

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
October 9, 2018

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, October 9 at 6:00 p.m. in the Village Hall.

Councilmembers present: AuWerter, Frankel, Reynolds, Sogg, Turner, Whitney.

It was moved by Councilmember Frankel, seconded by Councilmember AuWerter, that Councilmember Welsh be excused from the meeting.

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

It was moved by Councilmember Reynolds, seconded by Councilmember Whitney, that Janet Mulh act as Clerk Pro Tem for the meeting.

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

The minutes of the September 11, 2018 Council meeting were presented by the Clerk. It was moved by Councilmember Reynolds, seconded by Councilmember Sogg, that the September 11, 2018 minutes be approved.

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

Pay Ordinance #1218 in the amount of \$481,030.51 was presented by the Clerk.

It was moved by Councilmember Sogg, seconded by Councilmember Turner, that Pay Ordinance #1218 be approved.

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

Treasurer Reynolds read the financial statement for the period ending September 30, 2018.

- Revenues continue to be robust with both real estate tax receipts and municipal tax receipts exceeding the total budget estimates for the year. Municipal tax receipts are particularly strong at approximately \$478,000 over YTD 2017. Real estate tax

- receipts now are approximately equal to 2017 full year receipts and are expected to slack off as year-end approaches.
- Operating expenses are largely within budget with exceptions as noted in previous months.
 - YTD Surplus is approximately \$933,000. While the Surplus is expected to decline somewhat in the fourth quarter, the Village will generate more than adequate surplus this year to fund the fire truck purchase out of current operations without reducing the Village's year-over-year reserves.
 - Ancora Capital account stands at approximately \$4.5M including accrued interest; Total Unrestricted funds are approximately \$5.9M; Funds restricted to specific uses are approximately \$158,000.

Councilmember Sogg referred to Treasurer Reynolds report that real estate taxes have exceeded end of year 2017 and asked if the current amount will carry through to the end of the year. Councilmember AuWerter addressed her question and advised that in both 2016 and 2017, the real estate number as of month 9 was the same as year-end evidencing that no additional funds are received. Councilmember AuWerter further commented that for the last three straight years, there has been essentially zero growth on real estate taxes. He then commented on reappraisals and the possibility to readjust. Councilmember Sogg asked about the roll back. Finance Administrator Mulh confirmed that the Village received the roll back. Treasurer Reynolds stated that taxes are paid in arrears and the reappraised value taxes would not be paid until 2020. Treasurer Reynolds further stated that the Village does not have a charter levy, so it will not go up based on reappraisals. Councilmember Sogg mentioned that new homes have been built and the Village should see taxes from those homes in 2019. Treasurer Reynolds explained that the increase in appraisals will cause individuals to pay more taxes but that those taxes will go to the school, to the State and to the library. Mayor Schneider added funds also go to the County. Treasurer Reynolds noted the fixed revenue levies. Councilmember Frankel asked about the instance when a large home is sold for less than the original appraised value. Finance Administrator Mulh said property tax is based on the County's appraised value and will not change based on the sales price. Law Director Hunt said it can be taken into account. Mayor Schneider shared that a new owner can challenge the appraisal with a formal complaint. Councilmember AuWerter, regarding municipal income taxes, added that reviewing the last three years, there may be an increase with more coming in during the last three months. Councilmember Sogg noted that some are challenging which means it may change. Treasurer Reynolds noted that end of year expenses will cut into the surplus number; however, the Village will have well over the amount to purchase the fire truck. Councilmember Sogg said the Capital Improvement Budget has been well managed and highlighted that there are not any large projects on the horizon. Councilmember AuWerter shared that only a portion of the cost of the fire truck will be paid this year with the remaining balance to be paid next year.

Mayor Schneider announced that a meeting of the Hillcrest Council of Councils will be held on October 20.

Mayor Schneider then read a thank you card from the Therapeutic Riding Center with regard to their fundraising event recently held at the polo fields. She advised that the date for next year's fundraiser will be September 7.

Mayor Schneider encouraged Councilmembers to read the report by the Western Reserve Land Conservancy that she recently distributed by e-mail. Councilmember AuWerter asked if foreclosures and unoccupied houses are a big issue for the Village. Mayor Schneider confirmed and said that the Village has houses that are empty and bank-owned. Councilmember Frankel inquired about the number of houses. Mayor Schneider confirmed there are houses, including four wherein the status of those houses is being determined. Councilmember AuWerter questioned what other communities have as far as ordinances regarding the same. Law Director Hunt said the only thing that Gates Mills does not have is the adoption of a Land Reutilization Program. He explained that in circumstances where there is a tax foreclosure by the County, the County would notify the Village before it is filed in court. The Village would be able to fill out an affidavit and take title of it without paying the back taxes if it does not get sold at a sheriff's sale. He said it has been pretty successful in some communities in Cuyahoga County. He added that the problem then is finding the funds to tear the house down. Mayor Schneider questioned if the Land Utilization Program would have benefited the Village with regard to a specific property that the State took over and gave to the Land Bank.

Law Director Hunt addressed the issue of small cell towers and explained that last week the FCC made changes wherein certain regulations will preempt some of the local regulations that were recently passed by Council. Such regulations will go into effect in 90 days. He indicated that he will provide a summary regarding the same. Councilmember AuWerter shared his opinion to balance the concern of having telephone poles on the street with the benefit of having 5G. He opined that 5G is very beneficial and requires small cell technology. He further questioned how the community could benefit from the same.

Mayor Schneider shared pictures from a training event the Fire Department recently had that included members of the Boy Scouts.

