

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
February 9, 2016

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

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

Mayor Schneider announced the first order of business was the appointment of Paul Sabataitis as fire fighter. Chief Robinson shared that Mr. Sabataitis has been with the fire department for about a year, has participated in the training program, attended drills, finished his fire certification and noted that he is a resident of Gates Mills.

Mayor Schneider administered the Oath of Office. Mr. Sabataitis' wife, Tanya, pinned on his badge.

Mayor Schneider noted that the next agenda item was the Mayoral Appointment to Administrative Office of Janet Mulh to Assistant Tax Administrator.

It was moved by Councilmember Reynolds, seconded by Councilmember Sogg, to appoint Janet Mulh to Assistant Tax Administrator.

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

The minutes of the January 12, 2016 Council meeting were presented by the Clerk. It was moved by Councilmember Sogg, seconded by Councilmember Turner, that the minutes be approved.

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

Pay Ordinance #1186 in the amount of \$797,616.46 was presented by the Clerk. Councilmember Frankel questioned if the water hydrant expense was a yearly ongoing expense. Finance Administrator Mulh confirmed. Councilmember Frankel then inquired whether any residents have utilized the Heritage Home program. Finance Administrator Mulh responded that she was aware of four residents. He then recommended including a reminder of that program in the *Pink Sheet*. Councilmember Welsh asked how the program worked. Both Councilmember Frankel and Treasurer Reynolds provided a brief description of the program. Councilmember Welsh suggested providing information on how to get a home declared a century home. Mayor Schneider explained a process which Councilmember Reynolds is also involved with wherein a booklet is being created with guidelines for those who own historic homes. Such booklet will

also be made available to realtors to highlight the dos and don'ts regarding homes in the historic district. Adding procedures on getting landmark status could also be addressed. Mayor Schneider further shared that the Historical Society, including Marcia Anselmo and Sally Burke, have gone to homeowners to inquire if they would be interested in obtaining the different designations that are available. Councilmember Sogg added that she is hoping to receive some funding from the certified local government grant program. Councilmember AuWerter asked, once clarifications have been made, whether consideration should be given to require acknowledgement during the home sale process regarding a home in the historic district. Law Director Hunt said he would contemplate the same. Councilmember Whitney raised the issue of conservation easements. Mayor Schneider said similar discussions regarding some type of form at title transfer that recognizes that there is some type of rental unit on the property have also taken place.

It was moved by Councilmember Whitney, seconded by Councilmember Frankel, that Pay Ordinance #1186 be approved.

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

The financial statement for the period ending January 31, 2016 was presented by Treasurer Reynolds. Treasurer Reynolds indicated he would address the January results and then the proposed Budget. He highlighted the following:

- Municipal income tax receipts in January were lower than last year. He opined that is most likely due to timing differences.
- Operating Expenses were higher than 2015 which reflects personnel increases both in benefits and wages that were approved but also is attributable to timing differences.
- Surplus of \$174,000.
- Money will be moved from the General Fund to the Capital Improvement Fund.

Councilmember AuWerter suggested tracking the last 3-4 years of municipal income tax receipts on a monthly basis to identify patterns. Treasurer Reynolds agreed the same would be worthwhile. Treasurer Reynolds added that the predictability of refund requests is also a big issue within the budget. He remarked that a conservative approach has been taken with regard to municipal income taxes. Treasurer Reynolds commented that the Village has a small population with diverse income and it is very volatile. Councilmember Turner asked where refund information would be. Treasurer Reynolds explained the overall receipts would be lower as it is not a separate line item. Councilmember AuWerter gave a brief example of a refund application.

Treasurer Reynolds then presented the Budget. He explained a \$355,000 reduction in operating review for estimated municipal income tax receipts. He noted that such expectation brings us back to the 2014/2013 range. Treasurer Reynolds opined the estimate is conservative but not overly so. With regard to operating expenses, he stated that the department heads have forecasted a roughly steady state with increases in personnel costs which reflects increased healthcare cost. He added that there are no structural changes on how they intend to operate their departments and that expenses are largely inline. Treasurer Reynolds then stated this Budget

