

Village of Gates Mills
MINUTES OF A SPECIAL MEETING OF COUNCIL
August 25, 2026

A special meeting of the Council of the Village of Gates Mills, Ohio was held at the Village Town Hall Council Chambers on Tuesday, August 25, 2026, at 5:30 p.m. with Mayor Siemborski presiding. The meeting was live-streamed to the internet.

At 1:52 Mayor Siemborski announced that Councilmember John Onysko resigned yesterday, August 24th, about 9:00 a.m., and in a few minutes we'll ask Council to accept his resignation. The Mayor thought it would be helpful to outline a few of the points from the resignation letter that have a different slant to them, and we will document these eventually in Gates Mills Connect.

At 13:39 Mayor Siemborski thanked Councilmember Onysko for his helpful contributions and his service, especially his design of the new internet system and technology at Town Hall, talking technically about buried fiber optic cable to the counterparts at CVG, and assisting the police with traffic enforcement tracking. The Mayor will write him a letter to that effect.

1. Roll Call starts at 14:55

Councilmembers present: Broome, Greco, Perez, Steinbrink, Turner, Young.

Other Village officials present were Treasurer Spear, Clerk DeCapite, Fire Captain Feig, and Law Director Hunt.

Moved to Agenda Item No. 4. Accept the Resignation of Councilmember Onysko - starts at 15:12

Councilmember Steinbrink made a motion to accept Councilmember Onysko's resignation. Councilmember Perez seconded the motion. Councilmember Broome stated it would be very appropriate to thank Mr. Onysko in the letter. He did do a lot as the Mayor pointed out.

Ayes: Broome, Greco, Perez, Steinbrink, Turner, Young.

Nays: None

Motion carried.

2. **Ordinance No. 2026-43 (First Reading)** starts at 15:53

"An Ordinance Providing for the Submission to the Electors of the Village of Gates Mills a Proposed Amendment to the Charter of the Village of Gates Mills to Renew for a Period of Five Years the Existing One Mill Tax Levy for the Public Purpose of Conserving, Retaining, Protecting and Preserving Land, Water, Forest, Open, Natural or Wetland Areas in this Municipality Predominantly in their Natural, Scenic, Open or Wooded Condition or as Suitable Habitat for Fish, Plants or Wildlife, Including the Acquisition of Such Real Property or Interests Therein as may be Necessary to Carry Out That Purpose; and Declaring an Emergency" was read by Councilmember Steinbrink.

Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2026-43 be placed on its final passage. Councilmember Steinbrink seconded the motion.

Councilmember Greco wants to share her version and her own view not only to Council but to the residents that are here. This measure that was just read carries a new ordinance number. Otherwise, it's identical to the charter amendment that was withdrawn by Councilman Young at our last meeting. This ordinance rests on the same underlying report from the ad hoc levy committee produced the same way. As Councilmember Young stated at our last meeting, when this ordinance was withdrawn, there were Open Meetings Act violations connected to how that report was prepared. None of you have seen that report. It was distributed to Council but has never been made public. You are being asked to trust a process you cannot see or evaluate for yourselves. She has looked at the case law and her concern is - Ohio courts have said that a later public action can cure an earlier open meetings problem, but only if that later action is a genuine independent reconsideration, not a rubber stamp. In her opinion, that requires actual Council deliberation on the merits of what we're being asked to do. What's actually in front of us tonight? This ordinance doesn't ask us to deliberate on the merits of the levy itself. It asks us to vote on whether it should be placed on the ballot. It doesn't give Council any opportunity to independently reconsider anything. We're not being asked to debate the report's conclusions or examine the committee's work. We're being asked to vote yes or no on ballot placement on an expedited timeline at a specially called meeting using the same report. In her opinion, this isn't the kind of independent reconsideration that cures what happened before. It is the same process with a new number and she asks Council to consider this before voting tonight.

At 19:29 Mayor Siemborski commented that the report is a public record available to the public. It was distributed to Council, Councilmember Onysko asked that it be posted on the website, the Mayor said he would post it the next day, Councilmember Onysko then asked questions about the ad hoc process and several Ohio revised code provisions and asked the Law Director for a legal view of those, and then the Law Director informed the Mayor to not post the report, but it is available as a public record. The Mayor mentioned at least three times to anyone at that meeting that would like a copy to email him and he would email a copy of the report to them. The Mayor has received two requests between the time he made that announcement a month ago and today. It is available. It is a public record. No one's interested in it.

