

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
December 12, 2017

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

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

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

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

The minutes of the November 14, 2017 Council meeting were presented by the Clerk. Councilmember Frankel recommended noting in the minutes that Councilmember Reynolds presided. It was moved by Councilmember Sogg, seconded by Councilmember Whitney, that the minutes, as amended, be approved.

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

Pay Ordinance #1208 in the amount of \$272,755.47 was presented by the Clerk. Councilmember Frankel asked Fire Chief Robinson if the repair to the fire engine was made to the truck that will be replaced. Fire Chief Robinson confirmed. In response to Councilmember Reynolds' question regarding selling the fire engine, Mayor Schneider responded that when the time is appropriate, efforts would be made to try and sell it.

It was moved by Councilmember Welsh, seconded by Councilmember Reynolds, that Pay Ordinance #1208 be approved.

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

Treasurer Reynolds provided the financial statement for the period ending November 30, 2017. He highlighted the following:

- YTD Revenues are slightly below this time last year.
- Operating Expenses are running about 12.8% below this time compared to last year.
- Total General Fund Surplus is approximately \$551,000.

- Real Estate Taxes are approximately \$27,000 above last year.
- YTD Municipal Taxes are \$100,000 lower than last year.
- Other Income, including Mayor Court's receipts, is \$41,000 higher than last year.
- All Departments are operating under the 2017 Budget.

Treasurer Reynolds advised that the Budget Committee met on December 2 to review the budgets and with few minor adjustments, the Committee recommends Council approve the Budget as presented in the package. He added that it was prepared with conservative presumptions with the Budget having only an \$119,000 decline in the Total Fund Balance versus YTD 2017 despite including the purchase of a new fire truck which is budgeted at \$450,000. Treasurer Reynolds stated that new revenue sources and exceptional expense control continue to strengthen the Village's financial condition.

He then advised that the Long Range Planning Committee will meet in the first quarter of 2018 to consider ongoing financing of anticipated future major capital expenditures including the fire truck. Any recommendations of the Committee will be presented at or before the March Council meeting.

Councilmember Sogg asked if anything in particular stood out regarding savings. Treasurer Reynolds responded that there is not one major line item. Mayor Schneider said that every department is performing wonderfully. Councilmember Reynolds added that Finance Administrator Mulh is doing an excellent job.

Mayor Schneider informed of the need for a motion to approve the Budget.

Councilmember AuWerter proposed two changes to the Budget. Noting the implementation regarding maximum of extra time paid, he suggested that the Police Department's budget is \$5,000 higher than it needs to be regarding overtime. Next, he requested the anticipated refund of \$5,600 from the Chagrin Valley Regional Dispatch be reflected in the Police Department budget. He suggested that refund could offset equipment purchases. Mayor Schneider suggested a separate line item regarding the refund. Councilmember Reynolds agreed in making it a separate line item. Chief Minichello confirmed the expected amount is actually \$5,336. Councilmember Sogg said the \$5,000 is not a material amount and expressed concern of possibly appearing over budget should extra time be needed. Mayor Schneider said that action can be taken by Council if money is needed. Councilmember Sogg respectfully disagreed that the overtime should be removed. Treasurer Reynolds supported making these minor adjustments and highlighted trying to reflect the best informed expectations. Councilmember AuWerter shared his opinion that the budget process was handled fabulously.

It was moved by Councilmember Sogg, seconded by Councilmember Whitney, that the Budget, as amended, be approved.

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

Mayor Schneider extended her gratitude to everyone, including all Departments and Committees, Councilmembers, etc., and thanked everyone for their input and ideas. Mayor Schneider was thrilled to report that the Village will be a NatureWorks Grant recipient. She acknowledged Finance Administrator Mulh's hard work. She shared that the Village was number one in Cuyahoga County and fifth in the State out of 155 applicants. She thanked Finance Administrator Mulh, Service Director Biggert and Gail Palmer for their work and looks forward to getting the project done.

Mayor Schneider distributed handouts and reported that she recently attended another Connector Study meeting. She advised that the final meeting will be on December 19 at 6:30 p.m. She said that a meeting with representatives from the MetroParks for Gates Mills residents will likely be held in the spring.

Mayor Schneider then shared a letter she received regarding "Your 911" and requested Council review the letter and provide input regarding the same. It was confirmed the letter would eventually be sent to all Villagers. Chief Minichello said that a few days prior to the end of the contract with Code Red, a final Code Red message would go out regarding the same. Mayor Schneider suggested the "Your 911" letter could be disseminated along with the State of the Village letter.

