

Village of Gates Mills  
MINUTES OF A REGULAR MEETING OF COUNCIL  
November 10, 2020

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, November 10, 2020 at 6:00 p.m. with Mayor Schneider presiding in a remote, virtual meeting that was livestreamed to the internet.

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

Also present were Chief Minichello, Chief Robinson, Service Director Biggert, Finance Administrator Mulh, Clerk DeCapite, Treasurer Reynolds, Village Engineer Courtney, Law Director Hunt, Town Hall Coordinator Jean Misch and resident Patra Duangjak.

The minutes of the October 13, 2020 Council meeting were presented by the Clerk. It was moved by Councilmember Welsh that the October 13, 2020 minutes be approved. Councilmember Reynolds seconded the motion.

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

Pay Ordinance #1243 in the amount of \$696,417.95 was presented by the Clerk. It was moved by Councilmember Welsh, seconded by Councilmember Sogg, that Pay Ordinance #1243 be approved.

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

Treasurer Reynolds read his report. Real estate revenues year-to-date have been acceptable considering the pandemic. Income taxes as of the end of October were still very low year-to-date. With deferred expenses, the General Fund has a surplus of \$371,415 year-to-date. However, the Village did receive a large income tax payment at the beginning of November. This may occur again in the first quarter of 2021. These income tax receipts will put 2020 and 2021 into a meaningful surplus. This will have significant impact on the Long Range Financial Plan projections. Taxpayer information is highly confidential and cannot be disclosed. The November Financial Statement will show the impact of the receipt. The Village should continue to pursue cost reductions but does not need to look at additional tax revenue at this time. Councilmember Sogg asked if we can move ahead with deferred expenses at this time. The deferred plow truck purchase may be warranted now with the winter season coming. Service Director Biggert noted that if we order the truck now, it still would not be ready for this plow season. Treasurer Reynolds noted we will be looking at all items with the budget process coming up. Deferrals were made due to the COVID impact on revenues and the structural deficit. We will be careful as we look forward.

Mayor Schneider gave her report. She noted the Governor will be delivering a speech at 5:30 p.m. on Wednesday evening with regard to the pandemic. It is important to tune in and listen. The Halloween drive through event was well-received and residents thanked the Village for doing it. Everyone said they were touched by it. She thanked Jean, Cassie and Gabrielle Misch for organizing the evening and for volunteering. She also thanked the Service Department, Mike Feig, Tom Majeski, Jeff Mackie, Gail Minichello, John and Chris Kramer, Judy Plessy and Janet Mulh. Mayor Schneider noted that political signs remain a problem and there are too many. We have weathered a storm of complaints and it is time to get them down. If they are oversized and lighted, please have them removed per the sign ordinance. Political signs can be recycled at Town Hall. She noted that she had received compliments this week from Umberto Fedeli and Chief Matias for assisting with auto thefts/break-ins. Mr. Fedeli noted Gates Mills is fortunate to have our Police Department, especially in today's environment. He is beyond appreciative for what they do. A thank you was received from Keith Kelly, who is retiring as Superintendent of Mayfield City Schools in 2021. Bill Bannon noted the Village has the nicest Police Officers and feels safe in our community. A concerned person from Gates Mills Estates Drive requested streetlights and sidewalks be installed in the Village for safety when walking. Tomorrow is the Service Lunch at 11:30 a.m. A food truck will be available from the Community Club and Garden Club. The award ceremony for Chris Papouras by the State Fire Marshal went very well. Chief Robinson showed some photos from the ceremony. Mr. Papouras tried to pull a passenger from a vehicle, got a sledge hammer and was able to rescue her. It was a very nice presentation and Mayor Schneider presented a Proclamation to Mr. Papouras.

Mayor Schneider asked Chief Robinson to report on the fire that took place at a groundskeeper's home at The Hunt Club on Sunday morning at 3:00 a.m. Chief Robinson noted the Fire Department took 8 minutes, 5 seconds to arrive on scene. We were assisted by Departments from Pepper Pike (GET LIST OF CITIES FROM TOM). The homes are very close to each other there. The home was built in 1850. Mayor Schneider noted we had two of our new firefighters on the scene, Jacob Conte and Julian Mangaluzzi. She was impressed by the debriefing done by the Department at the end of the fire. Chief Robinson shared photographs from the scene and described the actions taken. The new fire engine performed well and we utilized every new feature that was built into the engine. The wife attempted to get the family dog out of the home, but she fell and received some burns. Smoke alarms alerted the family to the fire. The wife was treated and released from Hillcrest. Unfortunately the dog was lost in the fire, but was retrieved after the fire for the family. Cars were damaged from radiant heat. The debriefing was to talk about what went on, tactics and strategies used. The Department did a great job. The day after tomorrow, Chief Robinson will have 24 years with Gates Mills and this is the first total loss fire they have had in that time. Even in a fully-staffed city, there are still total loss fires. In this case, the house construction allowed the flames to get the roof quickly. A defensive strategy was used first and then an offensive strategy to combat the fire and then back to defensive. The Department did an overhaul of the home where they open up walls and ceilings to get water on all surfaces and prevent a re-ignite. Councilmember Sogg commended resident Sara Welsh for going to neighbors to take up a collection for the family.

