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**VILLAGE OF GATES MILLS  
COUNCIL AGENDA  
OCTOBER 15, 2024  
5:30 p.m.**

**COMMUNITY HOUSE, 1460 CHAGRIN RIVER ROAD  
(Livestream available on YouTube – click on the link on  
[www.gatesmillsvillage.com](http://www.gatesmillsvillage.com) to watch)**

1. Roll Call.
2. **Public Hearing** for Ordinance No. 2024-29, An Ordinance Amending Section 1131.07 and Enacting New Section 1157.10 of Chapter 1157, “Zoning Uses”, of the Codified Ordinances of the Village of Gates Mills to Prohibit Adult Use Cannabis Operators in the Village.
3. Minutes of Council Special Meeting of September 11, 2024 Clerk.  
TO BE EMAILED WHEN READY
4. Minutes of Council meeting of September 17, 2024. Clerk.
5. Pay Ordinance #1290 \$534,207.48 Clerk.
6. Mayor’s Report. Mayor.
  - A. Mayfield City Schools Liaison Committee.
  - B. 640 Chagrin River Road Update.
7. Clerk’s Report. Clerk.
8. Financial Report. Mayor.
9. Police Department Report. Minichello.
10. Service Department Report. Biggert.
11. Fire Department Report. Majeski.
12. Committee Reports.
  - a. Tree Canopy. Turner.
  - b. Broadband. Deacon.
  - c. Wastewater Committee. Broome.
  - d. Investment Committee. Morgan.
13. **Ordinance No. 2024-29** (Third Reading) **Public Hearing October 15** Steinbrink.  
An Ordinance Amending Section 1131.07 and Enacting New Section 1157.10 of Chapter 1157, “Zoning Uses”, of the Codified Ordinances of the Village of Gates Mills to Prohibit Adult Use Cannabis Operators in the Village.
14. **Ordinance No. 2024-34** (Second Reading) Mayor.  
An Ordinance Amending Chapter 159, Police Department, Section 159.01, Membership of Department, of the Codified Ordinances of the Village of Gates Mills.
15. **Resolution No. 2024-37**(Second Reading) Broome and Mayor.

A Resolution Authorizing the Mayor to Prepare and Submit an Application to Participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to Execute Contracts as Required; and Declaring an Emergency.

16. **Ordinance No. 2024-38**

Mayor.

An Ordinance to Amend the Annual Appropriation Ordinance No. 2023-49 to Increase Certain Appropriations and Other Expenditures of the Village of Gates Mills, Ohio, for the Fiscal Year Ending December 31, 2024.

**Resolution No. 2024-39**

Mayor.

A Resolution Authorizing a Change Order to the Contract with Cole Burton Contractors, LLC, for Emergency Repair of Old Mill Road Due to a Water Main Break and Declaring an Emergency.

17. Council Matters.

18. Business from the Audience.

19. Adjourn.

Proposed Ordinances and Resolutions on the Agenda may be obtained by calling Village Hall, 440-423-4405.

**Village of Gates Mills**  
**MINUTES OF A REGULAR MEETING OF COUNCIL**  
**September 17, 2024**

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, September 17, 2024, at 5:30 p.m. with Mayor Siemborski presiding. The meeting was live-streamed to the internet.

1. Roll Call starts at 0:15

Councilmembers present: Atton, Broome, Deacon, Press, Turner, Welsh.

Other Village officials present were Treasurer Morgan, Clerk DeCapite, Service Director Biggert, Police Chief Minichello, Fire Chief Majeski, Finance Administrator Mulh, Village Engineer Courtney, and Law Director Hunt.

Councilmember Welsh moved to excuse Councilmember Steinbrink and Councilmember Turner seconded the motion.

Ayes: Broome, Deacon, Press, Turner, Welsh.  
Nays: Atton  
Motion carried.

2. Minutes of the Regular Council meeting of August 20, 2024 starts at 0:50

Councilmember Welsh moved to approve the August 20, 2024 minutes and Councilmember Atton seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.  
Nays: None  
Motion carried.

3. Pay Ordinance # 1289 \$733,340.58 starts at 1:40

Councilmember Welsh moved to approve Pay Ordinance #1289. Councilmember Broome seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.  
Nays: None  
Motion carried.

4. Mayor's Report starts at 2:04

a. **Fraud Training** - We are required as public officials to participate every four years in fraud training prescribed by the State of Ohio. A training video covering

the fraud reporting system and the means of reporting fraud, waste, and abuse was presented.

**b. Appointment: Melissa Fortunato to Safety Committee** starts at 3:12

Councilmember Welsh moved to approve the appointment of Melissa Fortunato to the Safety Committee. Councilmember Deacon seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.

Nays: None

Motion carried.

**c. Mayor's Proclamation for David Osborn, Village Carillonneur** starts at 5:24 - David, son of nursery school teacher Ruth, has played the bells at St. Christopher's for traditional Village celebrations for over 30 years - most notably before the annual 4th of July Parade. A Carillon Concert by Becky Everett and Kieran Cantilina will be held in David's honor Saturday, October 12th from 11 a.m. to noon at St. Christopher's where the two octave bell set is one of only ten in Ohio.

**d. Encore Report** attached and starts at 10:10 - The Board of Encore Chamber Music Institute was pleased with the additional attention and attendance in year one of the Encore/Gates Mills partnership. Encore will return for the next two years, and GM will be asked again to support Encore financially and enthusiastically.

**e. Zoning Workshop** starts at 11:25 - Minutes of the Special Council Meeting Zoning Workshop held last week on September 11th will be available before the next Council meeting. If need be, we will discuss scheduling another zoning workshop covering open items.

**f. Road Program** starts at 12:30 - Our most recent road study indicated a cost of \$6,000,000 to \$7,000,000 to fix our roads. We opted to spread the cost over 6-7 years taking care of the worst roads first and then tackle the next set of roads to the tune of \$1,000,000 per year. Most of these are roads that we have full responsibility for. Some are County roads where at times the County shares in the cost or in the reimbursement of materials. Three are State roads, and we are dependent on when the State decides to do those roads.

Going into 2024 we had planned on doing Hillcreek and Andrews, but then we were approached by Geauga County and agreed to participate in paving the 4-1/2 miles of County Line Road between the Willoughby Hills and Hunting Valley borders. We talked about putting Hillcreek and Andrews off for a year, but would review in the fall. As things turn out, the road program is costing us \$1,135,000 this year including the Service Dept parking lot previously deferred for one year. We have had some unexpected and unbudgeted expenditures - \$30,000 for repair to Mayfield Road at West Hill due to a water line break and \$207,000 for repair to Old Mill Road due to a water line break (\$100,000 in emergency funding from Cuyahoga County is anticipated pending County Council approval on September 23rd - then we have to

spend the money before applying for reimbursement). Additional items planned and known are \$73,000 for Riverview drainage problems, \$19,000 for final settling up of work done at the intersection of Mayfield and River Roads, \$8,000 for flooding at Berkshire and Epping Roads, and \$36,000 for drainage issues on SOM Center Road from Gilmour to the circle. Overall we are projecting that we will spend \$1,503,000 this year compared to our budget of \$1,063,000 - a difference of \$440,000 that excludes Hillcreek and Andrews. If we were to add Hillcreek and Andrews, that would put our 2024 road costs at close to \$2,100,000.

Having recently driven Hillcreek and Andrews, the Mayor would prefer to maintain the deferral of Hillcreek and Andrews until next year and get an early start as soon as the snow melts in April. Village Engineer Courtney said it has to be warm enough, so April or May, after soliciting bids in February. Mayor Siemborski added Hillcreek and Andrews are the biggest items planned for next years road program. Service Director Biggert expects to do patching throughout the winter. Councilmember Deacon stated the plan was reasonable and prudent. Councilmember Atton sees no advantage in delaying what was already planned when we have near \$8,500,000 in the general fund. The Mayor replied that would put us at a large deficit for the year and he prefers a balanced budget approach. Wait six months. The roads are in fair shape.

At 21:30 Councilmember Turner said we did not get grant money from the State for the sidewalk between the school and library. In order to keep the ARPA funds for the sidewalk, we have to appropriate the shortage estimated at \$150,000 by the end of 2024. Village Engineer Courtney will provide an updated estimate for the sidewalk at the October Council meeting.

Councilmember Turner stated the only reason to move forward now with Hillcreek and Andrews would be finding a better bid from a contractor with extra time. The Village Engineer finds from a quality of construction standpoint, we stand a better chance of getting a higher quality installation in May versus October. If there is any sort of problem after taking off the asphalt surface in October, we may end up with our backs against the wall.

Councilmember Welsh suggested Mayfield Schools be asked to contribute to the sidewalk project.

5. Clerk's Report - None

6. Financial Report attached and on the website starts at 24:55

Mayor Siemborski reported we continue to be in a good financial position. Revenues have been up in most categories. The Sensys Gatso traffic camera invoice was not received in time for verification and payment in August, and therefore double payments will be reflected in September expenses. Our expenses are pretty much in line. We talked about the road program dollars. We have expected overages due to

storm cleanup. A lot of guard rails on River Road by Riverview and Hillside got beat up and will need to be repaired.

7. Police Department Report attached and starts at 26:38

The Police Chief reported the Valley Enforcement Group drone team checked the area at County Line and Old Mill last night after receiving a report of a person near the guardrail possibly in distress. There was no evidence found to support the concern.

Councilmember Atton asked if issuing citations to people who drove 58 mph or more on Mayfield Road had started. Mayor Siemborski answered it has been decided internally, after checking with the Law Director and the Prosecutor, that we are not going to provide that information publicly going forward. The Mayor would be happy to discuss one-on-one with any Councilmember wishing to do so. Councilmember Atton found that to be a good move.

Councilmember Welsh asked if adding a drone to our police toolbox had been considered. The Police Chief replied our membership in the Valley Enforcement Group gives us access to their six drones and well-trained operators, so we don't have a need.

8. Service Department Report attached and starts at 30:35

Councilmember Press has received calls regarding a second property owner on Mayfield Road with a non-compliant political sign. Service Director Biggert stated the second sign went up yesterday and a violation notice went out today. Councilmember Turner expressed frustration with seeing no corrections by several residents after being cited for violations of our various ordinances (sign and building). The Service Director explained a resident has a 20-day period to appeal or comply with the sign violation before the Prosecutor gets involved. Mayor Siemborski added the property owner of the non-compliant sign near St. Francis has a court date set, despite the fact it's been suggested that they put up 10 small signs rather than one big sign. Since they've decided to fight through the court process, we can't do anything further until the court hearing. Councilmember Turner asked what date the fines would go back to, and Law Director Hunt answered on a daily basis back to the date of citation. Councilmember Press asked if the Judge could propose a remedy, and Law Director Hunt replied the Judge needs to follow the ordinance; however, a property owner could challenge the constitutionality of our ordinance. Law Director Hunt believes our ordinance is constitutional - it provides ample opportunity for people to express their first amendment rights.

Councilmember Turner said we also have a home that has been given deadlines. Service Director Biggert stated September 30th is the last deadline when the permit expires.

