

DRAFT

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

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, April 12, 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 Treasurer Siemborski, Clerk DeCapite, Police Chief Minichello, Fire Chief Robinson, Service Director Biggert, Village Engineer Courtney, Law Director Hunt and Finance Administrator Mulh.

The minutes of the March 8, 2022 Council meeting were presented by the Clerk. Councilmember AuWerter moved to approve the March 8, 2022 minutes, with Councilmember Turner seconding the motion. Councilmember Atton requested that the minutes state that he had asked why groups such as the Metro Parks, Gilmour Academy and Mayfield City Schools were not asked to be part of the comprehensive plan process. He also asked that the minutes state, on page 4, that there is a “perceived” conflict of interest relating to the two large landowners. He noted that he said there are those who believe they influence the Village’s government and those who know they don’t.

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

Pay Ordinance #1260 in the amount of \$420,327.84 was presented by the Clerk. It was moved by Councilmember AuWerter to approve Pay Ordinance #1260. Councilmember Steinbrink seconded the motion.

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

Treasurer Siemborski read his report pertaining to the March 31, 2022 Financial Statement. His report is attached. He noted that he added comments about the long-range financial plan that was completed in 2020 to the Village website. Councilmember Atton requested a forecast as part of each monthly budget report. He also raised a concern about the scheduling of the next long-range financial plan. Council discussed when to update the long range financial plan of the Village. Treasurer Siemborski will advise.

Mayor Schneider asked to move Resolution No. 2022-10 as the next item on the agenda.

Resolution No. 2022-10 “A Resolution Honoring Daniel R. Collister” was read by Mayor Schneider. Steve Siemborski (Gates Mills Improvement Society President), along with Marcia Anselmo (Gates Mills Historical Society President), John Kramer (Gates Mills Land Conservancy Representative) and Charley Marston presented information on Mr. Collister’s long-standing roles in the Village as Mayor, Past President and Trustee for the Historical Society, founder of the Land Conservancy, and so much more.

Councilmember Welsh moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2022-10 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 Welsh to approve Resolution No. 2022-10. Councilmember Turner seconded the motion to approve Resolution No. 2022-10.

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

Mayor Schneider asked Council to approve the appointment of Jane Lindmark and Greg Nosan to the Architectural Board’s Historic District Sub-committee for the term ending 12/31/2022. Councilmember Welsh moved to approve the appointments with Councilmember AuWerter seconding the motion.

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

Mayor Schneider had distributed the list of standing committees to councilmembers. After discussion, it was suggested that committees report to council periodically on what they are working on. Councilmember Welsh moved to approve the committees and Councilmember Steinbrink seconded the motion.

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

Law Director Hunt had distributed a memorandum to council pertaining to a charter review and charter amendments. Council has the authority, by ordinance or

resolution, to place charter amendments on the ballot 60 days prior to an election. The Village can form a committee or use a standing committee to do a charter review. Some communities have it in their charter as to how the process works. The Village's does not. The second option involves putting an issue on the ballot to create a Charter Review Commission where 15 members are put on the ballot to be elected. Law Director Hunt will prepare a list of issues that exist with the Village's charter as it exists and present it to Council for their consideration as to next steps regarding a charter review.

Clerk DeCapite had no report.

Councilmember Turner thanked new councilmembers for completing required training. Social media training should be completed by all councilmembers.

Councilmember Turner reported that the Gates Mills Land Conservancy had met. The Conservancy is beginning a school collaborative for the Sherman Road Preserve, a newsletter is being developed and they have a newly designed website.

Councilmember AuWerter reported that the first meeting of the Advisory Committee will take place on May 11 at 6:00 p.m. in the Community House. It will be livestreamed and archived on YouTube. Residents are encouraged to attend in person or online. An email account will be established for comments, questions and suggestions to be submitted throughout the comprehensive plan process. Questions will be answered in an FAQ document to be posted on the Village website.

Councilmember AuWerter stated the dispatch task force will have at least one more meeting prior to making recommendations.

Resident Mark Shoag stated he doesn't understand having realtors involved with the comprehensive plan or having a consultant involved. Realtors say what is good for the realtor. The purpose of the plan is not clear to him. He doesn't want a major shake up in the Village and likes it as it is. Councilmember AuWerter responded that any village or governing body should have a comprehensive plan to have a 10-year outlook. The Village wants to remain attractive to future residents and maintain the ambiance that current residents value.

Councilmember Turner reported that she and Councilmember Atton had attended the Mayfield School District's Leadership breakfast. The district is promoting, "Every Student, Every Day." Every student is at the center of his/her learning process. Dr. Barnes will be at Gates Mills Elementary School on May 4 at 5:00 p.m. if interested in hearing more.

Police Chief Minichello presented his report. He noted a two-car accident at West Hill and Mayfield Road that just happened this evening. The car took out the traffic lights. There were two DUI accidents in March. One female driver had 4 children under

the age of 10 in the vehicle. Councilmember Steinbrink commented that the St. Francis festival is returning June 9-12.

