

Village of Gates Mills  
MINUTES OF A REGULAR MEETING OF COUNCIL  
February 12, 2019

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, February 12 at 6:00 p.m. in the Village Hall.

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

It was moved by Councilmember Whitney, seconded by Councilmember AuWerter, that Councilmembers Reynolds and Frankel be excused from the meeting.

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

The minutes of the January 15, 2019 Council meeting were presented by the Clerk. It was moved by Councilmember Welsh, seconded by Councilmember Sogg, that the January 15, 2019 minutes be approved.

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

Pay Ordinance #1222 in the amount of \$732,675.07 was presented by the Clerk.

It was moved by Councilmember Sogg, seconded by Councilmember Welsh, that Pay Ordinance #1222 be approved.

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

Treasurer Reynolds read his Treasurer's Report for the period ending January 31, 2019.

- Treasurer Reynolds noted that 2019 has started at a slower pace, without the distortions of prepaid real estate taxes and higher than normal municipal income tax receipts that we saw in 2018. The month saw operating expenses below those of this time last year and all departments are within budget.
- He stated we will reconvene our Long-Range Planning Committee to reconsider options in light of the budgeted \$429,017 operating deficit for this year. While unrestricted reserves, standing at \$4,739,952 provide a prudent medium-term cushion, continued deficits of this magnitude are not sustainable and will impact the Village's capacity to fund essential operations and required infrastructure maintenance.

- Our capital account at Ancora stands at \$4,612,093 including accrued interest. Income for the next 12 months is forecasted at \$111,028.

Councilmember Turner commented on the dispatch operating fee appearing to be lower than last year, however it was noted that it is just the timing of the invoices being paid.

Councilmember AuWerter inquired about salt usage. Service Director Biggert noted we are below budget, but more invoices are coming.

Mayor Schneider said the State of the Village will be mailed before the end of the week. She also requested Council reschedule the regular council meeting for October, due to Yom Kippur falling on the second Tuesday of October. The Council meeting for March is cancelled due the lack of a quorum. She mentioned the Ohio Department of Natural Resources timber cutting field trip to view sites with good and bad timber cutting having taken place and Councilmember Sogg would report on the excursion. The Mayor concluded by noting the naming rights campaign for Marston Park is going very well.

Clerk's report. None.

On behalf of the Planning and Zoning Commission, Councilmember Sogg reported that representatives from ODNR, Cuyahoga County, Cleveland Metroparks, Gates Mills Land Conservancy, Walter Haverfield, Village Council, Mayor Schneider, Service Director Biggert and resident John Spirk visited several sites to view tree maintenance and forestry programs. While the Village Council passed tree maintenance legislation in December, it did not meet the needs of ODNR for the programs they administer with the County for property tax reductions. John Kehn, ODNR District 3 Manager, led the visits and discussed tree cutting, dealing with underbrush, and increased quality of forests. They visited Mr. Kehn's property, which is being cut properly, two properties with terrible cutting jobs and one that had been marked for cutting at South Chagrin. She noted that some of what we currently do isn't the best for managing the beauty of the Village. Law Director Hunt added the December Ordinances were too stringent for ODNR and that ODNR has offered to help administer the process through a Memorandum of Understanding with the Village. Revisions to the Ordinances passed in December will be forthcoming. Councilmember AuWerter asked about economic gains and Councilmember Sogg noted the Metroparks is going to receive money for its cut and it would be good if the Land Conservancy would be able to do the same to assist in the maintenance of all the properties in the conservancy.

On behalf of the Positively Gates Mills Committee, Councilmember Turner stated a new outreach program would be starting for new residents that will incorporate personal contact from an existing village resident. Councilmember Welsh noted the number of homes for sale in the Village. Councilmember Turner noted that overall there are less homes for sale now than last year. Councilmember AuWerter noted that with 1,000 homes in the Village, it is not extraordinary for 50 homes per year to be on the market as that would mean a 20-year turnover rate and if it were 100 homes per year, a 10-year turnover rate.

Councilmember Turner continued by announcing a celebratory event is going to be planned for the opening of Marston Park. The tentative date was discussed and will be confirmed soon.