Councilmember Broome stated that report has absolutely no bearing on his vote. Councilmember Steinbrink agreed. Councilmember Broome, hearing mention of the Open Meetings Act, believes the audience might want to know how it works. If a committee has four members, a quorum of the committee is three members. An email of a draft document can not be circulated to a quorum or more of the members because if any one of the members responds to all email recipients with a change, the way you would normally work on a document, the email discussion is in violation. The discussion has to be in an open meeting making it difficult to do anything. Sometimes people make innocent mistakes, and he does not think there was anything nefarious afoot. When people come on Council, there are times they don't realize that trying to work as efficiently as possible unfortunately sometimes collides with the Open Meetings Act.

At 23:40 Councilmember Perez thinks there's two separate actions that we're taking. One is the ordinance - whether the levy itself should be on the ballot - which is what the current motion is for. The second part is the terms of the agreement - the split, the requirements of the Land Conservancy, the reporting aspects, funding uses - which is very much still a discussion coming up next. While ideally it would have been great if we had that all finalized for this vote to put on the ballot, she thinks we can do our best and it's critical for us as Councilmembers and as a village to make sure residents have the information needed to make an informed decision at the ballot. She hopes we have an operating agreement soon and the upcoming discussion today will hopefully frame that, but that's not on the same timeline as allowing the residents to be able to vote on the levy itself. It would be detrimental to the village and the Land Conservancy to not put it forward for a vote. That's up to the residents and that's what the motion is for now. Councilmember Greco stated except for the fact that the report did advocate for this levy being on the ballot.

Councilmember Turner recalls prior to the ordinance being withdrawn at the last meeting, we had a very open discussion around the distribution of funds which will continue tonight. Call it a new term sheet that the Mayor will negotiate with the Land Conservancy. The report recommendation is moot. It doesn't exist. This discussion may continue into September.

Roll call on the motion to suspend the rules:

Ayes: Broome, Perez, Steinbrink, Turner, Young.
Nays: Greco
Motion carried.

Councilmember Steinbrink moved to approve Ordinance No. 2026-43 and Councilmember Broome seconded the motion.

Councilmember Steinbrink commented that this is at its core a tax levy that Council has the power to put on the ballot, and it's up to the residents to decide whether they want this or not. Not four or five members voting on Council.

Treasurer Spear asked if this vote waives the rereading rule and declares an emergency. Law Director Hunt replied it has an emergency clause. If it's passed, it will be an emergency and will go into effect upon passage and signature by the Mayor. There is a September 4th deadline to get this to the Board of Elections.

Ayes: Broome, Perez, Steinbrink, Turner, Young.
Nays: Greco
Motion carried.

3. Discuss a Potential Agreement with the Gates Mills Land Conservancy - starts at 28:37

At the last regular meeting the Mayor went through a history of the allocation percentages used in the past and a few of the provisions in the existing operating agreement between the Conservancy and the village. A copy of the agreement was

included in your packets. There are three items in there he wants to bring up for discussion.

Number one is the concern about the ability of the Land Conservancy to purchase a piece of land with the knowledge of other than their Board. The current agreement is the Conservancy needs to inform Council prior to making a financial commitment to purchase a property. There is concern knowledge of the Conservancy's intentions becomes widespread and handicaps their negotiations. They would be agreeable to change "Council" to "Mayor". The Mayor can inform Council through executive session, if that's a permitted use of the executive session rules. The Mayor may also need to talk to the Legal Director or the Village Engineer - land being considered for acquisition may have stormwater or other topographical complications to them.

Council discussion starts at 31:30 -

Perez - How many acquisitions have occurred in the past five years?

Siemborski - There has been one recently and there may have been a few earlier in the five year period.

Turner - The only other expense was paying off the loan for the Clark property.

Perez - Did informing Council pose a challenge in the land acquisition situation?

Turner - The Land Conservancy brought the Perkins property acquisition forward and there was a lot of support on Council.

Young - So in that case the requirement of informing Council prior to a purchase was not an impediment to the deal.

Perez - She wonders if there's a challenge we're trying to fix, because the operating agreement does say that we would also get to hear about the economic impact and tax implications. Council would be a second tier if only the Mayor is informed.