The Mayor shared we have had a few complaints over people stealing other people's signs and they've been caught on Ring. People are allowed to express their political views according to the rules that we have. Stay on your own property and don't take away somebody else's rights to express their views.

Service Director Biggert understood Councilmember Turner's unhappiness with time frame, but regardless of being in violation or not, property owner's still have legal rights that we are obligated to uphold. In response to Councilmember Press, the Service Director stated when a property owner is sent a violation, by law he has to say what section of our Code they are in violation of and a full copy of that section is also sent.

Councilmember Welsh asked how many non-compliant signs there are, and the Service Director replied two are currently under violation. The rest of the political signs are all compliant with the village ordinance - no larger than six square feet and the location has to be outside the right of way. There are no time limits.

The Police Chief said there is no doubt the residents who reported stolen political signs would want to file criminal charges (trespassing/theft) against the violators if we can find out who they are.

9. Fire Department Report attached and starts at 42:00

Fire Chief Majeski thanked all members of the GM Fire Dept for responding to the highest number of incidents (63) in a single month (August) in fire department history. The previous record was 42 incidents in August 2023.

Our damage assessments went to the County. The County tabulates ours along with other cities/villages and is now in the hands of the State EMA. From there it goes to FEMA. It can take 18 months to see funds, if we are entitled to any.

Our 1996 fire engine was sent out for minor refurbishment. It has passed all the required tests and is almost complete. The cost was \$10,000.

10. Committee Reports start at 44:08

a. Tree Canopy Committee (Chairperson Mitch Bass)

- Written presentation is attached and was read by Mr. Bass from 44:40 to 59:55. Questions and comments follow:

Councilmember Welsh congratulated Mr. Bass on a very thorough report and asked how many locations were being looked at to fund. Mr. Bass responded four initially - Feller Field, the Arboretum, the GM Land Conservancy parcel, and, further north, the combined parcel owned by Cleveland Metroparks and Gates Mills - and hoping to expand.



At 1:01:28 the Mayor stated an important part of this is the education of our residents, who are the biggest land owners of the village. The four very visible high impact areas will promote interest and the need for more information.

Councilmember Deacon brought up the Financial Commitment Snap-Shot figures do not include the cost of planting, re-vegetation, or habitat establishment. She asked Mr. Bass to speak to what the plan would be for that aspect of the overall project. Mr. Bass explained it is difficult to specify dollar amounts and it is why he suggested some flexibility in the schedule. Until we get into the covered and carpeted areas, it is hard to say exactly what is needed. Getting trees planted is not necessarily the answer - it's about building the seed bank back up using tree saplings. It is a long-term strategy.

At 1:05:13 Councilmember Broome questioned whether the Metroparks was willing to make a contribution - at least for some of the effort on their own roughly six acre parcel. Mr. Bass stated Metroparks has not committed to pay, but has loosely acknowledged up to the CFO level of the group that if we start the project, it is a high probability they will continue on the rest of their parcel. Councilmember Turner added Metroparks is already contributing some in-kind services (RFP criteria for vendors, vendor listing) and a commitment to educate and on-site training.

At 1:07:20 Rick Bole, from the audience and a founding member of the GM Land Conservancy, said we need to educate the whole village. Eliminating invasives on one property can be ruined by the spread of invasives from an adjoining property. Mr. Bole has 26 acres and is working to eliminate invasives, especially burning bush.

Celeste McClung, from the audience and current Board member of the GM Land Conservancy, invited everyone to the GMLC seminar "Our Collective Responsibility Moving Forward" to be held Saturday, September 21st at 9 a.m. at the Environmental Education Center on County Line Road. Four speakers will cover conservation easements, land and conservation easement stewardship programs, growing a healthier tree canopy, and aquaponics and restoring biodiversity.

At 1:11:27 Councilmember Broome suggested Council needs to decide to fund this with funds either that we have from the Conservancy levy, or that we are committed to do it even if the Conservancy levy sharing switches back to the old sharing agreement. He foresees that when that levy comes up for renewal, it will be an issue again as to whether it's going to be a 50/50 share or a 95/5 share or some other amount. We should not go into this thinking that it's a set thing and it's going to forever be 50/50 because the Conservancy may need the money. We may have less funds available with more funds going to the Conservancy.

Moved to Agenda Item 15. **Resolution No. 2024-36 (First Reading)** starts at 1:14:27

"A Resolution Authorizing the Village, on Behalf of its Tree Canopy Committee, to Go Out For Bids for an Invasive Species Removal Pilot Project at Four Sites in the

Village, at an Estimated Cost of \$60,000/Year for Each of the Next Three Years (2024, 2025, and 2026), and Declaring an Emergency” was read by Councilmember Turner. This resolution gives the Tree Canopy Committee the opportunity to prepare and submit a RFP to vendors and have them respond with a bid covering the scope of work just presented. The results of the RFP/bidding process will be presented to Council at its October 2024 meeting for approval. The best time for completion of this work is late fall and through winter, which is why we are declaring an emergency.

Councilmember Press is in favor of this program, but doesn't think we need to declare an emergency. Nat Smith, President of the GM Land Conservancy, told Councilmember Press today that it should not go on as an emergency - it should just go on first reading until such time as the Board of the GM Land Conservancy and the Board of the Cleveland Metroparks have had a chance to consider it. Councilmember Press asked if we can do a RFP without an emergency, and the Law Director responded no - you have to wait 30 days. Council is required to authorize to go out for a bid. The Law Director set the resolution up as an emergency - it would require suspension of the rules and then go into effect as soon as it's passed to move the process along. The Mayor and Councilmember Turner agree it is better to have specific numbers to discuss with the two Boards. Responding to Councilmember Deacon, Law Director Hunt suggested the RFP detail a scope of work for each of the four properties so there is a quote for each property. If one of the Boards does not want to contribute then we could pick other properties. Councilmember Broome pointed out the financial contribution from the GM Land Conservancy is the 50% from the Conservancy levy - the GM Land Conservancy is not going to come up with any additional funds other than that 50%.

Councilmember Turner moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-36 be placed on its final passage. Councilmember Atton seconded the motion to suspend the rules.

Ayes: Atton, Broome, Deacon, Turner, Welsh.

Nays: Press

Motion carried.

Councilmember Atton moved to approve Resolution No. 2024-36 and Councilmember Broome seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.

Nays: None

Motion carried.

b. Wastewater Committee (Councilmember Broome) starts at 1:22:32

- At our second committee meeting we reviewed the application for a \$250,000 grant from the Ohio Public Works Commission State Capital Improvement Program and the Local Transportation Improvement Program. If we were to be awarded this grant money, it would greatly reduce the cost of any wastewater treatment project that would be undertaken - especially

the one we're considering at the Chagrin Valley Hunt Club - and would reduce the amount of borrowing that would have to be done through the Ohio EPA. Our committee approved recommending Council pass the resolution authorizing the Mayor to make this application. We're a little behind; the application was technically due last Friday. It had to be submitted or we would have missed the window.

- Second item discussed was the nomination request that, if successful, would enable us to apply for a low or no interest loan from the Ohio EPA Water Pollution Control Fund should the project go forward. The nomination form has been prepared, is being reviewed by the Mayor, and will be submitted by tomorrow, it's deadline.
- Our committee looked at considerations that should go into a fee determination - usage flow, frontage rate for maintenance, sinking fund, repairs, utilities, and administrative costs. Currently the village charges \$65.60 per thousand cubic feet. That rate was set by our Section 933.07 which was effective 4-9-2002. The rate has never been changed. We looked at other local rates. Residents in the western part of the village that are on sewer are paying \$120.45 per thousand cubic feet to Northeast Ohio Regional Sewer District. Our thought is that by the next council meeting, this committee will recommend an amendment to Section 933.07 to update our rates.

Moved to Agenda Item 16. **Resolution No. 2024-37 (First Reading)** starts at 1:27:05

“A Resolution Authorizing the Mayor to Prepare and Submit an Application to Participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to Execute Contracts as Required; and Declaring an Emergency” was read by Councilmember Broome. The due date for this was Friday. Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-37 be placed on its final passage. Councilmember Turner seconded the motion to suspend the rules.

In response to the Mayor's call for conversation, Councilmember Turner asked if we had heard back from the Hunt Club about their interest. Councilmember Broome stated the Hunt Club has expressed an interest in going forward, and Mayor Siemborski added they are familiar with the magnitude of the numbers. The big items are the grant and loans - are they available to us or not? This is the first step to answer that question.

Councilmember Deacon asked if we need the Hunt Club's commitment to go forward, or do you apply for the funds but you don't have to use them. Councilmember Broome replied we don't have to use the funds. If we're not going to do the project, they're not going to give us the money.

At 1:29:37 the Mayor requested the roll call for the motion to suspend the rules.

Ayes: Atton, Broome  
Abstain: Deacon, Press  
Nays: None

Law Director Hunt said we can not suspend the rules without five yeses. It's appropriate when you abstain to give a reason since you have an obligation to vote. Councilmember Press said the reason is we're members of the Hunt Club - we're on both sides of this transaction. The Law Director stated that is not a legal conflict. Councilmember Press said it may not be, but when it comes to conflicts, you have to consider the perception as well as the reality. Councilmember Deacon asked could we go ahead and vote given that it's the suspension and not the merits of the resolution. The Law Director started to say he put an emergency clause on this when Councilmember Atton proclaimed we're going after free money - how could there possibly be a conflict? Councilmember Press came back with the recipient of the free money is a private institution, not the village - there's the conflict. Law Director Hunt explained it's for a public purpose or we would not be doing this at all. Councilmember Press said it's being done for the benefit of the Hunt Club; the Law Director said for the benefit of the village also. Councilmember Press stated the benefit to the village is quite marginal. The Mayor countered with the benefit to the village is financially attractive. Councilmember Press doesn't know what the pricing is going to be - the last he heard it would be done at cost. The Mayor said no, it would be a fair price; more than cost and less than gouging.

Councilmember Deacon suggested it might be helpful if legal counsel could restate what does constitute legally a conflict of interest. Law Director Hunt answered the Ohio Ethics Commission has said if you are on the Board or you are an officer, particularly the president or CFO, then you have a conflict. Being a member is not a conflict. The Ohio Ethics Commission is not going to come after you for this. This is simply to ask for grant money for a public project. The Mayor asked Councilmember Deacon if she wanted to keep her vote or change her vote, and she replied she was comfortable voting in favor of suspending the rules. The Clerk asked Councilmember Press to restate his vote, and he replied recusing or abstaining as he doesn't care whether our Law Director says he can or he can't. There are other standards besides the Ohio State Ethics Commission, which is largely worthless. The Clerk asked Councilmember Turner to vote, and she voted yes. The Clerk asked Councilmember Welsh to vote, and he voted to abstain since he was not sure what his membership status was; he just wants to stay out of it and doesn't want to be questionable. Village Engineer Courtney came to the podium to say we've submitted an unsigned resolution for the grant; we've indicated that we would follow up with the resolution once it was approved and signed by Council; they like to see that done as quickly as possible on the heels of the application.

The Mayor asked for a motion to table this matter and we'll pick it up at a further meeting. It was moved by Councilmember Broome, seconded by Councilmember Press, and unanimously carried, that the matter be tabled.