Clerk DeCapite gave her report. She congratulated the Village for passing the levy renewal for operating expenses.

Councilmember Frankel, for the Safety Committee, asked if Officers see the thank you notes that are sent in. Chief Minichello stated he does copy the notes for the Officers. As a follow-up to the Safety Committee's meeting, speed on River Road north of Mayfield Road was looked into. Service Director Biggert looked into a speed study and discovered that one had been done in 1991 when the speed was changed from 50 mph to 40 mph. Today, the study would cost \$18,000 and would not be productive. It would be better to increase enforcement and use the speed monitor sign to help make everyone aware of the speed.

Councilmember Turner, for the School Liaison Committee, noted that Supt. Kelley announced his retirement for August 2021. He has been superintendent for 9 years and has a career of over 40 years. She reported the school district has completed its 5-year projections and COVID has had a lot of impact on the school's revenue. The Department of Education has reduced the budgets, but only 10% comes from the State for the Mayfield City School District. She noted the school population is going down. Deficit spending is possible in 2023. A detailed report is available on the school district's website. Starting today, Mayfield High School is virtual and the other schools are still open at this time.

Councilmember Turner, noted the Gates Mills Land Conservancy Board had met. Deer hunting was brought up at the meeting. Two landowners that are adjacent to conservancy properties were concerned about hunters on the property. The Land Conservancy does not have a formal policy about hunting. Chief Minichello noted that in one instance, the hunter had his stand in the wrong place. He stated the Village does not allow hunting on conserved land.

Chief Minichello provided the Police Department report. He had included a Flock Safety summary in his report along with a deployment plan. The deployment of five cameras would be primarily in the Gates Mills Boulevard area and 2 eastbound, West Hill on the northside of Mayfield (GET LOCATIONS FROM GREGG). Councilmember AuWerter asked if there is competition for this kind of camera or if the same service is available for less money. Chief Minichello stated Flock Safety is the least expensive, most competitive company. Councilmember AuWerter stated surrounding communities have cameras, so we don't have to duplicate the areas, correct? Chief Minichello stated that is correct. Councilmember AuWerter noted the deployment plan appears concentrated in one area, what about County Line or North on Chagrin River? Chief Minichello noted the focus is on the western edge of the Village where crimes of significance are and perpetrators tend to head west. Chief Minichello noted it takes 45 days to get the equipment in the ground and then 60 days to test them. The payment would be due the 1<sup>st</sup> Quarter of 2021. Councilmember Turner asked who is responsible for maintenance on the cameras. Chief Minichello said it is covered by the contract. Mayor Schneider said a Safety Fund will be created to accept donations to pay for safety needs. The Flock Safety project would be funded by a donation from an anonymous donor. Once funds are in the account, we will notify Flock Safety to start. Councilmember Reynolds stated the Village should publicize the cameras to deter crime, as suggested by Councilmember Sogg last month.

Service Director Biggert provided his report. He noted a successful electronic recycling day last Saturday with a positive response from residents. He thanked Jean Misch and Jeff Mackie for setting up and taking care of the event. Seven boxes of items were collected. Councilmember Reynolds asked where residents can dispose of televisions. Councilmember Sogg responded that Best Buy will take them.

Fire Chief Robinson gave his report. He noted we are running behind 2019 calls and ambulance runs.

Resolution No. 2020-39 “A Resolution Authorizing the Mayor to Enter into an Agreement with AKE Environmental & Construction Services, Inc. for Services for the Operation of the Gates Mills Wastewater Treatment Plant and Pump Station; and Declaring an Emergency” was read by Councilmember AuWerter. Councilmember AuWerter moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2020-39 be placed upon its final passage. Councilmember Sogg seconded the motion to suspend the rules.

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

Councilmember AuWerter asked if the \$29,039.96 is for one year. Service Director Biggert said it is a two-year agreement and the amount is not to exceed the amount in the contract. The amount could be lessened once we learn how to do some of the work. Councilmember AuWerter stated it should be per year and not for two years. It was moved by Councilmember AuWerter, seconded by Councilmember Turner, that Resolution No. 2020-39 be approved.