Turner - There was a 15-16 acre property the Land Conservancy was considering. The property was already limited to one house, so it would not be prudent in that case for the Land Conservancy to purchase. They did not know that, but a Councilmember also on P & Z made them aware of that. The discussion saved the Land Conservancy from spending money unnecessarily. That's a good example of why it's important to bring it to Council.

Siemborski - This is not a big issue. There's only an acquisition or two in a five year period.

Broome - The Conservancy is a 509(a)(3) supporting organization for the village. Part of being a supporting organization is to carry out the goals of the organization you're supporting, which is the village. If the Mayor were to be notified of a potential acquisition under the rubric of it's a supporting organization, he thinks that potential land acquisition could be a permitted use for executive session.

Hunt - It could be. If there are legal issues and you need legal advice, at least under the Court of Appeals decisions out of this county, that would be appropriate for an executive session. If there are additional funds that are needed, it seems that would be appropriate for an executive session. That could be the case and part of the reason that we have that in the current agreement that they would come to the village. He'd like to get back to Council on that.

Broome - It addresses the handicap of the negotiation process.

Young - The other side of the argument from the Conservancy standpoint is that Council meets once a month. It's possible that the timing of a given transaction would

make it difficult to fit into the schedule of the Council. Perhaps there's some way we can make Council available in between meetings as necessary.

Hunt - There are special meetings. Emergency meetings on less than 24 hours notice can be had. The issue becomes how the purpose of the meeting is phrased.

Broome - The life cycle of a year end conservation easement purchase or a bargain purchase of property can be very quick. There's got to be an appraisal done quickly and they have to figure out where the numbers are before they go forward. He would be ok with the Conservancy contacting the Mayor. The regulations require supervision, and the Mayor constitutes supervision.

Steinbrink - He looks at this as an impediment or an inconvenience. If it's an impediment, then that's an issue. If it's an inconvenience, that's not an issue. Land transactions typically take some time. If someone is charitably inclined to do something with their property, Council would certainly make themselves available.

Mayor Siemborski is hearing leave it the way it is. The Conservancy should continue to inform Council. Councilmember Perez is fine with the language as it is. If we were going to change it, she would like quick communication from the Mayor to Council, so the Conservancy is not moving forward without the benefit of P & Z and Council input.

At 40:28 the Mayor stated the second item is the allocation of funds. He has no number right now, and he is not going to advance a number, because if he advances his number, it'll be the old ilk, it's the ad hoc number. The ad hoc report is moot. We should have some fresh thinking and start from scratch. The 95/5 was there for five terms, and the 50/50 was there for one term and is currently what we're operating under.

Today the Village Engineer, Service Director, Finance Administrator, Councilmember Turner, and the Mayor met to understand some of the challenges the village has with regard to stormwater mitigation and restoration and stabilization of the banks. Five projects were identified over the next 24 months that require close to \$350,000 for stormwater management and stabilization issues that qualify under the levy funds - not normal culvert or sinkhole repairs. Of the five projects, one is the stormwater drainage issue on the corner of River and Old Mill already underway, as Council has already approved the use of about \$150,000 of Community Cost Share money that we have from the Northeast Ohio Regional Sewer District for that project. Another one of the projects we believe would qualify for money under the Ohio Dept of Public Works Small Government grant process. We would need to move ahead with these four projects whether we get grant money or not.

The plan would be at this point that of the about \$450,000 accumulated in the village conservation fund, \$350,000 could be earmarked for the four projects. That leaves us with roughly \$100,000 in the levy conservation fund which could be used for a variety of things - land acquisitions or easements, further tree planting, projects that come up from time to time - or not used at all.

Also discussed today was the need for a clear distinction between what is normal repair and maintenance, and what is improvement in stormwater mitigation and channel cleaning and channel stabilization. We would ask our Village Engineer to put in writing when those projects come forward that X dollars or X percentage is for purposes within the levy language, so the entire project is not funded from the levy conservation fund.