Resolution No. 2024-37 has been tabled and remains on first reading.

c. Fiber Optic/Broadband Committee (Councilmember Deacon) starts at 1:37:33

- We asked the vendors for additional information regarding 1) their financial wherewithal to complete all these projects and 2) the extent to which the village might or might not be asked to invest and put funds into the project (discounts and pricing). We heard back from one of the vendors, but are still waiting for the other one. Until we get the overdue response, we are on hold. Reid Consulting does not think the delay is an issue, because additional time is needed to develop terms if the response comes through in the form that we hope. The Mayor added there are a variety of items that would reduce the village's cost by contributions of services, time, and other.

Councilmember Atton asked if we are being asked to invest, or are they making it a condition of our engagement with them. Councilmember Deacon responded in one case, yes, it's a condition. It depends on an analysis that they do as to whether or not they'll need additional money. That's what they are working on and we don't have that back yet. Mayor Siemborski added we are not putting up cash to own something. This is just the cost.

Councilmember Atton asked did Hunting Valley invest with CV Gig in their agreement. Councilmember Deacon replied no, they had some other factors that they were able to contribute to the project - some in kind contributions.

Councilperson and Committee-member Press is confused. If Hunting Valley did not have to invest and they have a lower population and a much lower density than we do, why would we be required to invest when we're offering them a much higher density in a larger population. Councilmember Deacon said we don't know yet. Councilmember Press thought the investment that was being discussed was more of a prepayment to buy a discounted rate for the 20-year term of the agreement. If we prepay, we got to think about the risk of them selling or going bust. Our Consultant says that their economic proposition is infeasible. Councilmember Deacon thought they did a good job explaining they're vertically integrated and how they have reduced costs. Councilmember Press asked if Reid will give us a recommendation that we can rely on that Ohio Gig is the best of the two vendors. Councilmember Deacon replied they did, but not in writing. She will ask for that to be in writing.

Councilmember Turner brought up a previous discussion of a survey to the village, but until we get more clarification, it might be deferred or not necessary.

Councilmember Atton wonders if Spectrum will sit by and let this happen, or will they entice us to stay using competing rates to maintain their market share.

Councilmember Press said we have been advised that they will do exactly what was just suggested - they will lower their prices and try to protect their market position. The Spectrum customers who don't switch will benefit just like the people who sign up for CVG. Everybody is going to end up with a lower price for some period of time. Competition is a good thing.

Councilmember Broome asked if CVG is running the cable underground and to the houses. Councilmembers Deacon and Press answered yes. The competing vendor, AT&T, is not burying. They're using their overhead lines.

d. Safety Committee (Mayor Siemborski) starts at 1:46:50

- September 4th meeting was well attended
- Committee supports continuing and expanding firefighter station duty to more than just Saturday for 24 hours in 2025. When we put together our budget this fall, we will see what we can afford.
- Ways for better communication between fire, service, and police departments were discussed. The three departments are all on different radio bands. They rely on cell service to bridge the gap. In the period where cell service isn't reliable, there's a danger to that. The Fire Chief is looking at the cost of additional radios for the service dept, so in situations like the August 6 storm, service and fire are communicating without interruption.
- We talked about the need for a fire engine in 2-3 years. The suggestion was made to lay out the specs this fall and then be able to talk about cost in 2025. It's going to be \$750,000 - \$1,000,000. Maybe we put aside a third of that each year for the next 3 years as one option or perhaps we lease or something else. The old truck will be 40 years old in 2027.
- The Police Chief and the Mayor have a meeting tomorrow with Chagrin Valley Dispatch to go through the rates. The rates are going to be based on actual calls - our calls are less than the other member communities. We should see a reduction that would go forward for several years and could save us 15% to 20%.
- The membership of our Police Dept is restricted by ordinance to certain numbers. It doesn't provide any flexibility in hiring when we already have difficulty finding full-time and part-time individuals. We need to have more in the headcount to take care of the loss of part-time patrolmen, vacations, and so on.

Moved to Agenda Item 13. **Ordinance No. 2024-34 (First Reading)** starts at 1:51:47

“An Ordinance Amending Chapter 159, Police Department, Section 159.01, Membership of Department, of the Codified Ordinances of the Village of Gates Mills” was read by Mayor Siemborski.

Ordinance No. 2024-34 remains on first reading.

11. **Ordinance No. 2024-29 (Second Reading) Public Hearing October 15** starts at 1:52:59

“An Ordinance Amending Section 1131.07 and Enacting New Section 1157.10 of Chapter 1157, “Zoning Uses”, of the Codified Ordinances of the Village of Gates Mills to Prohibit Adult Use Cannabis Operators in the Village” was read by Mayor Siemborski.

Councilmember Press commented again that we ought to ban the retail but not the cultivation or the process. Councilmember Atton asked if this pertained to medical or recreational. Law Director Hunt explained the State uses the term “adult use” to cover both.

Ordinance No. 2024-29 remains on second reading.

12. **Resolution No. 2024-33 (First Reading)** starts at 1:54:10

“A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Fiscal Auditor” was read by Mayor Siemborski. Finance Administrator Mulh stated this needs to be passed tonight as the County needs it by the end of the month.

Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-33 be placed on its final passage. Councilmember Turner seconded the motion to suspend the rules.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.

Nays: None

Motion carried.

Councilmember Broome moved to approve Resolution No. 2024-33 and Councilmember Deacon seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.

Nays: None

Motion carried.

14. **Ordinance No. 2024-35 (First Reading)** starts at 1:55:16

“An Ordinance to Amend the Annual Appropriation Ordinance No. 2023-49 to Increase Certain Appropriations and Other Expenditures of the Village of Gates Mills, Ohio, for the Fiscal Year Ending December 31, 2024” was read by Mayor Siemborski. We are asking for an additional \$232,000 for the Capital Improvement Fund for Old Mill and Mayfield. Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2024-35 be placed on its final passage. Councilmember Deacon seconded the motion to suspend the rules.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.  
Nays: None  
Motion carried.

Councilmember Broome moved to approve Ordinance No. 2024-35 and Councilmember Deacon seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.  
Nays: None  
Motion carried.

Councilmember Broome asked what if the County comes through and gives us half, and the Mayor answered we'll put it in the Capital Improvement Fund. The County is on a reimbursement basis - we have to appropriate it and spend it and then ask for it back.

17. Council Matters starts at 1:57:12

Councilmember Turner advised the handout from the Mayfield Schools Liaison Committee provided in Council's packet includes some highlights of the School District's 2023-24 Report Card. The meeting sponsored by the Improvement Society and the Liaison Committee to talk about the levy is October 9th from 6 p.m. to 7 p.m. in the Elementary School.

18. Business from the Audience - None

19. Adjourn

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

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Steven L. Siemborski, Mayor







**Payment Listing**

September 2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
52-2024	01/29/2024	01/29/2024	CH	BWC	\$4,023.00 *	C
52-2024	09/23/2024	09/23/2024	NEG ADJ	BWC	-\$419.00	C
59-2024	01/31/2024	01/31/2024	CH	DIVISION OF WATER	\$17.35 *	C
59-2024	09/03/2024	09/05/2024	NEG ADJ	DIVISION OF WATER	-\$17.35	C
118-2024	02/28/2024	03/06/2024	CH	DIVISION OF WATER	\$13.69 *	C
118-2024	09/03/2024	09/05/2024	NEG ADJ	DIVISION OF WATER	-\$13.69	C
179-2024	03/29/2024	03/29/2024	CH	DIVISION OF WATER	\$17.88 *	C
179-2024	09/03/2024	09/05/2024	NEG ADJ	DIVISION OF WATER	-\$17.88	C
252-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$17.88 *	C
252-2024	09/03/2024	09/05/2024	NEG ADJ	DIVISION OF WATER	-\$17.88	C
307-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$25.00 *	C
307-2024	09/03/2024	09/05/2024	NEG ADJ	DIVISION OF WATER	-\$25.00	C
373-2024	07/03/2024	07/03/2024	CH	DIVISION OF WATER	\$17.88 *	C
373-2024	09/03/2024	09/05/2024	NEG ADJ	DIVISION OF WATER	-\$17.88	C
426-2024	07/31/2024	07/31/2024	CH	DIVISION OF WATER	\$17.88 *	C
426-2024	09/03/2024	09/05/2024	NEG ADJ	DIVISION OF WATER	-\$17.88	C
488-2024	08/30/2024	08/30/2024	CH	DIVISION OF WATER	\$53.49 *	C
488-2024	09/05/2024	09/05/2024	NEG ADJ	DIVISION OF WATER	-\$53.49	C
495-2024	09/03/2024	09/05/2024	CH	PRIME PAY	\$70,893.73	C
496-2024	09/04/2024	09/05/2024	CH	CLEVELAND ILLUMINATING CO.	\$331.01	C
497-2024	09/04/2024	09/05/2024	CH	CLEVELAND ILLUMINATING CO.	\$500.59	C
498-2024	09/04/2024	09/05/2024	CH	CLEVELAND ILLUMINATING CO.	\$524.90	C
499-2024	09/05/2024	09/05/2024	CH	THE HARTFORD	\$203.34	C
500-2024	09/05/2024	09/05/2024	CH	DIVISION OF WATER	\$440.16	C
501-2024	09/05/2024	09/05/2024	CH	TREASUER OF STATE	\$1,074.00	C
502-2024	09/05/2024	09/05/2024	CH	FP MAILING SOLUTIONS	\$200.00	C
503-2024	09/05/2024	09/05/2024	CH	EQUIVEST	\$2,488.00	C
504-2024	09/05/2024	09/05/2024	CH	OHIO DEFERRED COMP	\$935.00	C
505-2024	09/05/2024	09/05/2024	CH	OHIO DEFERRED COMP	\$7,138.54	C
506-2024	09/05/2024	09/05/2024	CH	AETNA HEALTH INC. (OHIO)	\$42,231.96	C
507-2024	09/05/2024	09/05/2024	CH	OPERS PUBLIC EMPLOYEES	\$29,381.31	C
508-2024	09/05/2024	09/05/2024	CH	OHIO POLICE & FIRE PENSION	\$40,795.89	C

