiVincenzo, Sue Roby and Lisa Reid will be present along with Positively Gates Mills member Janet AuWerter.

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

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

Respectfully submitted,



Beth DeCapite, Clerk

Approved:



Karen E. Schneider, Mayor

Treasurer's Report

October 8, 2021

Financial statements were distributed to the Mayor, Clerk and Council in advance of the Council meeting.

The Village is on very solid financial footing. September was a solid month as General Fund revenues exceeded expenses by \$ 105,000, which adds to the surplus. In September, the Village collected \$140,000 of rollback from the State and \$149,000 of municipal income tax. Also in September, the Village paid \$240,000 for Police, Fire, Service and Administration expenses.

For the nine months year-to-date, General Fund revenue exceeds expenses by \$ 2,592,000. Revenue from real estate taxes and municipal income taxes are favorable to budget for the 9 months. Expenses are on or near budget, with most variances attributable to timing of payments.

The General Fund cash balance is \$7.7 million representing over 12 months of operating needs.

At this time and if revenues and expenses follow last year's pace, the Village could complete calendar year 2021 with an operating surplus in excess of our planned surplus of \$777,000 for the General Fund.

As to the Capital Improvement Fund, in September, the Village paid \$285,000 from the Capital Improvement Fund for the 2021 Road Program, as budgeted. This brought the Capital Improvement Fund to a balance of \$536,400. We expect to spend \$400,000 in October and November to complete the 2021 Road Program.

Again, the Village is on solid financial footing and the surplus in 2021 will be available to use in 2022 and future years.

As the books of the Village are maintained essentially on a cash basis, there can be large variances based on when cash is received, and expenses are paid. Month-over-month, and year-over-year, it is not uncommon to have a surplus one period and a shortfall the next period.

As mentioned in my report last month, the Long-Range Planning Committee report of September 2020 identified many revenue and expense options. Those options need to be evaluated for the current environment and to address a longer-term imbalance in our future revenues and expenses. We'll use the Budget and Finance Committee to undertake this and have scheduled a meeting for October 21st.

Steven L. Siemborski

Treasurer, Village of Gates Mills

Chair, Budget/Finance Committee

Conservancy Levy

daniel collister <danielrcollister@comcast.net>

Thu, Aug 26, 1:34 PM

To: anntwhitney@gmail.com <anntwhitney@gmail.com>

Cc: karen@sstack.com <karen@sstack.com>

Ann: I have now completed my investigation of the background of this proposed Levy renewal and have concluded that Village residents should vote FOR the Levy.

The progression of my research is as follows: I interviewed several villagers and have "attended" the taped special June Council Meeting when Rob Galloway and Nat Smith reported to Council. I was reminded of 1988, when the Conservancy was formed, and 1991, when the first Conservancy Levy was approved, and remember with great affection those who worked so hard at the beginning: Rick Bole, Fred Suppes, Tom Quintrell and many others.. I was Mayor at the time and later, as a citizen, president of the Conservancy. Rob and Nat outlined the accomplishments of the Conservancy, some eighty properties or some such number, and the ongoing stewardship and financial liabilities the Conservancy has. I'll always be grateful that the Abakumov property, for instance, at the end of River Oaks; the Newell estate at the top of Sherman; and the Wick reserve at the foot of Berkshire and River -- that these and others didn't become housing projects as they could easily have without the Conservancy.

The Conservancy reports that their acquisition mission is largely past, although properties still come up each year that residents want protected, and that their needs are now about half of previous needs. The simple answer would seem easy: just cut the Levy in half, providing for the Conservancy's needs, and making the renewal all the easier to pass. But here's the kicker: the original Levy was passed at a time when the State of Ohio had in effect a tax rollback of 12 1/2 % under the Homestead Exemption, meaning that the Village benefitted each year by about \$25,000. **This continues retroactively for our Levy UNLESS THE WORDING IS CHANGED! So, changing the wording to half costs the Village \$25,000 per year.**

The answer is to renew the present Levy in its present form. Traditionally, the split between the Village and the Conservancy is negotiated in January after the vote, and could then be changed to 50-50. The Village wishes to be transparent and divulge this intention ahead of the vote, since citizens would understandably be

upset if they weren't informed. Thus the several public meetings to apprise citizens.