We don't see anything else in the next two years, if we tackle the four remaining projects, that would be of that magnitude or require those kind of dollars. Being realistic, there could be something a week from now, but we don't think we need to store up hundreds of thousands of dollars for potential stormwater projects. The village is doing more levy-valid work itself - with Chagrin Valley Watershed Partners, with invasives, the Arboretum, and forestry plans for both the Arboretum and Feller Field - for which \$50,000 to \$75,000 is what the village needs to spend out of the conservation levy fund. Those numbers could change if the 10-year invasive removal plan used by both the village and the Conservancy were to change to say a 7-year plan.

If you subtract out what we currently know we are going to spend from the \$250,000 per year in levy proceeds, there's about \$100,000 left. We can either keep that in the village or allocate it to the Land Conservancy, who could probably make better use of having the funds in their savings account than the village having it in our savings account. The Mayor is open to either one.

Council discussion starts at 50:39 -

Broome - To summarize, the funds from the levy would be used either by the Conservancy or the village for conservation purposes. To the extent that the village retains any funds from the levy and doesn't expend them for things like invasive species or stormwater remediation, those funds are still available to the Land Conservancy. The Land Conservancy would just have to come and ask for them.

Siemborski - That's correct. Levy proceeds are deposited into a separate Open Space and Conservation Fund held in a separate bank account.

Turner - Once the money goes to the Land Conservancy, it does not come back to the village. If the money stays with the village, it can go to the Land Conservancy?

Siemborski - Right.

Greco - The Land Conservancy has \$700,000 plus some additional funds. She believes the total they currently have is over a million dollars.

Siemborski - Believes \$950,000 was in the report.

Greco - The last time around, five years ago, they were supposed to endow this money and they didn't.

Siemborski - They were supposed to raise it. He does not know if it meant the word endow or just raise it.

Greco - She thought that the understanding was that they were supposed to endow that money.

Turner (reading from the 2021 agreement) - "...The Land Conservancy has indicated that it needs an ongoing endowment of approximately \$700,000 to properly carry out stewardship of existing properties it owns or for which it holds conservation easements, which stewardship includes legal defense, liability protection, adhering to the standards of property maintenance, and conducting annual inspections..."

Siemborski - So endowment is in the document.

Broome - Look at paragraph 7; it says how to compute it. It is not computing as an endowment. Future funds that are coming from the levy are counted towards that number. It probably was a poor choice of words.

Greco - So endowment doesn't mean endowment?

Broome - Maybe it shouldn't.

Greco - She would say that it should.

Siemborski - What would you like that to mean?

Greco - She would like that to mean on their Form 990, they indicate that amount is now endowed. It's restricted and it has to be used for those purposes. It cannot be used for acquisition. She doesn't know if that language would allow it to be used for invasives, but it's supposed to be money that they hold so that they can continue.

Siemborski - A board designated endowment?

Greco - Yes.

Perez - Nat Smith implied at the Town Hall it was going to take most of the levy period for them to get to that amount and at that point maybe an investment after the end of the levy.

Siemborski - If we were to work that language in, that would be something you're looking for?

Greco - Yes, but she thinks that we worked it in last time. It just was never done.

Hunt - It was an aspiration, wasn't it?

Broome - You got that calculation language. It says "...has indicated it needs..."

Hunt - You can require.

Greco - My point is I would love to require.

Young - That severely handicaps the Conservancy should an acquisition opportunity come up in the next year. He thinks their understanding of the agreement is they needed to have the on hand cash equal to \$700,000 - not necessarily an endowment. An alternative would be to require that if they do find it prudent to raid the on hand cash for an acquisition that we all agree is attractive to the village, that would be allowable only if they're able to replenish the \$700,000 in on hand cash by the end of the levy period. He thought the purpose of the \$700,000 was should the levy never pass, that the village isn't left with a problem and the Conservancy isn't left with a problem. It would require them to turn all of their property over to another organization over which we have no control.

Turner - And operationally, in the time she has been on the Land Conservancy, it's operated that way. They have the money by the end of the term. It gives them some flexibility.

Steinbrink - It should come as no surprise that the Land Conservancy has the bank balance that it does because of the efforts from five years ago to set the wheels in motion on putting this endowment together. He agrees with Councilmember Greco. He looks at it more as whatever they decide the number is, but if the levy ever fails, the security of 15% of the village, or how much the Land Conservancy owns, should never be put into question that all of a sudden another charitable organization is being brought in on all this. Then those dollars throw off enough to be able to fund operating expenses. The reality is the way land prices are today, he thinks it's going to be incredibly difficult to purchase the large tracts of land that are left in the village. Something creative is going to have to be done given where prices are. There just isn't enough there.