**Payment Listing**

September 2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
509-2024	09/05/2024	09/06/2024	CH	CHASE BANK	\$2.50	C
510-2024	09/06/2024	09/06/2024	CH	CLEVELAND ILLUMINATING CO.	\$86.88	C
511-2024	09/06/2024	09/06/2024	CH	CLEVELAND ILLUMINATING CO.	\$111.13	C
512-2024	09/06/2024	09/06/2024	CH	CLEVELAND ILLUMINATING CO.	\$608.64	C
513-2024	09/06/2024	09/06/2024	CH	CLEVELAND ILLUMINATING CO.	\$148.75	C
514-2024	09/09/2024	09/10/2024	CH	ENBRIDGE GAS OHIO	\$270.67	C
515-2024	09/09/2024	09/10/2024	CH	ENBRIDGE GAS OHIO	\$173.00	C
516-2024	09/09/2024	09/10/2024	CH	CLEVELAND ILLUMINATING CO.	\$34.06	C
517-2024	09/09/2024	09/10/2024	CH	CLEVELAND ILLUMINATING CO.	\$89.01	C
518-2024	09/09/2024	09/10/2024	CH	CLEVELAND ILLUMINATING CO.	\$91.22	C
519-2024	09/09/2024	09/10/2024	CH	CLEVELAND ILLUMINATING CO.	\$91.63	C
520-2024	09/10/2024	09/10/2024	CH	CLEVELAND ILLUMINATING CO.	\$490.24	C
521-2024	09/09/2024	09/10/2024	CH	DELTA DENTAL	\$1,988.05	C
522-2024	09/09/2024	09/10/2024	CH	CINTAS CORPORATION #259	\$1,410.65	C
523-2024	09/11/2024	09/11/2024	CH	ENBRIDGE GAS OHIO	\$61.74	C
524-2024	09/12/2024	09/12/2024	CH	PRIME PAY	\$769.65	C
525-2024	09/16/2024	09/17/2024	CH	CLEVELAND ILLUMINATING CO.	\$86.88	C
526-2024	09/16/2024	09/17/2024	CH	CLEVELAND ILLUMINATING CO.	\$87.68	C
527-2024	09/16/2024	09/17/2024	CH	CLEVELAND ILLUMINATING CO.	\$1,036.98	C
528-2024	09/16/2024	09/17/2024	CH	HOME DEPOT CRC	\$49.02	C
529-2024	09/17/2024	09/17/2024	CH	PRIME PAY	\$76,185.39	C
530-2024	09/17/2024	09/17/2024	CH	VERIZON WIRELESS	\$613.01	C
531-2024	09/19/2024	09/19/2024	CH	CLEVELAND ILLUMINATING CO.	\$534.89	C
532-2024	09/23/2024	09/23/2024	CH	EQUIVEST	\$2,488.00	C
533-2024	09/23/2024	09/23/2024	CH	OHIO DEFERRED COMP	\$7,138.54	C
534-2024	09/23/2024	09/23/2024	CH	OHIO DEFERRED COMP	\$935.00	C
535-2024	09/24/2024	09/24/2024	CH	FIRST COMMUNICATIONS, LLC	\$2,804.03	C
536-2024	09/25/2024	09/25/2024	CH	DIVISION OF WATER	\$67.20	C
537-2024	09/27/2024	09/27/2024	CH	LYNDHURST MUNI COURT	\$14,440.00	C
538-2024	09/30/2024	09/30/2024	CH	CHASE CARD SERVICE	\$3,209.16	C
539-2024	09/30/2024	10/01/2024	CH	STATE TREASURER OF OHIO	\$825.00	C
540-2024	09/30/2024	10/01/2024	CH	REDSS	\$110.00	C

**Payment Listing**  
 September 2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
541-2024	09/30/2024	10/01/2024	CH	LYNDHURST MUNI COURT	\$33.00	C
7812	09/11/2024	09/11/2024	AW	AKE ENVIRONMENTAL, INC.	\$4,276.70	C
7813	09/11/2024	09/11/2024	AW	ALL CONSTRUCTION SERVICES	\$178.20	C
7814	09/11/2024	09/11/2024	AW	ATWELL'S POLICE & FIRE EQMT	\$162.99	C
7815	09/11/2024	09/11/2024	AW	CARMEUSE LIME & STONE	\$1,550.91	C
7816	09/11/2024	09/11/2024	AW	CHAGRIN VALLEY DISPATCH	\$14,062.93	C
7817	09/11/2024	09/11/2024	AW	CHAGRIN VALLEY NURSERIES, INC.	\$62.00	C
7818	09/11/2024	09/11/2024	AW	MICHAEL E. CICERO	\$850.00	O
7819	09/11/2024	09/11/2024	AW	CINTAS CORPORATION #259	\$126.74	C
7820	09/11/2024	09/11/2024	AW	COUNTRYSIDE TRUCK SERVICE, INC	\$4,088.56	C
7821	09/11/2024	09/11/2024	AW	CUYAHOGA LANDMARK	\$395.35	C
7822	09/11/2024	09/11/2024	AW	COLE BURTON CONTRACTORS, LLC	\$39,892.32	C
7823	09/11/2024	09/11/2024	AW	DUSTBUSTER	\$382.50	C
7824	09/11/2024	09/11/2024	AW	GENUINE PARTS COMPANY	\$210.60	C
7825	09/11/2024	09/11/2024	AW	KIMBALL MIDWEST	\$307.04	C
7826	09/11/2024	09/11/2024	AW	KWIK KLEEN	\$363.00	C
7827	09/11/2024	09/11/2024	AW	KOLSOM TIRES	\$2,949.66	C
7828	09/11/2024	09/11/2024	AW	MARSHALL POWER EQUIPMENT	\$171.63	C
7829	09/11/2024	09/11/2024	AW	MIDDLEFIELD MFG	\$86.68	C
7830	09/11/2024	09/11/2024	AW	OHIO CAT	\$589.00	C
7831	09/11/2024	09/11/2024	AW	PRESTON FORD	\$592.83	C
7832	09/11/2024	09/11/2024	AW	RUGG'S PEST MANAGEMENT	\$120.00	C
7833	09/11/2024	09/11/2024	AW	SIGNAL SERVICE COMPANY	\$189.00	C
7834	09/11/2024	09/11/2024	AW	SOUTHEASTERN EQUIPMENT CO INC	\$196.06	C
7835	09/11/2024	09/11/2024	AW	CHARTER COMMUNICATIONS	\$62.21	C
7836	09/11/2024	09/11/2024	AW	TURNEY HOME & AUTO	\$25.89	C
7837	09/11/2024	09/11/2024	AW	WATTS EXCAVATING LLC	\$3,500.00	C
7838	09/11/2024	09/11/2024	AW	WEATHER LOCK ROOFING	\$12,366.55	C
7839	09/11/2024	09/11/2024	AW	SENSYS GATSO USA, INC.	\$42,106.00	C
7840	09/24/2024	09/24/2024	AW	ADVANCED MEDICAL SERVICES	\$155.00	O
7841	09/24/2024	09/24/2024	AW	BAUER SUPPLY	\$306.00	O
7842	09/24/2024	09/24/2024	AW	CHAPMAN FORD	\$38,427.00	O

**Payment Listing**  
 September 2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
7843	09/24/2024	09/24/2024	AW	COMDOC, INC.	\$35.24	O
7844	09/24/2024	09/24/2024	AW	THOMAS J COOK	\$750.00	O
7845	09/24/2024	09/24/2024	AW	COUNTRYSIDE TRUCK SERVICE, INC	\$3,676.09	O
7846	09/24/2024	09/24/2024	AW	D.H. ELLISON CO.	\$100.00	O
7847	09/24/2024	09/24/2024	AW	JOSEPH GIGLIO	\$100.00	O
7848	09/24/2024	09/24/2024	AW	NICOLA, GUDBRANSON & COOPER	\$3,975.00	O
7849	09/24/2024	09/24/2024	AW	OHIO FIRE CHIEFS' ASSOCIATION	\$100.00	O
7850	09/24/2024	09/24/2024	AW	OHIO TREASURER OF STATE	\$975.00	O
7851	09/24/2024	09/24/2024	AW	JASON PHILLIPS	\$75.00	O
7852	09/24/2024	09/24/2024	AW	REID CONSULTING GROUP	\$4,875.00	O
7853	09/24/2024	09/24/2024	AW	ROETZEL & ANDRESS	\$3,660.00	C
7854	09/24/2024	09/24/2024	AW	RUGG'S PEST MANAGEMENT	\$360.00	O
7855	09/24/2024	09/24/2024	AW	RUMPKE	\$88.82	O
7856	09/24/2024	09/24/2024	AW	SHUTTLE'S UNIFORM INC.	\$871.00	O
7857	09/24/2024	09/24/2024	AW	SPORT RACK	\$105.00	O
7858	09/24/2024	09/24/2024	AW	TECHSPERT DATA SERVICES LLC	\$97.50	O
7859	09/24/2024	09/24/2024	AW	TREASURER, STATE OF OHIO	\$136.50	C
7860	09/24/2024	09/24/2024	AW	X PRESS PRINTING SERVICES, INC	\$315.00	O
7861	09/24/2024	09/24/2024	AW	ZOLL MEDICAL GROUP	\$246.00	O
7862	09/24/2024	09/24/2024	AW	SENSYS GATSO USA, INC.	\$31,303.00	O
<b>Total Payments:</b>					<b>\$534,207.48</b>	
<b>Total Conversion Vouchers:</b>					<b>\$0.00</b>	
<b>Total Less Conversion Vouchers:</b>					<b>\$534,207.48</b>	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

\* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.

TOTAL	\$534,207.48
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\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CLERK'S CERTIFICATE

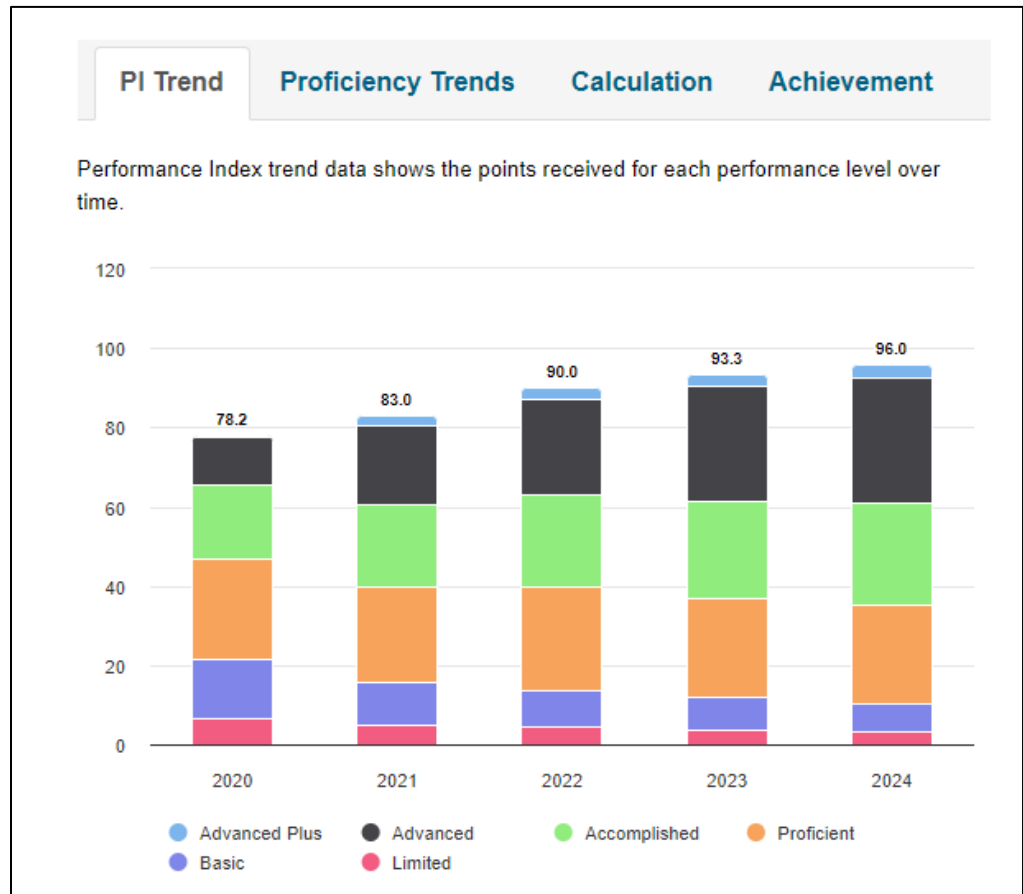
I hereby certify that at the time of making the contracts or orders for the expenditures provided for in the foregoing ordinance and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract was in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances.