The Village does in fact have "Conservancy" projects. Have you noticed that we live in a valley? The glaciers and Chagrin River carved out our lovely valley an average of 700 feet below the flat plain of Northern Ohio. That involves cliffs, hillsides, banks, streambeds, ravines,. And they require care. The Village proposes to "Conserve" them with its share of the Conservancy Levy.

It seems perfectly straightforward to me, and therefore I recommend a vote FOR the Levy. It would be a tragedy if we lost the Conservancy after decades of success, merely because these facts were not generally circulated.

Thank you, Dan Collister

MEMORANDUM

TO: Village Council

From: Scott Broome, resident

IN RE: Safety Concerns on Mayfield Road for Residents, Motorists and Gates Mills Police

DATE: October 12, 2021

SUMMARY:

Mayfield Road (Route 322) through the Village of Gates Mills has seen a large increase in traffic over that of past years. Ohio Department of Transportation Data shows that a significant percentage of that traffic is substantially exceeding the posted speed limits. Given the unique geography the route traverses and the lack of any shoulder, necessary enforcement by the Gates Mills Police Department (GMPD) puts officers and the people they pull over at greatly enhanced risk of serious injury or death as enforcement must be in the lanes of traffic. Enforcement can be aided and risks reduced by remote cameras that will, over time, bring down speeds creating a safer environment and reducing the need for “in-person” enforcement which will also reduce the number of times officers and drivers must be stopped in lanes of travel. For these reasons and others, deployment of these camera systems will not only improve safety, but will also improve the high quality service the GMPD already provides to residents and visitors to the Village.

ISSUE: 1

Increased traffic flow

According to Ohio Department of Transportation (ODT) Volume Count Reports, daily traffic volume on Route 322 through the Village has increased by more than twenty-five percent 25% from 2013 to 2016 from 15,195 to 19,135, respectively.¹²

High Number of Excessive Speeds

ODT data also reveals that a relatively high number of “significant speed violations” (over 20 MPH over Posted Speed Limit) are occurring on a daily basis on the portion of Route 322 that runs through the Village. 2019 Data from the western half of Route 322 shows that 224 vehicles during a 24-hour (or less) period were travelling in excess of 20 miles per hour over the posted speed limit. Of those, 192 were traveling 20-25 miles over, 30 were travelling 25-30 miles over

¹ Note that ODT changed their reporting between 2016 and 2019 to include a number described as Annual Average Daily Traffic (AADT) which was not included in 2016 reporting which included only daily traffic for the days on which data was recorded. The cited numbers compare the traffic actually recorded in 2016 vs. 2019. AADT numbers tend to be lower as 2019 AADT was computed at 17,681. This was still a significant increase over 2016 and, if an AADT was available for 2016, it would likely be lower than 15,195, thus maintaining the 25% increase.

² Volumes were down in 2020 due to the pandemic. ODT reported an AADT of 15,007 for 2020. However, ODT still indicates that volume grew over 2019 by 3%. There is no indication that the 2020 volume portends a meaningful change in the pattern of increases.

and 2 were travelling 30-35 miles over. Data from 2016 also supports the assertion that a significant number of vehicles are travelling more than 20 miles per hour over the posted speed limit.

According to the Ohio State Highway Patrol (OSP), between 2018-2020, there were 91,972 car crashes in Ohio roadways that resulted from drivers exceeding the speed limit or driving at an unsafe speed and nearly one-third of the speed-related crashes came from young drivers between the age of 15 and 24. OSP further reports that Ohio also saw an increase in fatal speed-related crashes from 294 in 2019 to 337 in 2020.³ In total, locally, 18,880 crashes throughout northeast Ohio occurred in 2019-2020 due to unsafe speed according to OSP data.

OSP data also shows that speed related crashes are up significantly in Cuyahoga County. Comparing two relevant periods shows that speed related accidents have more than doubled:

Data Period	Number of Speed Related Accidents
1/1/2018 to 10/9/2019 ⁴	2,585
1/1/2020 to 10/9/2021	5,882
Increase	3,297
Percentage Increase	127.5%

Other anecdotal evidence also indicates that excessive speed is a growing problem.