Clerk's report. None.

On behalf of the Wage & Benefits Committee, Treasurer Reynolds said it recommended to the Budget Committee a 2% salary increase. He informed that the Village's increase for health care will not be higher than 4%.

Councilmember Whitney reported on behalf of the Insurance Committee that it met on November 16 and reviewed a variety of spreadsheets created by Finance Administrator Mulh. The Committee reviewed many options and comparisons and it recommends accepting a plan from Aetna that would have a 4% increase and noted that deductibles and out-of-pocket expenses will slightly increase. She said the plan the Village currently has with Aetna is not being offered. She added that the recommended option is as close to the current plan as possible. Next, Councilmember Whitney shared that the dental plan renewal was flat. The Committee recommends such renewal. She then shared that meetings were held regarding the Village's property and casualty insurance, including meetings with Wichert Insurance as well as with Oswald regarding PEP (Public Entities Pool). The Committee recommends staying with Wichert but will continue to gather information regarding a pool for insurance. She said there is a lot to learn and although the quote came in lower, it was hard to compare. More research will be done. Councilmember Sogg asked if a decision is needed tonight. Councilmember Whitney said a contract with Wichert Insurance will be voted on tonight. It was confirmed, in response to Councilmember Frankel's question, that Council will vote on the Aetna plan tonight. Mayor Schneider added that there are a few policies due in January that Financial Administrator Mulh is still working on.

On behalf of the Service Committee, Councilmember AuWerter said that a meeting was held with representatives of the Village and the County about its road program. First,

Councilmember AuWerter shared that the County appears to be in the final stages of perfecting a \$5.00 increase in license plate fees for every citizen of Cuyahoga County. He said the same would bring in over \$4M to the County of additional revenue in 2019 and 100% would go to various road programs. He said that the two people that run the County's road programs explained the different ways of applying for money. Councilmember AuWerter said that the most important to note is for the major overhaul of a road – such as Cedar Road – wherein the County pays 80% of the construction and 60% of the engineering. He advised of the independent roads assessment which did not assess Cedar Road between S.O.M. Center and Chagrin River Road. However, he said the County will accept Village Engineer Courtney's assessment. The assessment must be turned in within the next month or so. Councilmember AuWerter said that the Village is trying to coordinate with Hunting Valley as well. He said that if the Village would be awarded the same, it would be in either 2019 or 2020. If the Village is not approved, the Village can try for the next one. He opined this is potentially very good news. He further explained that once the proposal is in and if later accepted, any work the Village would do after the proposal could be reimbursed. Village Engineer Courtney confirmed he will submit information along with a formal request letter. Councilmember AuWerter opined he would like to work jointly with Hunting Valley. Mayor Schneider opined it was a good meeting and would like to meet with the County frequently.

Councilmember Frankel mentioned that Mayfield Schools was one of eleven schools in eight states chosen for technical excellence in 2017 by *District Administration Magazine*. Councilmember Sogg hopes that Mayfield Schools will try and make people aware of the same. Councilmember Frankel said they requested such information be included in the *Pink Sheet*. He believes that Councilmember Turner will follow up on it when she returns from her trip. Councilmember Sogg advised that she shared the same with reporter Ryan Dentscheff.

Councilmember Welsh asked if there was anything new regarding the cemeteries. Mayor Schneider responded not at the moment.

Police Chief Minichello provided a written report. Police Chief Minichello shared that the Police Department was awarded, for the fifth consecutive year, the AAA Platinum Safety award. He said that Gates Mills was one of about seven other communities in the Tri-County area to receive the award. Chief Minichello then said that in follow up to Councilmember Frankel's concerns regarding Mayfield Road that a representative from the State came out and will be providing the State's recommendations regarding the same. Councilmember AuWerter asked if this was about signage or traffic light timing. Chief Minichello said the Village could contact Signet directly regarding timing of the traffic light but is not sure what can be done regarding the same. Chief Minichello said the Department is looking into a few cases that require follow up investigation. He then said the prescription drug box was filled completely and the County came out to take care of all of its contents. He opined that it has been going well and encouraged Councilmembers to spread the word regarding the prescription box program. Councilmember Welsh asked if the State was addressing the timing of the traffic lights. Chief Minichello and Service Director Biggert said the same could be done in-house.