(This ordinance is not of "a general or permanent nature" and need not be read three times nor published)

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Clerk

Prepared by The Village of Gates Mills' Mayfield Schools Liaison Committee.

- The Mayfield City School District again earned a 5-star overall rating, which is the highest rating given to a district by the Ohio Department of Education. This overall measure includes the following components: academic achievement, progress, gap closing, graduation and early literacy.
- The Mayfield City School District's 5-star overall rating distinguishes the District as 1 of only 68 districts out of a total of 607 statewide districts to receive the rating, and as 1 of the 11 districts out of the 31 in Cuyahoga County to earn a 5-star overall rating.
- The District's State Report Card component scores include:
  - **Achievement** - This component represents whether student performance on state tests met established thresholds and how well students performed on tests overall. Mayfield City Schools received four stars and exceeded state standards in academic achievement.
    - While the District's rating has remained four stars, the underlying performance index score demonstrates sustained improvement since 2020.



<https://reportcard.education.ohio.gov/district/achievement/044370>



- The 2023-24 performance index percent (87.9%) is approaching a five-star rating (90% threshold), and demonstrates sustained improvement since 2019. Eclipsing pre-pandemic levels has been achieved by only a minority of districts nationally, and in Ohio and Cuyahoga County.



- **Progress** - This component looks closely at the growth all students are making based on their past performances. Mayfield City Schools received five stars and showed significant evidence that the District exceeded student growth expectations by a larger magnitude.
  - The underlying Value-Added Growth Index is the fifth highest score in the County and increased for at least the second consecutive year.
- **Gap Closing** - This component is a measure of the reduction in educational gaps for student subgroups. Mayfield City Schools received five stars and significantly exceeded state standards in closing educational gaps.
- **Graduation** - This component is a measure of the four-year adjusted cohort graduation rate and the five-year adjusted cohort graduation rate. Mayfield City Schools received five stars and significantly exceeded state standards in graduation rates.
  - The underlying graduation rate component percentage (98.4%) is third highest in the county.
- **Early Literacy** - This component is a measure of reading improvement and proficiency for students in kindergarten through third grade. Mayfield City Schools improved in this component, earning four stars and exceeding state standards in early literacy (K-3).
  - The District's underlying component score has sustained improvement from 70.8 in 2021-22 to 77.9 in 2022-23, and to 82.3 in 2023-24. This improvement is notable. Third-grade literacy is an area that has been greatly impacted by the Covid-19 pandemic in test scores across the country.

- The College, Career, Workforce, and Military Readiness component of the report card is not included in the overall rating for Ohio school report cards for the 2024 school year because data collections and business rules for the component are still being finalized.
- The Mayfield City School District is one of the largest and most diverse districts among the 11 districts in the County that earned an overall 5 rating. Of the 11 districts ...
  - Only two districts enjoyed greater racial diversity than Mayfield.
  - Only two districts have greater economic diversity (as measured by the % of economically disadvantaged students)
  - No district serves a larger percentage of disabled students than Mayfield.
  - Only two districts have larger enrollment than Mayfield.
- The Mayfield City School District total per student spending (without considering any adjustments described below) is near, but below, the average of the 11 districts that earned an overall 5-star rating in Cuyahoga County. The District's local tax revenue per student is also near, but below, the average of the 11 districts.
  - The District's local tax revenue per student is lower than all but one of the school districts that earned an overall 5-star rating and are located on the east side of the county, and is 13.9% below the average of these districts.
  - Among the 11 districts in the county with a 5-star rating, only four districts receive less per student funding from the state than Mayfield. Mayfield receives 10% less state funding than the average of the 11 districts in the county with a 5-star rating.
- The Ohio Department of Education also presents an adjusted amount of per student spending that takes into account "students with certain disabilities and/or disadvantages resulting in some students counting more than others and reducing the spending per pupil results." Using this metric, the Mayfield City School District per student spending is lower than all but five of the 11 districts in the County that earned an overall 5 rating. (All five districts with lower adjusted per student spending are on the west side or south-central portion of the County.) Mayfield's adjusted per student spending is 9% below the average for the 11 five-star districts in the County. Mayfield's adjusted per student spending is below the other five-star districts on the east side of the County and 17.8% below the average of these districts.

#### **School Specific Report Cards:**

- Gates Mills Elementary School (GMES) was in the top 2% among the 3,000+ schools in the State of Ohio based on its Performance Index of 107.8. 100% of 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> graders are proficient in English Language Arts.
- GMES received a 4.5-star overall rating, a 5-star rating for Achievement, Gap Closing and Early Literacy (all of which significantly exceed state standards) and met the state standards for Progress.
- Mayfield Center Elementary received a 5-star overall rating, and Millridge Elementary and Lander Elementary earned overall rankings of 4.5-stars.

- Mayfield Middle School earned a 4.5-star overall rating and a 5-star rating for Gap Closing while exceeding state standards for Achievement and Progress.
- Mayfield High School earned a 5-star overall rating, along with 5-star component ratings for Progress, Gap Closing and Graduation, while exceeding state standards for Achievement. The high school is one of 13 in the County (out of 67 total county high schools) to receive a 5-star overall rating.
- Other than GMES (which has a performance index in the top 2% in the state) every other school in the District improved their performance index for the 2<sup>nd</sup> or 3<sup>rd</sup> consecutive year.
- Excel TECC, the District's career consortium, again received a 5-star overall rating.

The results of the District's report card represent the hard work, intention, effort, and community in learning that is created and put forth by over 4,000 students, several hundred staff, and countless family members, neighbors and caregivers associated with the Mayfield City School District.

Complete results of the Mayfield City Schools 2024 Report Card can be found here:

<https://reportcard.education.ohio.gov/district/overview/044370>).

The Department of Education also produced a 20-page Guide to 2023-24 Ohio School Report Cards: <https://education.ohio.gov/getattachment/Topics/Data/Report-Card-Resources/Traditional-Report-Cards/2023-2024-Report-Card-Guide.pdf.aspx?lang=en-US>

**VILLAGE OF GATES MILLS**  
**FINANCIAL REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 2024**  
**October 2, 2024**

**MONTHLY RESULTS AND FINANCIAL POSITION**

The financial statements were provided to the Mayor, Clerk, Treasurer and Council prior to the October 2024 Council meeting.

**GENERAL FUND**

Year-to-date revenue was \$6,330,020 including \$1,169,945 in traffic camera receipts. Excluding those receipts, revenue would have been \$5,160,075, ahead of last year's amount of \$4,765,103 by \$394,972. Real estate tax collections were behind last year by \$88,628. Real estate tax collections are dependent on the county's billing and collection and taxpayer timing of payments. We received \$254,000 in October, bringing the amount to \$2,653,000; ahead of the full-year budget. Municipal income tax receipts are up 15.6% at this point. RITA is of the view that our collections will be roughly \$2.3 to \$2.4 million. The Village budgeted \$2.1 million.

The traffic camera enforcement program in combination with Lyndhurst Municipal Court and the vendor started in mid-August 2023, so there were no gross collection receipts in the revenue category but expenditures last year at this time were \$90,000 for the court to start the program. Gross collections in 2024 were \$1,169,945. Sensys Gatso was not paid in August due to delayed reporting by the court but was paid twice in September for the July and August citations. Expenses to Lyndhurst Municipal Court and to Sensys Gatso appear in the Police Department expenditure categories and were \$580,236 in 2024 for a margin of 50%. Lyndhurst Municipal Court increased its per citation fee by \$5 starting this spring. We do not see a need to increase the violation charge at this time.

Other sources of revenue were \$879,721, above 2023's year-to-date amount of \$629,937. Miscellaneous income reflects the receipt of \$115,625. This amount was remitted by Cuyahoga County for the Village's preventative road maintenance program. The breakdown was \$82,515 for 2022 and \$33,1110 for 2023. We achieved higher receipts in ambulance income, interest, and lower receipts in the Mills Building rental income and fines.

Expenditures for 2024 were \$5,594,861 compared to \$4,954,776 in 2023. Excluding transfers to other funds from the General Fund, Village expenditures year-to-date 2024 were \$4,498,361 compared to \$4,022,276 in 2023. Traffic camera expenses accounted for \$580,236 and the new sidearm mower and tractor with attachments were \$175,000. Village expenditures are budgeted and controlled via its four departments - (Administration, Police, Fire and Service) and Transfers from the General Fund to other specific funds such as the Capital Improvement Fund.

The Administration Department incurred \$630,060 in 2024, \$17,919 over the prior year due higher personnel costs (including health insurance), engineering, prosecutor legal expenses, professional services, and general insurance.

The Police Department has incurred \$1,926,970 YTD of which, \$580,236 was associated with the traffic camera program. Excluding those costs to discuss comparability, actual expenditures in 2024 were \$1,346,734

compared to \$1,320,503 in 2023. The largest differences were in higher personnel costs of \$67,107, but lower gasoline, vehicle repairs, training, dispatch and new vehicle expenses.

The Fire Department costs of \$476,652 were below the prior year of \$526,176. Quarterly ambulance and EMS costs are \$47,323 lower this year due to the lower volume of EMS calls, 159 this year versus 166 last year. Year-to-date fire calls are 232 this year compared to 168 last year, but we have been able to stay close to budgeted dollars so far. Ambulance income was much higher as the data entry and billing backlog from the outside service provider from the third quarter 2023 was caught up and billings were collected and remitted to us in early 2024.

In the Service Department, we have spent \$1,464,679, \$8,777 less than the prior year amount of \$1,473,456. We spent \$57,504 more on personnel costs, \$15,208 less on salt due to a milder winter and more at the Community House for the new roof and gutter project, paint and new fence. We expended \$16,500 for tree removal on Chagrin River Road/Wilson Mills hills after the tornadic storm. We also took delivery and paid for the new sidearm mower and tractor with attachments at a cost of \$175,000.

In summary, for the first eight months of the year, the Village operated with a General Fund surplus of \$735,159 compared to a shortfall of \$189,673 in 2023. 2023 included a \$250,000 road program overrun due to unforeseen subsurface conditions that was paid for in January of 2023. For 2024, the largest variance is traffic camera net receipts.

The General Fund cash balance as of September 30, 2024 was \$8,315,583 compared to the beginning of the year balance of \$7,580,424.

**OTHER FUNDS**

The Village is required to maintain other special purpose funds by statute or contract. Cash in these special purpose funds amounted to \$1,892,512 at September 30, 2024. The increase from the end of 2023 was due to transfers from the General Fund into certain of these funds. In the first nine months, the Village remitted \$65,523 to the Gates Mills Land Conservancy as its share of levy dollars collected. Over the summer months, we expended \$1,005,862 for County Line Road repaving, drainage projects and the Village's road program.