Clerk's report. None.

Committee reports. None.

Police Chief Minichello provided a written report. Councilmember Sogg commented that revenue from fines is not meeting projections. Police Chief Minichello said that many go to court because they want a payment plan which the Village does not offer but the Court does. Additionally, many citations result in mandatory court appearances. Councilmember AuWerter asked if the Village could offer payment plans. Discussion regarding the same concluded offering the same would not be feasible.

Service Director Biggert provided a written report. Regarding the park, Service Director Biggert reported that 95% of the grading has been done, the drainage is complete and it is anticipated that concrete will be poured next week. In addition, assembly of the playground equipment should begin Thursday and the pavilion is due to arrive on Friday.

Councilmember AuWerter requested an update regarding road work. Service Director Biggert said work is scheduled to begin around October 12 or 15. Village Engineer Courtney said the work would begin on Berkshire then Cardinal, Settler's Ridge, Fox Hill and Fox Hill East.

Fire Chief Robinson provided a written report. Councilmember Sogg asked about the Boy Scouts recent participation in the Fire Department training. Fire Chief Robinson explained that if they receive a request and it aligns within the Department's training, they work to honor the request. He noted that the Boy Scouts' participation is an effort toward earning their merit badge. He advised that the Department partnered with a Boy Scouts' troop with emergency response training and is also hosting a tour of the fire station next week for a different troop. He added that the troops are not always from around Gates Mills. He advised that there is no longer an Explorer program and that volunteerism is a nationwide problem. Mayor Schneider mentioned a school intern project. Fire Chief Robinson confirmed the Fire Department's involvement with a senior project. Mayor Schneider believes they may be broadening that program. Chief Robinson then shared that every member of the day crew of the Service Department participated in training by Dominion East Ohio Gas. Councilmember AuWerter said the number of calls seemed to be keeping the same pace as last year. Councilmember Reynolds suggested a reminder appear in *The Pink Sheet* regarding changing the batteries in smoke alarms.

Mayor Schneider announced that John Brown who served on the Architectural and Historical boards passed away unexpectedly. She said the funeral is tentatively planned for Tuesday and the service will be private. An open house at the Hunt Club on Tuesday is tentatively planned from 4:00-7:00 p.m. Once details are confirmed, information will be circulated.

First reading of Ordinance #2018-33 "An Ordinance To Approve The Editing And Inclusion Of Certain Ordinances As Parts Of The Various Component Codes Of The Codified Ordinances; To Provide For The Adoption And Publication Of New Matter In The Updated And Revised Codified Ordinances; To Repeal Ordinances In Conflict Therewith" was withdrawn by Councilmember Reynolds.

Resolution #2018-34 "A Resolution Exercising The Second Option Year To An Existing Contract With Rumpke Of Ohio, Inc., For Solid Waste Collection, Disposal And Recycling Services And Declaring An Emergency" was introduced by Councilmember AuWerter.

It was moved by Councilmember AuWerter, seconded by Councilmember Reynolds, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2018-34 be placed upon its final passage.

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

It was moved by Councilmember AuWerter, seconded by Councilmember Turner, that Resolution #2018-34 be approved.

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

Resolution #2018-35 “A Resolution Authorizing The Mayor To Award A Bid For The Purchase Of A 2019 Alexis Fire Pumper From Alexis Fire Equipment And Declaring An Emergency” was introduced by Councilmember Frankel.

It was moved by Councilmember Frankel, seconded by Councilmember AuWerter, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2018-35 be placed upon its final passage.

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

It was moved by Councilmember Frankel, seconded by Councilmember Turner, that Resolution #2018-35 be approved.

Gratitude was extended to Fire Chief Robinson for coming in under budget. Councilmember Frankel said Chief Robinson did a great job. Councilmember Frankel then explained that \$291,092 will be due in 2018 and, at the time of delivery, \$158,075 will be due. Delivery is expected around July 2019. Chief Robinson introduced Captain Rob Jamieson from the Fire Department and acknowledged that he worked very hard on this. He then introduced Alexis Fire Equipment sales rep, Jamie Nellis. Chief Robinson said that Alexis was very willing to work with the very specific needs of Gates Mills and highlighted that they absorbed a price increase for the cost of metal in order to keep the price under budget. Chief Robinson informed that, in light of costs, some cuts were made to the original thoughts but nothing that was mission critical. Mayor Schneider asked where the company is located. It was answered, Alexis, Illinois. It was then asked how long the company has been in business. Mr. Nellis responded around 80 years. Councilmember Frankel asked how many trucks they produced yearly. Mr. Nellis responded approximately 200 a year and emphasized the company’s attention to quality. Councilmember Sogg asked for the items that were cut, if they wanted to add them on later, could the same be done. Chief Robinson confirmed that certain things could be.

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

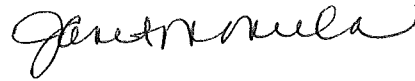
Treasurer Reynolds expressed the enormous accomplishment of what Council has done over a period of years to get the Village’s finances in shape in order to make the fire truck purchase out of Operations. Treasurer Reynolds asked for consideration of his suggestion to add a small plaque to the truck in memory of Jerry Tone. Councilmember Reynolds explained that Jerry Tone who, as a new member of Council, and then later as the head of the Finance Committee, really reworked the long-term vision for the Village’s finances – starting with construction of the property across the street. Treasurer Reynolds added that it is a testament to him that we were able to do this today.

Business from the audience: None.

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

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

Respectfully submitted,



Janet M. Mulh, Clerk Pro Tem

Approved:



Karen Schneider, Mayor