<https://fox8.com/news/oshp-increasing-patrols-due-to-more-excessive-speeding-across-northeast-ohio/> (last Checked 10/11/2021)

<https://www.wkyc.com/article/traffic/ohio-state-highway-patrol-one-third-fatal-crashes-between-2018-2020-due-unsafe-speed/95-0cf5d70b-ecb0-4158-a077-0b32c1d79c18> (last checked 10/11/201)

<https://www.whio.com/news/local/excessive-speed-violations-increase-officers-plan-more-patrols-catch-erratic-drivers/WIBKUFHP5NBCTF65WEJRWYFRKU/> (last checked 10/11/2021)

<https://www.wkbn.com/news/local-news/ohio-state-highway-patrol-issues-record-number-of-100-mph-tickets/> (last checked 10/11/2021)

ISSUE 2:

Hazards and Impediments to Enforcement

The design of Route 322 and the geography present unique and highly hazardous conditions for the officers of the GMPD (or the OSP) in conducting enforcement on Route 322. Those same conditions create hazards for motorists who are stopped as well.

³ OSP Traffic Safety Bulletin, September 2021(Copy attached)

⁴ Source, <https://statepatrol.ohio.gov/ostats.aspx> last checked 10/11/2021.

The design of the roadway offers no place to pull over out of traffic so all enforcement activity occurs in the lanes of travel. This puts the officers physically in danger of being involved in a “struck by” accident the moment that they stop a motorist. We need look no further to see evidence of this than our own experience. In 2018 we had an officer injured when she had stopped a motorist and was then rear-ended by a motorist travelling 67 miles per hour down the hill (eastbound on western side). According to Federal Bureau of Investigation (FBI) statistics, in 2019, of 41 officers killed in accidents, 18 were killed while operating motor vehicles and 16 were killed in pedestrian struck by vehicles. See, <https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-2019-statistics-on-law-enforcement-officers-killed-in-the-line-of-duty>. (last checked 10/11/21) While statistics on injuries are more difficult to find, unquestionably a larger number of officers are injured in vehicles during stops or as pedestrians.

The geography of Route 322 also poses unique hazards. Route 322 has an 8% grade over a significant distance which is a significant grade.⁵ An 8% grade is in excess of the maximum grade permitted on an interstate highway in the United States due to safety concerns and, accordingly, freeway like speeds pose significant safety issues on such a grade. The geography contributed to a GMPD Officer being injured in 2017 when a stopped garbage truck rolled back on the officer’s patrol car and flipped the car trapping the officer inside. Also, when travelling downhill, sight lines are decreased or eliminated (this is especially true on the Eastbound lanes on the west side of the hill) and stopping distances are greatly increased. This means that motorists have less time to react and need more time to stop. Reaction times are further decreased and stopping distances increased by excessive speed. One way to increase reaction time and decrease stopping distances is to lower speed. Specific to Route 322:

- a. In the Western slope EB lanes, difficult to see a stopped patrol car in time to stop.
- b. In the Eastern Slope WB lanes difficult to see a stopped patrol car in time.
- c. Normal stopping distances are greatly extended when trying to stop on such a grade, even in dry weather. In wet, snow or ice conditions, stopping distances are even greater.
- d. Distracted driving further decreases reaction time which increases required stopping distances.

These hazards are not unknown. Undoubtedly these contributed to the officer involved accident in 2017. Years ago, ODOT lowered speed limit from 55 to 45 in an attempt to improve safety. Just this past year, ODOT reconfigured the turning lanes in an effort to improve driver safety. Ensuring safety requires enforcement, but enforcement conducted in a safe manner.

Finally, the volume of traffic and speeds were shown to be potentially fatal in 2020 when a fatal “struck by” accident involving Federal Express Driver occurred on Route 322 westbound just east of the Gates Mills border. In that instance, the Federal Express driver parked in the right

⁵ The maximum grade for an interstate highway designed for travel at 65 MPH and above is 6% in mountainous regions and 5% where speeds are 65 mph or better. Staff (2001). A Policy on Geometric Design of Highways and Streets (PDF) (4th ed.). Washington, DC: American Association of State Highway and Transportation Officials. pp. 507 (design speed), 510 (Exhibit 8–1: Maximum Grades for Rural and Urban Freeways). ISBN 1-56051-156-7. <https://law.resource.org/pub/us/cfr/ibr/001/aashto.green.2001.pdf#page=556> (last checked 10/12/2021)

hand lane of the westbound travel lanes and was killed when he exited his vehicle and was struck by another motorist travelling in the same direction. That is the same position that an officer is in when conducting a traffic stop on Route 322.