This report will be published on the Village website.

Janet M. Mulh  
Finance Administrator

VILLAGE OF GATES MILLS  
FINANCIAL STATEMENT  
SEPTEMBER 30, 2024

	2024 BUDGET	Current Month	2024 Year to Date	2023 Year to Date
<b>General Fund (GF) Revenues:</b>				
Taxes:				
Real Estate Taxes	2,488,500	-	2,399,630	2,488,258
Municipal Income Taxes	2,100,000	145,879	1,843,005	1,594,685
Share of Sales and State Taxes	28,000	-	37,718	52,223
Total Tax Revenue	4,616,500	145,879	4,280,354	4,135,166
Other Sources:				
Fines and Costs	75,100	7,910	53,637	64,195
Traffic Camera Gross Receipts	1,518,400	103,975	1,169,945	-
Building/Liquor Permits & Licenses	51,040	3,211	61,303	59,431
Interest Income	259,000	36,810	229,006	109,007
Rental Income	222,960	8,267	194,082	186,352
Mills Building Rental Income	142,631	5,040	77,623	93,484
Ambulance Income	36,000	-	52,328	24,613
SRO Reimbursement	94,450	15,742	70,838	69,042
Misc <span style="border: 1px solid black; padding: 2px;">County 22 &amp; 23 Road Mnt Reim.</span>	47,750	1,393	140,904	23,813
Total Other Sources Revenue	2,447,331	182,347	2,049,666	629,937
Assessments:				
School Board/Property Assessment	-	-	-	-
<b>Total General Fund Revenues</b>	<b>7,063,831</b>	<b>328,226</b>	<b>6,330,020</b>	<b>4,765,103</b>
<b>Add Year Beginning General Fund Balance</b>		<b>8,455,408</b>	<b>7,580,424</b>	<b>7,811,278</b>
Less Expenses:				
Administration Costs	(see Page 2)	(43,470)	(630,060)	(612,141)
Administration - Transfers		-	(1,096,500)	(932,500)
Police Department Costs	(see Page 3)	(270,620)	(1,926,970)	(1,410,503)
Fire Department Costs	(see Page 3)	(28,440)	(163,650)	(165,851)
Fire Department Ambulance	(see Page 3)	-	(313,002)	(360,325)
Service Department Costs	(see Page 4)	(125,522)	(1,464,679)	(1,473,456)
Total General Fund Expenses		(468,051)	(5,594,861)	(4,954,776)
<b>Current General Fund Balance</b>		<b>8,315,583</b>	<b>8,315,583</b>	<b>7,621,605</b>
Plus:				
Other Fund Current Balances		1,892,512	1,892,512	2,293,691
<b>Total Current Balance - All Funds</b>		<b>10,208,095</b>	<b>10,208,095</b>	<b>9,915,296</b>

22	82,515.20
23	33,109.63

**VILLAGE OF GATES MILLS  
FINANCIAL STATEMENT  
SEPTEMBER 30, 2024**

	2024 BUDGET	2024 Month Expenses	2024 To Date Expenses	2023 To Date Expenses
<b>ADMINISTRATION:</b>				
Salaries and Wages	165,000	13,242	119,835	115,380
Health Insurance	54,180	4,330	46,003	38,433
Worker's Comp/Medicare	8,000	189	2,537	2,368
Employee Retirement (OPERS)	27,900	3,122	20,820	19,201
<b>PERSONNEL COSTS</b>	<b>255,080</b>	<b>20,883</b>	<b>189,194</b>	<b>175,382</b>
Legal - Law Director	60,000	3,660	40,791	78,858
Legal - Prosecutor	48,000	4,825	41,446	25,451
Legal - Other	500	-	8	499
Engineering	33,900	2,496	35,193	24,072
Other Professional Services	114,500	6,994	85,610	90,386
<b>LEGAL AND PROFESSIONAL</b>	<b>256,900</b>	<b>17,974</b>	<b>203,049</b>	<b>219,266</b>
General Insurance	120,000	-	116,741	103,976
Income Tax Expense	75,000	4,368	53,919	46,009
County Auditor Expenses	64,000	-	55,567	58,289
Office Expenses	9,500	245	7,967	4,985
Miscellaneous Expenses	5,000	-	3,624	4,234
<b>OTHER ADMINISTRATIVE COSTS</b>	<b>273,500</b>	<b>4,613</b>	<b>237,817</b>	<b>217,493</b>
<b>ADMINISTRATION OPERATING COSTS</b>	<b>785,480</b>	<b>43,470</b>	<b>630,060</b>	<b>612,141</b>
Transfers to Other Funds	1,096,500	-	1,096,500	932,500
<b>TOTAL ADMINISTRATION COSTS</b>	<b>1,881,980</b>	<b>43,470</b>	<b>1,726,560</b>	<b>1,544,641</b>

VILLAGE OF GATES MILLS  
FINANCIAL STATEMENT  
SEPTEMBER 30, 2024

	2024 BUDGET	2024 Month Expenses	2024 To Date Expenses	2023 To Date Expenses
<b>POLICE DEPARTMENT:</b>				
Salaries and Wages	1,134,000	98,464	848,236	806,778
Overtime	50,000	6,085	31,983	32,140
Health, OPERS, MEDI, Worker Comp	274,700	21,805	210,885	185,079
<b>PERSONNEL COSTS</b>	<b>1,458,700</b>	<b>126,353</b>	<b>1,091,104</b>	<b>1,023,997</b>
Gasoline	25,000	-	7,003	16,940
Repairs and Maintenance	16,000	605	9,302	10,895
Uniforms	15,000	1,034	6,633	7,580
Training/Conferences	12,000	-	5,028	11,873
Dispatch Operating Fee	170,100	14,063	126,566	133,933
Alarm System Fee	18,000	-	12,966	14,127
Maintenance Agreements/Radio Expenses	29,000	360	22,093	25,125
Traffic Camera Program LMC	312,000	14,440	251,515	90,000
Traffic Camera Program Gatso	379,400	73,409	328,721	-
Other Expenses	16,000	1,929	8,253	10,180
V.E.G.	11,000	-	11,000	10,000
<b>OTHER POLICE DEPART COSTS</b>	<b>1,003,500</b>	<b>105,840</b>	<b>789,081</b>	<b>330,653</b>
Vehicle Purchases	60,000	38,427	38,427	48,451
Equipment Purchases	12,000	-	8,358	7,402
<b>CAPITAL EXPENDITURES</b>	<b>72,000</b>	<b>38,427</b>	<b>46,785</b>	<b>55,853</b>
<b>TOTAL POLICE DEPARTMENT COSTS</b>	<b>2,534,200</b>	<b>270,620</b>	<b>1,926,970</b>	<b>1,410,503</b>
<b>*****</b>				
<b>FIRE DEPARTMENT:</b>				
Salaries and Wages	160,000	14,032	112,108	110,496
PERS, MEDI, SOC SEC, Worker Comp	31,150	1,199	10,497	10,343
<b>PERSONNEL COSTS</b>	<b>191,150</b>	<b>15,231</b>	<b>122,605</b>	<b>120,839</b>
Vehicle Maintenance	11,000	7,765	8,542	1,444
Ambulance/EMS <i>see below</i>	437,000	-	313,002	360,325
Training/Conferences	12,000	-	-	1,960
Contracts & Annual Fees	24,000	957	14,122	17,655
Other Expenses	10,000	1,549	6,221	3,726
<b>OTHER FIRE DEPARTMENT COSTS</b>	<b>494,000</b>	<b>10,271</b>	<b>341,887</b>	<b>385,110</b>
<b>CAPITAL EXPENDITURES</b>	<b>63,125</b>	<b>2,938</b>	<b>12,160</b>	<b>20,227</b>
<b>TOTAL FIRE DEPARTMENT COSTS</b>	<b>748,275</b>	<b>28,440</b>	<b>476,652</b>	<b>526,176</b>
<i>Ambulance Income on Cover Page</i>	36,000	-	52,328	24,613



**VILLAGE OF GATES MILLS  
FINANCIAL STATEMENT  
SEPTEMBER 30, 2024**

	2024 BUDGET	2024 Month Expenses	2024 To Date Expenses	2023 To Date Expenses
<b>SERVICE DEPARTMENT:</b>				
Salaries and Wages	776,600	61,294	554,296	533,539
Overtime	30,975	909	16,595	16,346
Health, OPERS, MEDI, Worker Comp	323,650	30,162	263,536	227,038
<b>PERSONNEL COSTS</b>	1,131,225	92,365	834,427	776,923
Salt/Aggregate (snow removal)	65,000	-	55,716	70,924
Building Inspection	12,000	750	11,649	9,297
Equipment Maintenance	46,000	1,137	41,605	39,544
Gasoline Expense	40,000	-	20,259	31,799
Supplies/Uniforms	34,000	2,263	24,452	25,811
<b>OPERATING COSTS</b>	197,000	4,150	153,682	177,375
<b>BUILDING OPERATION &amp; MTC</b>				
Village Hall	127,300	18,884	79,611	106,511
Village Houses	12,300	(4)	7,202	1,106
Community Building	65,200	846	62,166	20,980
Post Office	3,000	(128)	684	15,170
OBT Building	1,940	88	1,097	1,348
Wash House	3,700	-	60	83
Burton Court	3,100	149	4,619	88,202
Mills Building	34,010	2,365	53,120	1,344
<b>BUILDING OPERATION &amp; MTC</b>	250,550	22,200	208,559	234,744
Street Repair	8,000	-	974	4,213
Ditch, Drain, Sewers	35,500	5,113	20,844	13,359
Tree Grinding (Contractors)	15,000	-	31,775	800
Street Lighting	17,100	1,431	13,773	12,923
Parks	21,000	176	9,741	20,077
Guardrails, Signs, Bridges	26,600	87	2,697	5,087
<b>STREETS AND ROADS</b>	123,200	6,807	79,804	56,459
Vehicles	181,400	-	174,689	208,512
Other Equipment	20,000	-	13,518	19,443
<b>CAPITAL EXPENDITURES</b>	201,400	-	188,207	227,955
<b>TOTAL SERVICE DEPARTMENT COSTS</b>	1,903,375	125,522	1,464,679	1,473,456