Service Director Biggert noted his report was in Council's information packet. The Village has 249 tons of salt left to purchase to meet the minimum requirement. We will try to get as much as we can, up to the maximum tonnage permitted. Gilmour Academy is still waiting for the engineering study performed by Verizon to see what cell tower location will be best for residents.

Fire Chief Robinson reported that yesterday was the 95th anniversary of the Fire Department.

Resolution No. 2022-11 "A Resolution Authorizing Participation in the ODOT Road Salt Contracts Awarded in 2022" was read by Councilmember AuWerter.

Councilmember AuWerter moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2022-11 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.

It was moved by Councilmember AuWerter to approve Resolution No. 2022-11. Councilmember Turner seconded the motion to approve.

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

Ordinance No. 2022-12 "An Ordinance Amending Section 572.10 of the Codified Ordinances of the Village of Gates Mills to Prohibit the Discharge, Ignition, or Explosion of Fireworks at All Times and Dates, Including Certain Days Each Year Pursuant to State Law" was read by Councilmember Steinbrink. He put the ordinance on **first reading** and noted the Safety Committee had recommended taking back home rule and prohibiting the discharge of fireworks.

Resolution No. 2022-13 "A Resolution Authorizing the Mayor to Enter into a Purchase Agreement with Liberty Ford Inc. for a 2022 Ford F-150 4X4 Truck for Use by the Fire Department" was read by Councilmember Steinbrink. He commended the Chief on getting the vehicle for MSRP.

Councilmember Steinbrink moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2022-13 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

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

Councilmember Steinbrink moved to approve Resolution No. 2022-13.
Councilmember Turner seconded the motion to approve Resolution No. 2022-13.

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

Council Matters:

Councilmember Press mentioned HB 563 and Airbnbs. It was noted that Planning and Zoning addressed short-term rentals prior to the pandemic and Council approved legislation prohibiting short-term rentals under 30 days. HB 563 takes away home rule.

Councilmember Atton would like Mayfield City School District to attend a council meeting soon. He would like them to answer questions about the costs of running the school system. West Geauga and Solon achieve better educational performance for less cost. They will be invited to attend the June Council meeting.

Business from the audience:

Chuck Spear, Chagrin River Road, commented on the comprehensive plan and noted this is a community of people and families. He stated 86 families have moved out and into the village in the last 15 months. We can say not to change, but the village is changing.

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, Welsh.
Nays: None.
Motion carried.

Respectfully submitted,

Beth DeCapite, Clerk

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Approved:

Karen E. Schneider, Mayor

Treasurer's Report for the period ended March 31, 2022

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

The Village continues to be in a very solid financial position. Going into 2022, the Budget and Finance Committee recommended a balanced budget for 2022. It is good to report that three months into the year, we are operating on budget, and slightly favorable. Of course, this is only three months and economic pressures continue with rising costs, rising interest rates and supply chain disruptions. Nonetheless, we are pleased to be able to report we are in good shape and will continue our diligence over Village financial matters. Now for the numbers:

General Fund-In March, the Village received \$458,000. Revenue from municipal income taxes and real estate taxes were \$64,000 and \$234,000, respectively. For the year, Real estate taxes collected are \$1,229,000, above prior year of \$1,133,000 by \$96,000. For the year, Municipal income tax revenue was \$819,000 down from 2021 when the Village received a non-recurring receipt of \$2,000,000. Excluding that large receipt, revenue in 2021 would have been \$534,000 and so the 2022 figure of \$819,000 is quite favorable. Overall, the tax receipts to date are stronger than were budgeted in December.

Other revenue of \$160,000 for the three months was significantly less than prior year due to decreases in all Other Source categories—Notably, permits and licenses, interest income, Mills Building rental income and Misc. income. Permits and licenses are a function of building and commercial activity. Interest is down as expected and budgeted. Mills building revenue should increase starting July with occupancy of the first-floor space following the renovations. Fines and costs should increase mid-year from traffic camera enforcements.

Expenditures for the month of March and year-to-date were \$417,000 and \$1,762,000, respectively, which includes \$451,000 of transfers from the General Fund to Other special purpose funds earlier this year. By comparison to the \$417,000 departmental expenses for March, Departmental expenses were \$397,000 in February and \$495,000 in January. The Departmental expenditures are the operating costs to run the Village. Compared to prior year, there were some notable differences. In Administration, legal and professional services were doubled compared to last year at this time, and income tax collection expense was down due to lower receipts this year. The Police Department is generally in line with last year except for higher dispatch operating costs and higher gasoline costs. In the Fire Department, all costs are comparable to 2021, except the EMS costs which are billed quarterly. Service Department costs were up in compensation, overtime and gas.

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.

At month-end March, 2022, General Fund cash was \$7,902,000 and cash in other funds was \$1,465,000 for a total cash position of \$9,368,000, up from February. We ended 2021 and started 2022 with combined cash of \$8,266,000.

This report will be posted on the Village's website.

Steven L. Siemborski

Treasurer, Village of Gates Mills

Chair, Budget/Finance Committee

April 8, 2022