In addition to traffic hazards, the conditions on Route 322 pose additional hazards. Dividing the attention of officers between trying to remain safe in the dangerous conditions and the motorists they have stopped presents increased risk from any potentially dangerous offenders as they must constantly be looking over their shoulder or even writing citations outside of their vehicle which is tactically a bad idea.

ISSUE: 3

Is Current or Available Enforcement Effective?

As if the risks associated with GMPD enforcement on Route 322 was not enough, there is significant question as to the effectiveness of GMPD enforcement efforts , especially during peak traffic periods.

ODT data shows that the largest volumes of traffic one Route 322 are during rush hours. For practical purposes, GMPD enforcement is largely confined to running radar at the bottom of the hill as that is where there are places to set up. While identification of violations is possible, apprehending violators is difficult, if not impossible as during heavy traffic times officers cannot get onto the roadway in time to safely pursue and stop the violator. If the violator is the first of a 12 car group, then, by the time the officer can identify them, wait for an opening in the traffic to safely pull out and then purse at a reasonable speed and in a prudent manner, the violator is out of the Village. This means that GMPD enforcement on Route 322 cannot be as effective as the proposed cameras. Accordingly, even enhanced enforcement by GMPD, regardless of the risks, will not serve to change behavior and lower speeds.

This does not mean that GMPD will or should abandon enforcement on Route 322 altogether, they will not and should not. There are other offenses besides speed (and even some speed violations) that require criminal citations and possibly arrest to maintain overall safety. But safety from a speed perspective can be effectively improved by changing people's behavior without full blown criminal enforcement.

ISSUE: 4

Impacts on the Village of Route 322 Enforcement

In addition to the obvious negative impacts on the well-being of GMPD Officers, the impacts of injured officers is highly disruptive to police service in the Village. Due to the small size of our department, an injury to a single officer reduces available coverage by approximately 10%. This causes difficulty in scheduling and coverage which would not exist in a larger department that has the capability to absorb such impacts.

Also, in the two incidents that have occurred since 2017, GMPD lost two vehicles, which also negatively impact service.

Further, enforcement on Mayfield takes away from other patrolling (general deterrence) and other services and response times to the remaining Village. Route 322 comprises a small component of the Village, but uses a disproportionate amount of officer-hours that could be deployed in other places and in general to better serve the needs of the Village.