sees a \$500,000 deficit which is not inconsistent with the last few years. In light of a positive 2015 and forecasted negative 2016, it is recommended and planned that the Long Range Planning Committee will reconvene in the near future to further develop and analyze the 5-year plan to identify what options might be available for sustainability. The mission is to provide Council with information so that it is knowledgeable in making choices. Councilmember Sogg commented that it appears that the deficit runs parallel with the prediction for lower income tax receipts but does not take into account any catastrophic event. She further recommended keeping the community advised that we have managed well but that the future is unpredictable. She emphasized the need to get the message out to Villagers and keep people apprised. Treasurer Reynolds expressed his agreement that communication is very important leading up to any decision making. He shared his opinion that the Department Heads have done an excellent job in maintaining a steady state but have also reduced expenses where possible and that capital project management has been outstanding for the last few years. Councilmember AuWerter highlighted that if the Village were to have a \$500,000 deficit which continues, the Village would run into trouble in 2-3 years. In light of that, the deficit is equal to about 3 mills if going to tax and then highlighted a 1 mill tax levy this fall for the Land Conservancy is up for renewal. He remarked further that Council needs to be prepared to make decisions and must consider the levy renewal in the fall when looking at the future. Councilmember Reynolds added that communication needs to address where the Village stands in comparison to other communities and that it is important to remind residents that it has been a long time since there has been any tax increase in the Village. Mayor Schneider also suggested including a pie chart that highlights how very little the Village actually receives from one's tax dollars. Treasurer Reynolds noted that he wants to consider all alternatives and possible opportunities. He said the Long Range Planning Committee should also look at the expense side and evaluate whether there are structural things that can be done and provided the example of police dispatch. The Committee should develop every possible option for Council to evaluate. Councilmember AuWerter asked Treasurer Reynolds if he had a sense of Long Range Planning Committee deliverables. Treasurer Reynolds declined to commit at this time. He added that he would like to proceed quickly. Councilmember Sogg highlighted that the water assessments will be coming off in 2017 and 2019. She said that is a big chunk coming off of people's tax bills and that might be a time where having an increase would be neutral. Councilmember Turner pointed out the need to be proactive with the community. She then stated that it may be a good opportunity to have some communications from Council on a monthly basis in the *Pink Sheet*. Councilmember Welsh said he wanted \$250,000 in the Budget for cemetery expansion and that was not included in the Budget. Treasurer Reynolds responded that it is not clear that the actual opportunity is available to pick up property. He further stated that to the extent it becomes available, expansion would be considered at that time. He added that, as Treasurer, he would have a difficult time recommending a Budget that would have a \$750,000 deficit. Councilmember Welsh raised the issue of financing options such as bonds. Councilmember Frankel interjected that the determination should be made as to whether this is something the Villagers would want. He stated that what residents want such as taxes, services, etc. should be determined. Mayor Schneider said a survey should be done in the future. Councilmember Reynolds commented on the gasoline budget item for police and service. Treasurer Reynolds confirmed that those amounts were reduced from what was proposed at the Budget meeting. Councilmember Reynolds then questioned the post office allocation of \$16,000. Service Director Biggert responded that the roof is in need of repair. Mayor Schneider confirmed that the Village owns that building. In response to the inquiry regarding parks and recreation, Finance Administrator

Mulh explained that year-end balances are what have been on the Budget document and that expenses are budgeted to be approximately \$15,000 a year. Consideration of changing the format will be given.

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, to approve the Budget.

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

Mayor Schneider reported that one month ago (January 12) we lost Jo Ann Lechman and then shared that Dorothy Slunski is currently in the hospital. Chief Minichello provided a brief update on Dorothy's condition. Councilmember Welsh suggested sending flowers to Dorothy on behalf of Council. Councilmember Reynolds agreed. Mayor Schneider advised that the Corridor study is still going on with the first meeting with the stakeholders scheduled for February 22 at 3:00 p.m. in the Community House. She welcomed Council members to attend. Mayor Schneider provided a brief reminder about the study including that the Village received money via the Metroparks from NOACA for a study that encompasses Gates Mills, Hunting Valley and Moreland Hills to connect the North and South Metroparks. She has learned that Mayfield Heights and Lyndhurst are working on a similar study. A representative coordinating that study will be in attendance at the upcoming meeting. She explained they have a 3-step process to what they want to do. Mayor Schneider confirmed that her State of the Village went out yesterday. She began communication regarding the Budget. She then commented on the idea raised by Councilmember Turner regarding Council news and shared that she will request a page or a half page in the *Pink Sheet* to be used for councilmembers to submit information on behalf of the various committees they are involved with, respectively. She directed members of Council to send a brief e-mail to Finance Administrator Mulh with such information. Councilmember Frankel suggested putting the same online. Mayor Schneider agreed and noted that the *Pink Sheet* is online, too. In follow up to Gates Mills Elementary School's recent invitation, Mayor Schneider advised that due to planned absences of certain Council members who will miss the March 8th Council meeting, she asked if the Gates Mills Elementary School would be interested in hosting Council for its April meeting. Councilmember Turner indicated she would confirm.

Clerk's report. none.

Committee reports.

Councilmember Sogg provided a reminder regarding NOPEC and explained that due to NOPEC's schedule, notification will be forthcoming regarding opt out availability for its gas program. She then announced an upcoming membership conference for NOPEC being held on Feb. 23-24. As Councilmember Sogg can only attend a portion of the conference each day, she requested any Councilmembers interested in participating in the conference let her know.

On behalf of the Mayfield School Liaison Committee, Councilmember Turner thanked everyone for signing the endorsement letter which will be included with the school brochure for

2015 that will be distributed to realtors and prospective Mayfield school residents. Discussion took place regarding the same. Mayor Schneider noted that this is a report about schools but that it is geared toward home ownership. Councilmember Sogg asked if it could be mailed to all residents and opined the same would be helpful in allowing residents to become more knowledgeable about Mayfield schools. Councilmember Turner stated she would look into it.