VILLAGE OF GATES MILLS  
FINANCIAL STATEMENT  
SEPTEMBER 30, 2024

	Beginning Year Balance	Year-to-date Actual Receipts	Year-to-date Actual Expenses	Unexpended Balance
Street Const Maint Repair	134,824	155,351	175,000	115,175
State Highway	27,243	12,822	17,344	22,721
Bond Retirement (KeyBank Loans)	2,730	-	-	2,730
	164,797	168,173	192,344	140,625
Capital Improvement	420,762	913,575	870,754	463,584
Water	284,003	39,769	21,307	302,465
Wastewater Plant	29,776	45,352	55,773	19,355
Park Recreation	53,947	27,759	56,299	25,407
Cemetery	54,799	25,000	579	79,220
Mayor's Court-Violations Bureau	1,220	18,899	18,327	1,792
Mayor's Discretionary	285	1,500	1,040	745
Purcell Trust	31,800	-	9,836	21,964
Land Conservation	210,318	219,625	65,523	364,420
Local Fiscal Recovery Fund (ARPA)	499,530	-	312,425	187,105
Building Bond Deposit	129,989	24,643	1,022	153,610
Underground Storage Tank	11,000	-	-	11,000
Safety Fund	26,714	10,450	15,691	21,473
Police Relief & Pension	23,104	224,847	165,216	82,736
Law Enforcement	265	-	265	-
VEST Grant	-	-	-	-
OneOhio Fund (Opiod)	1,769	2,983	149	4,603
STATE Grants	20,008	-	7,600	12,408
TOTAL OTHER FUNDS	1,964,085	1,722,576	1,794,148	1,892,512
GENERAL FUND	7,580,424	6,330,020	5,594,861	8,315,583
TOTAL ALL FUNDS	9,544,509	8,052,596	7,389,009	10,208,095

STATE OF THE VILLAGE  
SEPTEMBER 30, 2024

	2024	2023
Total Current Balance - All Funds	<b>10,208,095</b>	<b>9,915,300</b>
Cash and Investments:	9/30/2024	9/30/2023
Cash:		
ANCORA	8,649,258	8,439,196
CHASE DDA	214,194	290,948
CHASE SAV - LAND CONS	1,498	261,801
STAR OHIO -LAND CONS	362,922	-
CHASE VIOLATIONS BUREAU	29,668	38,407
Star Ohio	<u>1,038,717</u>	<u>933,781</u>
Total Cash	10,296,257	9,964,133
(OUTSTANDING CHECKS)	<u>(88,162)</u>	<u>(48,833)</u>
Total Cash and Investments	<b>10,208,095</b>	<b>9,915,300</b>

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\*\* From Wastewater Fund

GENERAL FUND SUMMARY	BUDGET	SEPTEMBER	2024 YEAR TO DATE	2023 YEAR TO DATE
Real Estate Taxes	2,488,500	-	2,399,630	2,488,258
Municipal Income Tax	2,100,000	145,879	1,843,005	1,594,685
Share of Sales and State Taxes	28,000	-	37,718	52,223
Other Sources	2,447,331	182,347	2,049,666	629,937
Assessments	-	-	-	-
<b>TOTAL OPERATING REVENUES</b>	<b>7,063,831</b>	<b>328,226</b>	<b>6,330,020</b>	<b>4,765,103</b>
<b>OPERATING EXPENSES</b>				
Administration Department	785,480	43,470	630,060	612,141
Police Department	2,534,200	270,620	1,926,970	1,410,503
Fire Department	748,275	28,440	476,652	526,176
Service Department	1,903,375	125,522	1,464,679	1,473,456
Transfers excluding Inheritance Taxes	1,096,500	-	1,096,500	932,500
<b>TOTAL OPERATING EXPENSES</b>	<b>7,067,830</b>	<b>468,051</b>	<b>5,594,861</b>	<b>4,954,776</b>
<b>SURPLUS (DEFICIT)</b>	<b>(3,999)</b>	<b>(139,825)</b>	<b>735,159</b>	<b>(189,673)</b>

Project	September 30, 2024	BUDGET	SEPTEMBER	YEAR TO DATE EXPENSES	COURTNEY	OTHER	SCMR/STHWY
<b>CAPITAL IMPROVEMENT</b>							
	2024 ROAD PROGRAM & SERVICE LOT PAVING	970,000	39,892	1,007,043	172,310	659,733	175,000
	STORM WATER REGS AND ISSUES	20,000		7,214	7,214		
	RIVERVIEW DRAINAGE IMPROVEMENTS	73,000		-			
	CONTINGENCIES	14,531		-			
	COMM HOUSE ODNR GRANT LOWER LEVEL	5,469		3,874		3,874	
	CHAGRIN RIVER @ MAYFIELD			19,314		19,314	
	BERKSHIRE/EPPING FLOODING			8,310	8,310		
<b>TOTAL</b>	<b>CAPITAL IMPROVEMENT</b>	<b>1,083,000</b>	<b>39,892</b>	<b>1,045,754</b>	<b>187,834</b>	<b>682,921</b>	<b>175,000</b>

# Village of Gates Mills

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*Division of Police  
1470 Chagrin River Road  
Gates Mills, Ohio 44040-9703  
Phone: (440) 423-44505 Fax: (440) 423-2002  
www.gatesmillsvillage.com*

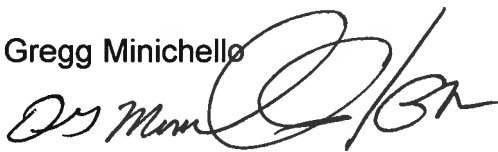
## **October 2024 Council Meeting**

- 1) We were awarded approximately \$3700.00 from the Bulletproof Vest Grant. The grant pays for 50% of new vests.
- 2) Our new police car has arrived. After upfitting, it will be placed into service around 10/21.
- 3) Lt. Michael Pollutro graduated October 11<sup>th</sup> from the Great Lakes Leadership Academy held in Niagara Falls. Congratulations to Lt. Pollutro!

### Monthly Totals:

- 62 Traffic Citations.
- 24 Verbal Warnings.
- 19 Incident/Accident reports.
- 7.166 Patrol Miles.
- 1,527 Monthly House Checks.
- Total Fines \$ 7910.00.

Gregg Minichello



Chief of Police  
Gates Mills Police Department  
[gminichello@gatesmillsvillage.com](mailto:gminichello@gatesmillsvillage.com)  
440.423.4405 x 112

SGG USA						
Gates Mills, OH - Summary by time periods						
Time Period	Start Date	End Date	Passes	Passes 56-59	Passes 60+	Avg Speed
Warning Period	5/11/2023	8/16/2023	789,502	54,757	23,191	48.8
Part of August	8/17/2023	8/31/2023	162,410	3,841	1,295	46.3
September	9/1/2023	9/30/2023	443,354	10,333	3,596	46.3
October	10/1/2023	10/31/2023	428,664	8,923	3,134	46.2
November	11/1/2023	11/30/2023	400,350	6,868	2,330	45.8
December	12/1/2023	12/31/2023	402,921	6,528	2,267	45.7
January	1/1/2024	1/31/2024	373,317	4,617	1,460	45.2
February	2/1/2024	2/29/2024	382,252	4,872	1,574	45.6
March	3/1/2024	3/31/2024	397,284	4,945	1,637	45.5
April	4/1/2024	4/30/2024	421,368	4,812	1,554	45.5
May	5/1/2024	5/31/2024	435,632	5,051	1,693	45.5
June	6/1/2024	6/30/2024	425,375	5,580	1,812	45.7
July	7/1/2024	7/31/2024	376,031	4,585	1,532	45.6
August	8/1/2024	8/31/2024	324,127	3,176	1,043	45.0
September	9/1/2024	9/30/2024	315,921	3,554	1,102	45.4

# Gates Mills Service Department

*"Yours in service since 1920"*

TO: Mayor  
and Council Members

FROM: Dave Biggert, Service Director

**RE: SERVICE DEPARTMENT REPORT – SEPTEMBER 2024**

1. In September, 12 building permits were issued for a total construction value of \$651,514.
2. In September 2023, 16 building permits had been issued for a total construction value of \$1,978,945. This includes a new home on Village Trails.
3. Early last month, after almost 2 years of work, we finally received a check in the amount \$2,830.99 from the United States Postal Service for the reimbursement of the water and sanitary service for the Gates Mill Post Office.
4. The September Planning and Zoning Commission meeting minutes are included for review.

I hope this information is helpful. If you have any questions or need any additional information, please feel free to contact me at (440) 423-1581.

Respectfully Submitted,



David L. Biggert, RBO, RBI, PI, MI, EMT-B  
Service Director/Building Official



PLANNING AND ZONING COMMISSION  
MINUTES OF **TUESDAY, SEPTEMBER 03, 2024**

Pursuant to notice duly given, the regular meeting of the Planning and Zoning Commission, also sitting as the Board of Zoning Appeals, was called and held on **Tuesday, September 03, 2024.**

Members present: Craig Steinbrink; Chair, Scott Broome, Emily Hamilton, Christine Riley and Jeannine Voinovich.

Members absent: Chip AuWerter, and Jim Deacon.

Also present: Chris Courtney, Village Engineer  
Todd Hunt, Village Law Director

1. Roll call.
2. The minutes of **Tuesday, August 06, 2024** regular meeting of the Planning and Zoning Commission were submitted for approval.

Approval of the minutes was postponed until the October meeting due to lack of voting members. Broome and Hamilton were not present at the August meeting and needed to abstain.

3. Front yard and side yard variance requests for the **REITMAN** residence at **2089 Chagrin River Road** were heard. Notice has been provided to adjoining property owners.  
Al Klauss, Paskevich Architects was present.

Mr. Klauss reviewed the front yard and side yard variance requests for the Board. He stated a horse arena building is currently located on the property. The property owner would like to remove approximately 75% of the arena building and construct a new home on the property in the same location attaching the remaining portion to the arena to the new house (exhibit A). The remaining portion of the building is currently a wood shop for the owner.

He continued by stating the arena is currently setback 27.5' from the eastern property line which will require a 29.4' variance for the west side setback to the proposed new house location. The new house will be setback 49' from the front line along the private drive which will require a 51' front setback variance.

Because of the property width and configuration, the proposed house location is the only area a structure and septic system can be placed due to the existing pond location.

Mr. Biggert stated he reviewed the site plan and determined the front yard should be the area to the south of the new structure along the existing private drive. Labeling any other area as the "front" yard, would require additional variances.

He also stated, 1163.18(e) gives the Commission the authority to designate a lot line, such as the front line of a lot, if the recorded plat has no immediate street frontage.

Mr. Broome reviewed the *Variance Worksheet* for the Board.

After further discussion, a motion was made to approve a 29.4' side yard setback variance for the west side, declare the property line along the existing private drive, in front of the proposed new structure, as the front yard area, and approve a 51' setback variance for the front yard as submitted.

Motion by: S. Broome                      2<sup>nd</sup>: J. Voinovich

Roll Call:     Ayes: All.  
                  Nays: None.

**Motion Approved**

The Commission reviewed the proposed new ordinance prohibiting recreational use cannabis businesses within the Village.

Mr. Hunt reviewed the proposed ordinance. He stated this has been reviewed with the first reading by Council at the last meeting. By law, the ordinance comes back to the Commission for review and recommendation.

After further discussion, a motion was made to recommend to Council the proposed ordinance as submitted prohibiting recreational use cannabis businesses within the Village of Gates Mills.

Motion by: S. Broome                      2<sup>nd</sup>: C. Riley

Roll Call:     Ayes: All.  
                  Nays: None.

**Motion Approved**

Refer to audio recording for additional detail.