Siemborski - What if we ask for a board designated endowment fund; \$700,000 for the purposes of bulk protection, which can be used as long as it can be replenished to that level if there's an acquisition? If there is one, they'd bring that to the village to speak about. We would have our chance to weigh in and comment on it. That would not completely hamstring them, because they could raid that fund as long as it can be repaid by the time the levy ends.

Perez - An alternative, depending on what the operating agreement states for the split, is that if they needed additional funds, and we hadn't spent our levy funds, they could also ask for those and not raid the endowment.

Turner - Have we come to an understanding about the endowment issue?

Siemborski - We'd like to have the terminology be board designated endowment fund or something similar to that. That amount be \$700,000. That amount is available for defense, etc. That will be in excess of the amount that they currently have because they follow what came from the national guidelines. That amount shall be in that fund and can be used for acquisition as long as it can be replenished by the time the levy ends.

Young - Is that something that would be legal from an endowment framework?

Siemborski - He thinks a board dedicated endowment probably can.

Perez - It would be good to hear from the Conservancy any challenges that we need to be aware of, their perspective on that requirement, if there's anything else we need to be considering related to that requirement, and if there's any limitations or challenges to implementing it.

At 1:01:14 -

Young - If we use the money for the activities the Mayor described - the four projects and the invasive removal projects that are on the books and those are planned out for the next five years - how much does the village require of the levy funds?

Siemborski - \$75,000 to \$100,000 per year.

Young - That is what percentage?

Siemborski - We need \$100,000 a year and the total levy funds is \$260,000.

Young - That's 38%.

Greco - We currently have \$450,000. The levy, if it passes, would have an additional \$260,000?

Siemborski - \$260,000 per year for both parties.

Young - And you're saying we need, in addition to the \$450,000 we have, another half million?

Siemborski - We should plan on \$100,000 a year for the village's expenses. The \$160,000 difference would be distributed to the Conservancy. The split is 60/40.

Turner - 60% to the Conservancy and 40% to the village.

Perez - Your \$100,000 - does it have a little cushion for the unknown beyond invasives and replanting, like stormwater?

Siemborski - Yes.

Perez - We are using sewer district funding on the Old Mill project for what would technically qualify as a stormwater issue. Already \$185,000 to \$190,000 was just spent for levy funding purposes that were not expected expenses.

Turner - There's a possibility that there'll be some grant money. We can't guarantee, but we'll apply.

Siemborski - Can he go to the Conservancy with the 60/40 proposition?

Greco - She would like to explore 50/50. 60/40 is too much. Continue what we currently have. 50/50. That's plenty, plus we're going to ask them to come to us if they need more. They always have that opportunity. We're hopefully going to allow the Conservancy to act like a real charity and start fundraising in a bigger way than they are now.

Young - He disagrees. That's too much for the village, and 60/40 is too much for the village. There's a difference between what is technically qualified and what the villagers would expect to be considered, what they're voting for in the conservation levy. We have to make it clear so the villagers can understand that they're not voting to buy property anymore, because 50/50 is going to put the conservancy out of the acquisition business, and that what they're voting for is infrastructure.

Greco - She thinks it's better to have more of the money in the hands of the representatives who are elected, the Council, rather than the Conservancy that has a

board of volunteers, because if the residents don't like what's happening, they can vote us out of office.

Young - They can also turn down the levy the next time it comes up.

Greco - That's right.

Young - They have the control.

Greco - That's right. You put it in the hands of the Conservancy, they are not elected officials. She finds that to be a very strong argument for keeping it the way it is now.

Young - He understands that side of the argument. The other side of the argument is what the villagers perception is. Purely his speculation, if we did a poll, we would find that most of the villagers think this is the Land Conservancy's levy, not the Council's levy. If we asked the villagers who they trusted more to steward their concerns about protecting Gates Mills, and gave them the choice of the Land Conservancy or Council, we'd lose.

Greco - Remember this isn't a Gates Mills Land Conservancy levy. This is a conservation levy.

Young - He does not think people make that distinction.