Councilmember Welsh expressed the need to expand the cemetery. He commented on adjacent property that is in bank possession and that the mayor has been working with the bank on a possible land swap deal. He advised on occupancy and commented on the amount of family plots. He raised the possibility of families relinquishing their plots. Councilmember AuWerter remarked on a possible tax donation to gift plots back to Village. Councilmember Sogg advised that plots can be sold back to the Village. Councilmember Reynolds suggested inquiring residents' interest in order to evaluate the need for additional cemetery space.

Police Chief Minichello provided a written report. He reported that the deer culling ended on Sunday, February 7 and summarized the numbers from the same. He remarked the numbers were consistent with last year. He then advised that Coffee with Safety Forces is scheduled for Friday, March 11 at 10:00 a.m. at Sara's Place. Councilmember Reynolds expressed her opinion that the recent accident on Old Mill Road that resulted in a downed pole was extremely well-handled. In response to Councilmember Reynolds' concerns, Police Chief Minichello confirmed that the driver was ok.

Service Director Biggert provided a written report.

Fire Chief Robinson provided a written report. Photos included in his report were reviewed and a recent fire was discussed wherein he advised that the State Fire Marshall is still investigating. He explained that determining the exact cause of a fire is difficult.

Mayor Schneider requested comment by either Village Engineer Courtney or Service Director Biggert on grant money received. Village Engineer Courtney explained that starting in 2015, the county made \$1M available for communities to apply for grants for material costs related to maintenance for county roads. The Village applied for a number of roads and received a \$80,000 grant for material costs for maintenance on Wilson Mills, Gates Mills Boulevard and Old Mill Road. He then said they are waiting to hear about the second program where money is made available at 100% county funding to resurface county roads. Councilmember Frankel asked who would provide the services for the road maintenance. Village Engineer Courtney said it would be part of the annual maintenance program and confirmed bidding process for the contractors that would complete the work.

Ordinance #2016-05 "An Ordinance Providing Appropriations For Expenditures For The Village Of Gates Mills, Ohio, For Fiscal Year Ending December 31, 2016, Repealing Certain Ordinances And Declaring An Emergency" was introduced by Councilmember Whitney. She explained this is a housekeeping measure in order to have money in the right place to pay bills for the year, and as it needs to go into effect right away, it is necessary to move to suspend.

It was moved by Councilmember Whitney, seconded by Councilmember Reynolds, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2016-05 be placed upon its final passage.

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

It was moved by Councilmember Whitney, seconded by Councilmember Reynolds, that Ordinance #2016-05 be approved.

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

Resolution #2016-06 “A Resolution Accepting The Bid Of Nick Mayer’s Marshall Ford For The Purchase Of A 2016 Ford Explorer Police Interceptor Vehicle” was introduced by Councilmember Frankel. He explained this is to replace the 2013 vehicle which has 85,000 miles. He said factoring in the amount given for the trade, this represents the best bid. He advised the new vehicle would be available in three to five months. He explained the need to suspend the rules is due to the bid being good for only 60 days.

It was moved by Councilmember Frankel, seconded by Councilmember Welsh, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2016-06 be placed upon its final passage.

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

It was moved by Councilmember Frankel, seconded by Councilmember Welsh, that Resolution #2016-06 be approved.

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

Ordinance #2016-07 “An Ordinance Amending Codified Ordinance Section 131.01, Meetings Of Council, To Revise The Time For Regular Meetings Of Council; And Declaring An Emergency” was introduced by Councilmember Reynolds. She explained this is an important technicality to announce the change of meeting time and the necessity to suspend.

It was moved by Councilmember Reynolds, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2016-07 be placed upon its final passage.

Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Turner, Welsh, Whitney.

Nays: None.
Motion carried.

It was moved by Councilmember Reynolds, seconded by Councilmember Frankel, that Ordinance #2016-07 be approved.

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

First reading was held for Ordinance #2016-08 "An Ordinance Authorizing The Vacation Of Riverview Lane In Gates Mills, Ohio." Councilmember Sogg explained this issue was highlighted via a request from a resident for plowing and maintenance. She added that a similar lane was vacated in the past. Village Engineer Courtney provided an overview. Mayor Schneider remarked that it resembles a private driveway. Service Director Biggert advised that it is not in a condition to be maintained. Councilmember Sogg requested referring the issue to the Planning and Zoning Committee wherein residents could attend the meeting to discuss. Law Director Hunt explained this process follows an Ohio Revised Code provision. When vacated, responsibility would be equally divided among property owners with an easement of access remaining. Councilmember AuWerter questioned if the Village has authority to do this. Councilmember Sogg confirmed and said the Planning and Zoning Committee would consider this at its March meeting.


Business from the audience: None.

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

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

Respectfully submitted,


Beth DeCapite, Clerk

Approved: 
Karen Schneider, Mayor