Councilmember Whitney stated she is working on an educational evening to take place in May with Chagrin River Watershed Partners and Cuyahoga County Soil and Water Conservation District representatives. The program's intent is to provide watershed information and begin a dialogue with residents. In the future, an ordinance would help encourage dialogue with a resident to help protect the river. Village Engineer Courtney added that the Ohio EPA will force new Phase II rules upon the Village eventually and the evening will provide us a way to be educators on how to be the best stewards we can be of resources. Adjoining communities have had much success with ordinances relating to the topic. Councilmember Whitney added that in the past, there was not a clear understanding or education presented to the community.

Councilmember Turner, on behalf of the Mayfield Schools Liaison Committee, noted the Gala fundraiser was well-attended.

Police Chief Minichello provided a written report. Police Chief Minichello mentioned a new pet management system that is available on the Village website for residents. Residents can upload a photo of a pet and provide any relevant information that would be useful in identifying and returning the pet if necessary. He also noted an enhanced house watch system that is available on the website. The information submitted will be sent directly to the MDTs in the police cruisers. Councilmember AuWerter noted fines are down from last year.

Service Director Biggert provided a written report. Village Engineer Courtney provided updates on several projects. The County is providing an \$80,000 grant for repairs, resurfacing and crack sealing work to County Line Road, north of Mayfield Road with Chester Township. It will also assist in paying for approximately 1,000 feet of Wilson Mills Road paving being done by Mayfield Village. The Mayfield Road at Chagrin River Road safety project was discussed with ODOT and we are preparing a safety grant submission to District 12 and then present in Columbus in May. The project's estimated cost is \$540,000 with 90% ODOT (federal funding) and 10% local contribution. Issue 1 money may be possible to help with the local share for a construction date in 2020-2021. Councilmember Welsh asked about sampling water quality.

Fire Chief Robinson provided a written report. Chief Robinson noted 20 EMS calls in January. Councilmember Welsh asked if the Village could look at joining with Hunting Valley for Fire and EMS. Chief Robinson responded that Chagrin Falls provides the services for Hunting Valley. Hunting Valley had not wanted to supply the necessary brick and mortar in the past. Chief Robinson noted that studies have been done in the past. Councilmember Turner asked if dispatch automatically sends an ambulance, or triages the call to determine whether an ambulance is necessary. Chief Robinson noted it depends on how the call comes in. The frequency of use for some individuals is high. Congratulations to Lieutenant Biggert for 21 years with the Fire Department.

Ordinance No. 2019-06 "An Ordinance Amending Subdivision (d), "Prohibited Uses", of Section 1157.01, "Classification of Uses", of Chapter 1157, "Zoning Uses", of the Planning and

Zoning Code of the Village of Gates Mills to Remove Prohibition on Oil and Gas Activities” was put on second reading by Councilmember Sogg. Councilmember Turner questioned #10’s economic profit and Law Director Hunt replied that only 2 in the program can profit.

Resolution No. 2019-09 “A Resolution to Adopt the Solid Waste Management Plan for the Cuyahoga County Solid Waste District” was introduced by Councilmember AuWerter. This is an update to the current plan and updates are done by the district every five years.

It was moved by Councilmember AuWerter, seconded by Councilmember Whitney, that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2019-09 be placed upon its final passage.

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

It was moved by Councilmember AuWerter, seconded by Councilmember Turner, that Resolution No. 2019-09 be approved.

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

Ordinance No. 2019-10 “An Ordinance Setting Forth the Rate of Compensation for Engineering Services for the Village And Declaring An Emergency” was introduced by Councilmember AuWerter. This is done every three years for annual retainer and hourly rates for projects. There is no increase in the retainer for 2019.

It was moved by Councilmember AuWerter, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2019-10 be placed upon its final passage.

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

It was moved by Councilmember AuWerter, seconded by Councilmember Welsh, that Ordinance No. 2019-10 be approved.

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

Business from the audience: None.

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

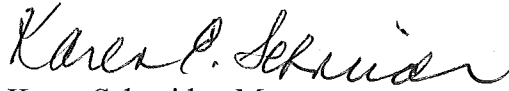
Roll call:     Ayes: AuWerter, Sogg, Turner, Welsh, Whitney.  
              Nays: None.  
              Motion carried.

Respectfully submitted,



Beth DeCapite, Clerk

Approved:



Karen Schneider, Mayor