Writer's Personal Views and Testimonial

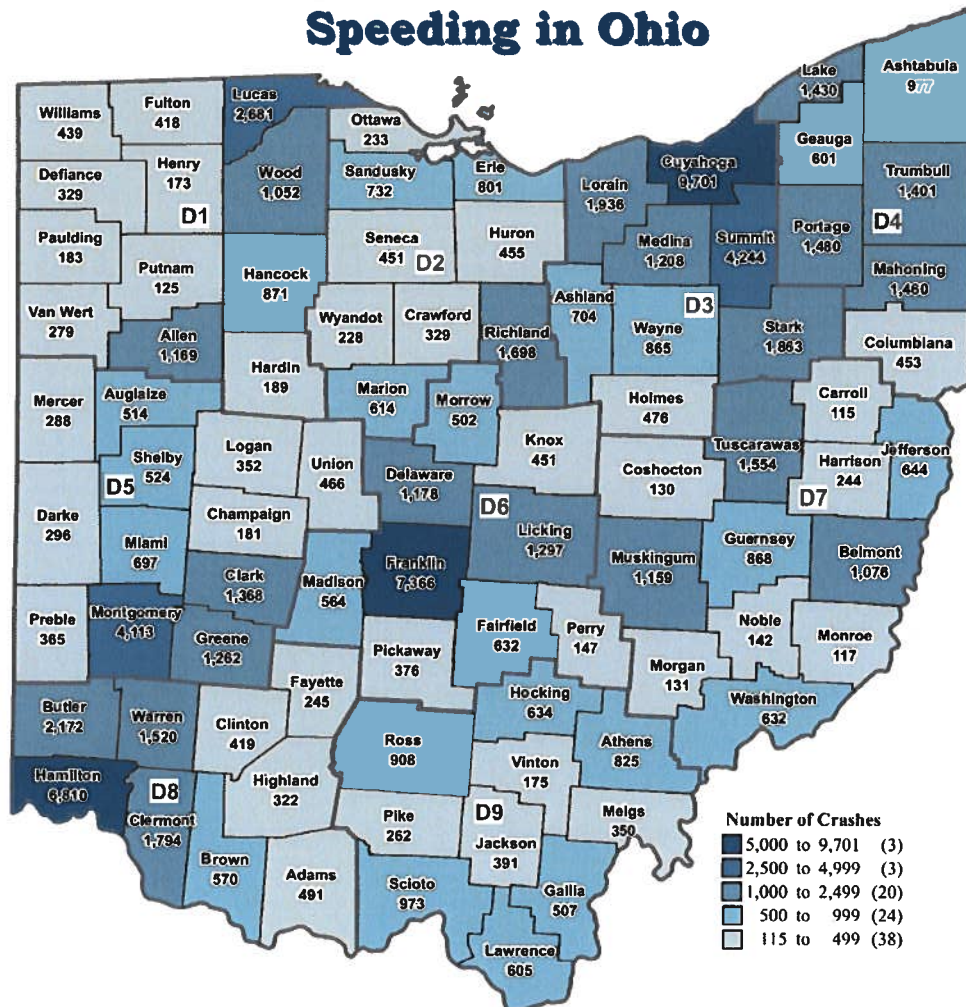
I am not a big fan of cameras, however, I cannot argue with their effectiveness. I have twice in my life been lucky enough to receive a civil citation through the use of cameras. The first was on St. Clair Avenue east of downtown Cleveland many years ago. Ever since I am much more conscientious of my speed there. The second was on I-680 in Youngstown a few years ago. That area has tricky on-ramps and off-ramps and I have occasion to drive that way fairly often. After receiving and paying the civil citation, I am again much more conscientious of my speed there, which is important as I am usually in a hurry when driving there. I did not much like paying the fines, but I will say that they greatly helped inform my behavior. Also, the civil citation was far more preferable to a citation that included "points" on my license. I see no reason why they would not have the same effect on Route 322 which would address a serious issue without risking our officer's safety to do so.

TRAFFIC SAFETY BULLETIN

SEPTEMBER 2021



Speeding in Ohio



Map and Table:
2018-20 Speed-Related Crashes

OSHP District	Number of Crashes
District 1	7,908
District 2	5,541
District 3	20,997
District 4	7,802
District 5	10,426
District 6	12,513
District 7	6,812
District 8	14,343
District 9	5,630

Total 91,972

Speed-Related Crashes

- From 2018-2020, there were 91,972 crashes on Ohio roadways in which a driver was either exceeding the posted speed limit or that unsafe speed was marked as a contributing factor. More than one in every ten crashes were speed-related during this time period.
- Over the last three years (2018-2020), there were 936 speed-related fatal crashes that resulted in 1,027 deaths. This represents 29% of all fatal crashes during this time. Fatal speed-related crashes increased 15% from 2019 (294) to 2020 (337).
- From 2018-2020, male drivers caused more speed-related crashes than female drivers (61% vs. 32%).¹ One-third of speed-related crashes during this time were caused by drivers aged 15-24. Drivers aged 65 or older were only responsible for 5% of speed-related crashes in Ohio.
- Cuyahoga (9,701), Franklin (7,366), Hamilton (6,810), Summit (4,244), and Montgomery (4,113) Counties led the state in speed-related crashes. These five counties accounted for more than one-in-three such crashes in the state (32,234 or 35%).
- Additional information on speed-related crashes is available on the Ohio Statistics and Analytics for Traffic Safety (OSTATS) dashboard at: <https://statepatrol.ohio.gov/ostats.aspx>.

Speed Citations

- From 2018-2020, the Ohio State Highway Patrol issued over 220,000 speed citations for 20mph or more over the speed limit. This includes over 8,000 citations for speeds of 100mph or higher.

¹The remaining 7% of crashes were either marked as "other" or were unknown.