Service Director Biggert provided a written report. Councilmember AuWerter inquired about the sink hole. Service Director Biggert said it was finished yesterday. Councilmember

AuWerter then asked if the construction of the cell tower at Gilmour is underway. Service Director Biggert said he is not sure if construction has started. He believes they were working on finalizing the engineering. Councilmember Sogg asked about the delivery of items on Sudbury. Village Engineer Courtney said it is dormant plant material. It was confirmed that the material is being planted on Thursday. Service Director Biggert explained that as the bill for the planting will not be received until January that such expense was included in the 2018 budget.

Fire Chief Robinson provided a written report. Councilmembers extended congratulations for Fire Chief Robinson's 21 years of service. Chief Robinson explained that he had applied for a grant for the purchase of new hoods that firefighters wear. He learned yesterday that the Village will receive the grant. He explained that the cost was approximately \$4,900 and with the grant money, the Village will now only have to spend \$780 for the equipment.

Ordinance #2017-38 "An Ordinance To Increase The Compensation Of Certain Village Employees" was introduced by Councilmember Whitney. Due to the Ordinance stating that it becomes effective on December 17, she highlighted the need to suspend.

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2017-38 be placed upon its final passage.

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

Councilmember Frankel asked about language on page 4 regarding the amount of sick days that are accumulated and then turned into vacation. Councilmember Whitney explained how it was calculated and added that it is a uniform provision that the Village has had in place.

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that Ordinance #2017-38 be approved.

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

Ordinance #2017-39 "An Ordinance Declaring The Village's Intention To Enter Into A Health Reimbursement Account For 2018; And Declaring An Emergency" was introduced by Councilmember Whitney. Councilmember Whitney said the increase of the out-of-pocket maximum is because of Aetna's renewal and would like to suspend the rules in order to provide reimbursement to Village employees without interruption.

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2017-39 be placed upon its final passage. Councilmember AuWerter noted this continues the

policy of 50% is the Village and 50% is employees. Councilmember Whitney said the Ordinance states that the Village will reimburse employees one half of their eligible out-of-pocket expenses.

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

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that Ordinance #2017-39 be approved.

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

Ordinance #2017-40 “An Ordinance Authorizing A Contract With Delta Dental To Provide Dental Insurance Coverage For Village Employees And Declaring An Emergency” was introduced by Councilmember Whitney. Councilmember Whitney noted the need to suspend is to provide continuous coverage.

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2017-40 be placed upon its final passage.

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

It was moved by Councilmember Whitney, seconded by Councilmember AuWerter, that Ordinance #2017-40 be approved.

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

Ordinance #2017-41 “An Ordinance Authorizing A Contract With Aetna Health Care To Furnish And Provide Hospitalization And Health Care Coverage For Village Employees And Declaring An Emergency” was introduced by Councilmember Whitney. Councilmember Whitney said as previously discussed there is a 4% increase. The need to suspend is to provide continuous coverage.

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2017-41 be placed upon its final passage.

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

Nays: None.
Motion carried.

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that Ordinance #2017-41 be approved.

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

Resolution #2017-42 “ A Resolution Requesting The County Auditor To Advance Taxes From The Proceeds Of Tax Levies Pursuant To Ohio Revised Code Section 321.34” was introduced by Councilmember Whitney. Councilmember Whitney said this authorizes the County to pay taxes collected on the Village’s behalf. She noted the reason to suspend is because revenue is a timely issue.

It was moved by Councilmember Whitney, seconded by Councilmember Frankel, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2017-42 be placed upon its final passage.

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

It was moved by Councilmember Whitney, seconded by Councilmember Reynolds, that Resolution #2017-42 be approved.

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

Ordinance #2017-43 “An Ordinance To Amend The Annual Appropriations Ordinance No. 2017-04 To Increase Certain Appropriations And Other Expenditures Of The Village Of Gates Mills, Ohio For The Fiscal Year Ending December 31, 2017” was introduced by Councilmember Whitney. Councilmember Whitney explained this is to cover some expenses that were not originally anticipated. She noted that Capital Improvements were a little more than previously appropriated and the revenues for the levy for the Gates Mills Land Conservancy were a little higher than estimated. Councilmember Frankel asked if this is year-end bookkeeping. Councilmember Whitney confirmed. Councilmember Whitney said the need to suspend is to allow the Village to keep its books in order.

It was moved by Councilmember Whitney, seconded by Councilmember Welsh, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2017-43 be placed upon its final passage.

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

Nays: None.
Motion carried.

It was moved by Councilmember Whitney, seconded by Councilmember Welsh, that Ordinance #2017-43 be approved.