Steinbrink - He finds Councilmember Young's point interesting, and the reality is, because of the work of the Land Conservancy over the last 35 years, we've got 20% to 25% of the village is permanently conserved regardless of who owns it. It costs money to maintain all of that property - hillsides, erosion, river banks. Who's supposed to pay for all of that? He understands what Councilmember Young is saying, and there's probably some truth in there that it's land acquisition, but the reality is that was Phase 1, and we've heard from the Land Conservancy that the land acquisition will slow down. The land that's been preserved and conserved will likely need money invested in it, so that it stays in its state without big pockets of erosion. He is not in favor of doing culverts and those kinds of things - that's more infrastructure. But when we have erosion issues and river banks and other stormwater runoff issues, the thought process really is who's best to maintain that property and who's going to be hiring the contractors and the engineering studies and all the work. That typically falls on the village to handle those big projects. He favors, as he said at the last Council meeting, 50/50 with the thought that if there's ever something that comes up, the Land Conservancy can come to Council. The Land Conservancy knows what they're doing, but he worries about some of the big projects that are on the horizon. It's raw land, and unfortunately, we have to put money into it, and it's an unfortunate reality of the situation.

Turner - Given that we just had a discussion about the needs of the village and the distribution of 60/40, she would be more comfortable with some data behind the distribution. While it has been 50/50, it seems more defensible if we have some data that supports 60/40.

Siemborski - We can put together the rough math we just did on a worksheet.

Broome - To Councilmember Young's point, the last levy passed by the highest approval percentage of all the prior levies. We don't know whether that was because the agreement was 50/50 or whether that was villagers supporting the Land Conservancy.

Young - It was also the lowest turnout in history. It was less than half of prior years. The percentages are still overwhelmingly in favor.

Perez - Any use that the village has for the levy funds needs to be under the appropriate criteria that is in the ordinance. She is comfortable with both a 60/40 or a 50/50 split, and would want the data to back it up. Anything that's in the operating agreement needs to provide flexibility to the Land Conservancy should they need those levy funds and the village hasn't used them, so that they're able to access them for the goals of the

Conservancy. We've operated hand in hand for 35 years and accomplishing great things. Don't take that for granted.

Greco - Since we have residents here, should we ask what they think?

Emily Hamilton, Resident - She has battled invasive species on her own property and is spending about \$2,000 a month during the summer time working on this project. The village surrounds her entire property and it is just loaded with privet. It would be nice if they cleaned up and maintained that.

Siemborski - When you say surrounded by, is that village or Conservancy land?

Hamilton - It's Western Reserve and Gates Mills Conservancies.

Jerry Bohinc, Resident - The discussion here was all about the restrictions put on the Land Conservancy. The other side of the coin is we heard \$300,000 - \$400,000 for culverts and stuff that was normally considered to be to road construction or infrastructure construction. The two things he did not hear are 1) a \$200,000 commitment for planting 1000 trees - there is nothing like a tree to manage water runoff, and 2) when the village is going to hire their certified high quality arborist that imposes his technical skill in the permitting process, so we get control of how trees are cut down and how tree programs are approved through ARB or P & Z. What does the Western Reserve Land Conservancy do about invasive species?

Siemborski - We'll find out.

Chris Riley, Resident - To the point about the levy passing by such a high percentage, the people that she has talked to in the village are very surprised to learn that the Conservancy is its own entity. There is not a clear understanding by a number of villagers of how much autonomy it actually has. They may be supporting the Conservancy under false premises about how much control Council has. When they find out that the Conservancy can buy land and there's nothing that the village can do to stop them under the current agreement, that's concerning for a large number of people, and they don't believe her. At the last meeting, the Mayor said that's absolutely correct. Council can only advise. So she questions the 74% that support it. She supported it until she found out. The danger is in the details.

Susan Dunsmore, Resident - She supports what has just been said. She has lived in the village for almost 30 years and admittedly have not been very well informed about how the Land Conservancy operates and recently has made an effort to become more informed. A lot of people are informed, but there's many many more that are not fully informed on how the Conservancy works in conjunction with the village and that communication is very important.

Riley - And should be put out before going to vote. If you want an informed electorate that's going to make a decision based on facts, then they need to know those kind of things.