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

Councilmember Frankel asked when AKE begins and the County work ends. Service Director Biggert will let the County know the Village’s intentions. There may be some overlap for AKE to be doing everything as of December 1 or January 1.

Resolution No. 2020-40 “A Resolution Authorizing the Sale of an Unneeded Item of Specific Personal Property of the Village of Gates Mills Through Internet Auction by GOVDEALS.COM, INC.” was read by Councilmember Frankel. He noted this is a 2015 Ford Explorer with 110,000 miles.

Councilmember Frankel moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2020-40 be placed upon its final passage. Councilmember AuWerter seconded the motion to suspend the rules.

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

It was moved by Councilmember Frankel, seconded by Councilmember AuWerter, that Resolution No. 2020-40 be approved.

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

Ordinance No. 2020-41 “An Ordinance Authorizing the Creation of a New Fund Known as the Safety Fund for the Deposit of Funds Dedicated to the Purposes of the Police Department, the Fire Department, and all Other Safety Purposes for the Village of Gates Mills” was introduced by Councilmember Frankel. Councilmember Frankel stated we are setting up the Safety Fund because we have a resident willing to donate money for the Flock Safety Cameras and to accept other donations for such purposes.

Councilmember Frankel moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2020-41 be placed upon its final passage. Councilmember Reynolds seconded the motion to suspend the rules.

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

Councilmember Frankel thanked the villager who is donating the amount. Councilmember Reynolds stated we are lucky to have generous residents in our community. It is very heart-warming. It was moved by Councilmember Frankel that Ordinance No. 2020-41 be approved. Councilmembers AuWerter, Reynolds, Sogg, Turner, Welsh, and Whitney seconded the motion to approve Ordinance No. 2020-41.

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

Resolution No. 2020-42 “A Resolution Authorizing the Village of Gates Mills’ Purchases with CARES ACT Funds and Declaring an Emergency” was read by Councilmember Frankel. Councilmember Frankel asked for Page 2, top line to include the words “heavy duty commercial washer and dryer.” A spreadsheet was included with the Resolution shows the breakdown of the Corona Relief Fund monies. Technology is a big part of the spending. Three estimates were obtained for the audio-visual project and Burke Brothers had the best option.

Councilmember Frankel moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2020-42 be placed on its final passage. Councilmember Sogg seconded the motion.

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

Nays: None.  
Motion carried.

It was moved by Councilmember Frankel, seconded by Councilmember Sogg, that Resolution No. 2020-42 be approved.

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

There was no business from the audience on YouTube. Eight people were viewing the meeting. Councilmember Reynolds noted tomorrow is Veterans' Day. She said thank you and we appreciate your service.

There being no further business, it was moved by Councilmember Reynolds, seconded by Councilmember Turner, 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 E. Schneider, Mayor

## **Treasurer's Report**

### **Village of Gates Mills**

**Month Ended October 31, 2020**

Overall revenues are \$252,253 lower than this time last year. Our Real Estate tax receipts are now \$15,791 greater than YTD 2019, indicating that, if there was a Covid related impact on Real Estate taxes, it did not exceed normal growth in this revenue stream. Municipal Income tax receipts are \$228,006 lower than this time last year.

Our operating expenses are \$65,581 lower than YTD 2019 and all operating departments are spending well under budget, with several planned expenses deferred due to Covid related management actions. YTD, the general fund is in an operating surplus of \$371,415. Our total reserves are \$49,804 less than this time last year.

We normally expect Real Estate tax receipts to drop to \$0 in the final months of the year. There is some uncertainty around this number in 2020 because of the delayed payment deadlines. Nevertheless, we believe we have received nearly all of Real Estate taxes for the year.

Municipal Income taxes normally will continue through the final months on a generally steady path. However, this month, November, we have received an unusually large payment from our agency, RITA. The payment includes a very large estimated tax payment from one taxpayer. We are told that we should receive a similarly sized payment for 1Q 2021. It is too early to tell if these large payments will continue and become a permanent part of our revenue structure. That said, the payment will put our overall financial position for 2020 and 2021 into a meaningful surplus and will have a significant positive impact on our LRF projections. Please note that individual resident's tax payments are required to be kept confidential and we will not be able to provide more specific details. We will be able to provide more detail on the financial impact of the tax payment with our November statements.

While I recommend that Council continue to pursue initiatives around cost reductions and additional other revenue sources, I feel that consideration of tax revenue increases is not warranted at this time.