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

Ordinance #2017-44 “An Ordinance Authorizing A Contract With Wichert Insurance Services, Inc. To Furnish And Provide Liability and Property Insurance Coverages For The Village Of Gates Mills, Its Officials And Employees And Declaring An Emergency” was introduced by Councilmember Whitney. Councilmember Whitney said as discussed, this was reviewed in a thorough manner. She noted the need to suspend is to provide continuance coverage. Councilmember Welsh noted that last year Councilmember Frankel wanted this bidded out. Councilmember Whitney confirmed that other options were considered.

It was moved by Councilmember Whitney, seconded by Councilmember AuWerter, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2017-44 be placed upon its final passage.

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

It was moved by Councilmember Whitney, seconded by Councilmember Reynolds, that Ordinance #2017-44 be approved.

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

First reading was held for Ordinance #2017-45 “An Ordinance Amending Section 518.125 Of The General Offenses Code To Revise A Provision With Respect To Deer Management Regulations” was introduced by Councilmember Frankel. Councilmember Frankel explained this would change the acreage requirement from 10 acres to 5 acres of contiguous property for bow hunting. Councilmember Sogg said this is the recommendation of the Ohio Department of Natural Resources. Councilmember Welsh asked if the Police Chief is ok with this proposed change. Police Chief Minichello confirmed he is.

Resolution #2017-46 “A Resolution Accepting The Donation To The Village Of A Parcel Of Vacant Land On Riverview Road In The Village Of Gates Mills” was introduced by Councilmember Sogg. Councilmember Sogg said this is to accept the donation by an individual of a parcel of land. Mayor Schneider advised the land is adjacent to a piece of property that the Village currently owns. Councilmember Whitney asked about the size of the land. Mayor

Schneider said it is small and runs along the river. Councilmember Sogg noted the need to suspend is to avoid delay to the individual donating the property.

It was moved by Councilmember Sogg, seconded by Councilmember AuWerter, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2017-46 be placed upon its final passage.

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

It was moved by Councilmember Sogg, seconded by Councilmember Whitney, that Resolution #2017-46 be approved.

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

Councilmember Frankel asked if the Village has to pay property tax for this property. Law Director Hunt said the donor will pay that and then next year the Village will file for an exception for open space. Councilmember Sogg said the value of the property is \$18,000.

Ordinance #2017-47 "An Ordinance To Provide For Temporary Appropriations For The First Quarter Of 2018" was introduced by Councilmember Whitney. Councilmember Whitney said this is a housekeeping measure and noted the need to suspend is to allow the Village to pay bills on a timely basis.

It was moved by Councilmember Whitney, seconded by Councilmember Welsh, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2017-47 be placed upon its final passage.

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

It was moved by Councilmember Whitney, seconded by Councilmember Sogg, that Ordinance #2017-47 be approved.

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

Resolution #2017-48 "A Resolution Authorizing The Mayor To Enter Into An Agreement With The Ohio Department Of Natural Resources For Funding Through The State Of Ohio NatureWorks Local Grant Program For Public Recreation Purposes In The Village; And Declaring An Emergency" was introduced by Councilmember Reynolds. Councilmember

Reynolds said a copy of the agreement is contained in the packet and appears to be a standard agreement with a project completion date clause. Along with the agreement is a map to show the location which is adjacent to the tennis courts. Councilmember Reynolds said the grant is for \$77,000 and will allow the park area around tennis courts to be more functional with possibilities like seating, picnic tables, and bocce ball, etc. She expressed gratitude for everyone that helped get the grant. Councilmember Frankel said having a playground makes the community attractive and inviting for younger families. He said it will be a good benefit. Councilmember AuWerter asked about the type of playground being considered. Mayor Schneider explained that playgrounds are rated by age groups 2 to 5 and 5 to 12. She said it would combine a little of each age and hopes the grant will cover a lot of different areas. Councilmember Reynolds requested the suspension of the rules to allow the project to get started by late winter/early spring.

It was moved by Councilmember Reynolds, seconded by Councilmember Welsh, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2017-48 be placed upon its final passage.

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

It was moved by Councilmember Reynolds, seconded by Councilmember Welsh, that Ordinance #2017-48 be approved.

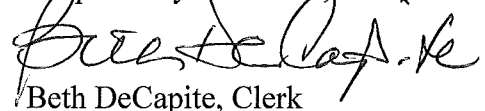
Roll call: Ayes: AuWerter, Frankel, Reynolds, Sogg, Welsh, Whitney.
Nays: None.
Motion carried.

Business from the audience: None.


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

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

Respectfully submitted,


Beth DeCapite, Clerk

Approved:


Karen Schneider, Mayor