Dorothy Shillman, Resident - When the School Board wanted to sell the 17 acres behind her property to developers, she and her neighbors put it into the Conservancy through a ten-year tax lien on their residential property. The Conservancy is supposed to maintain the properties that they own, but they're not doing that. So why should we give the Conservancy all this money? Instead, the village itself should have to maintain it. Give the Land Conservancy a space in the Pink Sheets where they can explain exactly what they're doing, how they're doing it, and how they're spending the money.

Debbie Batt, Resident - She wonders if the language could be tightened up, because people are expressing a concern that levy funding can be used for acquisitions and other things besides maintaining conserved property owned by the Land Conservancy or in which the Land Conservancy owns an interest. The Land Conservancy should have a clear obligation to maintain their property, and the fund should be applied for maintenance and conservation. Why should we be including their acquisition of other

property when they're not maintaining property that they have, and neighbors have to pay for invasive species removal on their property because the land the Land Conservancy owns is not being properly maintained. Do they have an obligation to maintain their property?

Siemborski - Three years ago, did anybody talk about invasives? We are probably at the leading edge of municipalities that are doing things about it, certainly putting money aside and actively working on it. The Conservancy knows they need to maintain their property. He will bring that up to them. He will go forward with what has been provided in the last hour or so, and he will bring back a document at the next Council meeting.

David Atton, Resident - Are you intending to have this agreement to be made by Council and the Land Conservancy in time for the beginning of early voting on October 6th?

Siemborski - His plan would be to have a conversation with them in the next 7-10 days, and give Law Director Hunt specific direction on what to change in the document, and bring to the next Council meeting on September 15th a draft that both parties have agreed to. Recognize the Conservancy has 15 people, the village has 7-8, and 23 people can't negotiate a document, so it'll have to have some flexibility to it. Hopefully it has the structure of what we've all just talked about, and we can look at the wording as opposed to the big issues.

Atton - This is just an idea. He thinks that rather than incrementing from the 2021 version of the operating agreement, you ought to stand back and say why do we need a new operating agreement, and build a case for having an operating agreement that faces the future, not the past. He thinks we will find a lot of things that we want. One very short observation - In 2021, when the whole thing was renegotiated, that was a very argumentative and difficult period of time. The village was running out of money. It was projecting short-term, medium-term deficits. There was a big fight about how much money should go to the Conservancy. But in spite of all that debate, they got the levy on the ballot in a timely fashion, and the village and the Land Conservancy negotiated an agreement that we live under. He doesn't know why this has taken so long. Five years ago we knew this was coming up. At the beginning of this year, a Committee was established to solve this problem for us in a timely fashion. That simply hasn't happened. He doesn't know why and doesn't understand it.

4. Accept the Resignation of Councilmember Onysko - see 15:12

5. Discuss Filling a Vacancy of Council - starts at 1:33:10

Councilmember Turner stated Council is required to appoint someone within 30 days of Councilmember Onysko's resignation. When we did this 1-1/2 years ago upon the passing of Councilmember Welsh, there were 5 candidates that had come forward. We posted a notice of the vacancy and invited people to submit a letter of interest and a resume of qualifications. This year we are within the deadline for getting this information in the Pink Sheet, if we can settle on a process this evening. Other ways of communicating that we have used are Gates Mills Connect, on the village website, and posting flyers in village buildings. The only requirement for applying is you have to be a resident of the village and have a minimum of three years living here.

Last time an information session for prospective Council applicants was conducted by the Mayor and the Law Director before the deadline for submitting your interest and resume. Then we conducted interviews on a weekday morning with the five

candidates in private, followed by Council discussion on another date and a majority vote to select that new Councilmember. Then the person selected was approved at the next Council meeting. Does that process seem fair? No comments indicate agreement.

Taking the date of the next Council meeting, Labor Day, Rosh Hashanah, and Councilmember schedules into consideration, the plan would be September 8th or 9th for the information session, September 10th would be the deadline for candidates to submit their interest and resume, September 12th for interviews, Council discussion and vote following the interviews or the next day, and confirmation at the September 15th Council meeting.

Last time each interview was a certain length of time and we prepared questions that were asked of each candidate. We can use those same questions. All agreed.

6. Adjourn

There being no further business, it was moved by Councilmember Broome, seconded by Councilmember Steinbrink, and unanimously carried, that the Council meeting be adjourned.

Respectfully submitted,



Beth DeCapite, Clerk

Approved:



Steven L. Siemborski, Mayor