There being no further business the meeting was adjourned at **5:26 P.M.**

---

Craig Steinbrink, Chair

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David Biggert, Secretary

# Gates Mills Fire Department

## September 2024 Council Report

DATE	NFIRS NUMBER	Address/Location	Description of Incident
9/2/24	2024-212	Battles & Brigham	Report of smoke in the area.
9/2/24	2024-213	36100 Dorchester Rd.	Assist Police.
9/2/24	2024-214	7670 Old Mill Rd.	Water Main Break.
9/3/24	2024-215	7730 Old Mill Rd.	Fire alarm.
9/4/24	2024-216	1709 Berkshire Rd.	Fire alarm.
9/4/24	2024-217	560 County Line Rd.	Public Service.
9/9/24	2024-218	35600 Dorchester Rd.	Canceled en route.
9/11/24	2024-219	7580 Old Mill Rd.	Public Service.
9/12/24	2024-220	Chagrin-River & Wilson Mills	MVC-with injuries.
9/12/24	2024-221	6950 Norvale Circle West	CO alarm.
9/12/24	2024-222	7820 Sugarbush Lane	CO alarm.
9/13/24	2024-223	12125 Bardwell Drive	Mutal Aid-Chesterland-Structure fire.
9/19/24	2024-224	34100 Dorchester Rd.	Furnace problem.
9/20/24	2024-225	6985 Mayfield Rd.	CO alarm.
9/22/24	2024-226	7185 Settlers Ridge Rd.	Fire alarm.
9/26/24	2024-227	34100 Cedar Rd.	Fire alarm.
9/27/24	2024-228	710 County Line Rd.	Fire alarm.
9/27/24	2024-229	1470 Chagrin River Rd.	Canceled en route.
9/28/24	2024-230	1343 Chagrin River Rd.	Assist Police.
9/29/24	2024-231	7480 Main Street	Canceled en route.
9/30/24	2024-232	7760 Old Mill Rd.	Smoke was seen by the house.

CURRENT MONTH TOTAL		2024 YEAR TO DATE	2023 YEAR TO DATE
<b>G.M. FIRE</b>	<b>21</b>	<b>232</b>	<b>168</b>
<b>M.V. EMS</b>	<b>18</b>	<b>159</b>	<b>166</b>
<b>Canceled</b>	<b>0</b>	<b>5</b>	

The September training topics were:

September 10, 2024. Firefighter self-rescue, Victim search, RIC rope, Thermal imaging camera, Fire and water supply procedure at Gilmour Academy Dorms. Demo new Electric Vehicle cooling wand. State of Ohio Fraud Training.

September 24, 2024. Senior staff meeting. Review extended large caliber 3-inch fire line. Use, deployment, and flow test lines. Hands-on gated wye operation, combination nozzle, and smooth bore nozzle. The new hose on 3-inch beds Engine 1412 7 1413.

(over)

September employee anniversaries:  
Lieutenant Paul Nemastil - 29 years  
Fire Fighter Ben Pesuit - 27 years

*Thomas Majeski*

October 1, 2024

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ORDINANCE NO. 2024-29

BY: COUNCILMEMBER STEINBRINK

**AN ORDINANCE AMENDING SECTION 1131.07 AND ENACTING NEW SECTION 1157.10 OF CHAPTER 1157, "ZONING USES", OF THE CODIFIED ORDINANCES OF THE VILLAGE OF GATES MILLS TO PROHIBIT ADULT USE CANNABIS OPERATORS IN THE VILLAGE.**

WHEREAS, pursuant to Section 3780.25(A) of the Ohio Revised Code, the legislative authority of a municipal corporation may adopt an ordinance by majority vote to prohibit adult use cannabis operators from operating in the Village but who would otherwise be permitted to operate under Chapter 3780 of the Ohio Revised Code, which legislation was enacted by the Ohio General Assembly with respect to adult use cannabis control;

WHEREAS, Council desires to amend Section 1131.07, "Definitions", of Chapter 1131, "General Provisions and Definitions", of the Planning and Zoning Code to add the definition of "Adult Use Cannabis Operator" and to enact new Section 1157.10 of Chapter 1157, "Zoning Uses", to prohibit adult use cannabis operators in the Village of Gates Mills.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Gates Mills, Ohio, that:

Section 1: Section 1131.07, "Definitions", of Chapter 1131, "General Provisions and Definitions", of the Planning and Zoning Code of the Codified Ordinances of the Village of Gates Mills is hereby amended to read as follows:

**"1131.07 DEFINITIONS.**

\*\*\*

**(b) "Adult use cannabis operator" means a Level I adult use cultivator, a Level II adult use cultivator, a Level III adult use cultivator, an adult use processor, and an adult use dispensary, all as defined in Section 3780.01 of the Ohio Revised Code, as said Section may be amended from time to time."**

Section 2: All remaining subsections of Section 1131.07, "Definitions", shall be redesignated with letters and numbers to conform with the new subsection adopted in Section 1 of this Ordinance.

Section 3: New Section 1157.10 of Chapter 1157, "Zoning Uses", of Planning and Zoning Code of the Codified Ordinances of the Village of Gates Mills to prohibit adult use cannabis operators in the Village of Gates Mills is hereby enacted to hereafter provide as follows:

**"1157.10 PROHIBITION OF ADULT USE CANNABIS OPERATORS.**

**(a) Definition of Adult Use Cannabis Operator. For the purpose of this Section, "adult use cannabis operator" shall be as defined in Chapter 1131 of this Code.**

**(b) Prohibited Activity.**

**(1) No person shall operate any business as an adult use cannabis operator within the Village of Gates Mills, Ohio.**

**(2) No building permits, certificates of occupancy, or any other permits shall be granted by the Village of Gates Mills to any person who intends to open, use any land or devote any floor area of a business for the purpose of the sale of cannabis. No existing business in the Village may expand in any way that would establish the sale of cannabis.**

**(c) If any provision of this section, or the application of such provision, shall be rendered or declared invalid by any court action or by reason of any existing or subsequently enacted legislation, the remaining parts or portions of this section shall remain in full force and effect.”**

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5 This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk

APPROVED:

\_\_\_\_\_  
Mayor

9/17/24  
First Reading

ORDINANCE NO. 2024-34

BY: MAYOR SIEMBORSKI

AN ORDINANCE AMENDING CHAPTER 159, POLICE DEPARTMENT, SECTION 159.01, MEMBERSHIP OF DEPARTMENT, OF THE CODIFIED ORDINANCES OF THE VILLAGE OF GATES MILLS

WHEREAS, the Mayor and Chief of Police desire to amend the Village's Codified Ordinance Section 159.01 which sets forth the authorized number of police personnel in each position in the Village Police Department;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Gates Mills, Ohio, that:

Section 1: Section 155.04 is hereby amended to hereinafter provide as follows:

" 159.01 MEMBERSHIP OF DEPARTMENT.

The number of authorized positions in the Police Department shall not exceed the following:

One Chief

One Executive Lieutenant

~~Two~~ **Up to Three** Sergeants

One Detective

~~Six~~ **Up to Ten** Other ~~Patrolmen~~ **Patrol Officers** (First Class, Second Class, Third Class).

Section 2: Section 159.01 of the Codified Ordinances of the Village of Gates Mills Heights as it existed prior to the effective date of this Ordinance is hereby repealed.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.



Section 5: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_

President of Council

ATTEST:

\_\_\_\_\_  
Clerk

APPROVED:

\_\_\_\_\_  
Mayor

**RESOLUTION NO. 2024-37**

**By: Councilmember Broome and Mayor Siemborski**

**A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED; AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Public Works Commission's ("OPWC") State Capitol Improvement Program and the Local Transportation Improvement Program (commonly known as the "Issue 1" funding programs) both provide assistance to political subdivisions for capitol improvements to public infrastructure;

WHEREAS, the Village of Gates Mills is planning to make capital improvements to the Chagrin Valley Hunt Club Wastewater Treatment Plant (WWTP), abandoning the WWTP and installing a pump station to connect the Hunt Club's private sanitary system to the public system;

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs.

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Gates Mills, State of Ohio, that:

SECTION 1. The Mayor is authorized to apply to the OPWC for funds as described above.

SECTION 2. The Mayor is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION 3. The actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. This Resolution is declared to be an emergency measure, which is immediately necessary for the public peace, health, safety, and welfare; such necessity existing for the further reason of meeting the upcoming deadline for submission of the application which is the subject of this Resolution; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed to it, it shall take effect immediately upon its passage

and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed the \_\_\_\_ day of September, 2024.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk

APPROVED:

\_\_\_\_\_  
Mayor

**ORDINANCE NO. 2024 - 38**

**BY MAYOR SIEMBORSKI**

**AN ORDINANCE TO AMEND THE ANNUAL APPROPRIATION ORDINANCE  
NO. 2023-49 TO INCREASE CERTAIN APPROPRIATIONS AND  
OTHER EXPENDITURES OF THE VILLAGE OF GATES MILLS, OHIO FOR  
THE FISCAL YEAR ENDING DECEMBER 31, 2024.**

SECTION 1. Be it ordained by the Council of the Village of Gates Mills, Ohio that the following amendment be made to the annual Appropriation Ordinance 2023-49 as passed by Council on December 19, 2023.

SECTION 2. That the appropriation from the OneOhio Fund (Opioid) be increased by \$2,500.00.

SECTION 3. This Ordinance is hereby declared to be an emergency ordinance necessary for the immediate preservation of the public health, safety, convenience and welfare for reasons apparent from the contents of said ordinance and therefore this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk

APPROVED:

\_\_\_\_\_  
Mayor

RESOLUTION NO. 2024 - 39  
BY MAYOR SIEMBORSKI

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH COLE BURTON CONTRACTORS, LLC FOR EMERGENCY REPAIR OF OLD MILL ROAD DUE TO A WATER MAIN BREAK AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to authorization from this Council in Resolution No. 2024-11, a contract was awarded and executed with Cole Burton Contractors, LLC, pursuant to competitive bidding, for labor and materials for the Village's 2024 Road Maintenance Program in the amount of \$314,680;

WHEREAS, additional labor and materials are now required which are outside the scope of work in the Original Contract due to a major water main break under Old Mill Road in the Village which requires immediate emergency repair for the safety of the public;

WHEREAS, this Council finds that the labor and materials necessary for this additional work supports the change order requested by the Village Engineer and Cole Burton in the amount of \$207,250 (the "Change Order");

WHEREAS, the Village Engineer has indicated that Cuyahoga County has stated that it will reimburse the Village \$100,000 of the cost of the Change Order and the City of Cleveland Division of Water will reimburse the Village \$20,000 of the cost;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Gates Mills, Cuyahoga County, State of Ohio, that:

Section 1. The Mayor is authorized to execute the requested Change Order with Cole Burton Contractors, LLC in the amount of \$207,250 and is authorized to take all necessary actions to obtain reimbursement amounts for the cost thereof from the County of Cuyahoga and the City of Cleveland.

Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Resolution is declared to be an emergency measure necessary to immediately preserve the public health, safety and welfare of the Village, its residents, and motorists using Old Mill Road; and, therefore, provided this Resolution receives the requisite number of votes pursuant to the Village Charter, it shall take effect and be in full force immediately upon the signature by the Mayor.

Passed the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk

APPROVED:

\_\_\_\_\_, Mayor