

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
January 21, 2025

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, January 21, 2025, at 5:30 p.m. with Mayor Siemborski presiding. The meeting was live-streamed to the internet.

1. Roll Call starts at 1:29

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

Other Village officials present were Clerk DeCapite, Service Director Biggert, Police Chief Minichello, Fire Chief Majeski, Finance Administrator Mulh, Village Engineer Courtney, and Lisa Mack of Roetzel & Andress (acting Law Director).

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

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

Nays: None

Motion carried.

2. Election of Council President Pro Tem for one-year term starts at 3:12

Councilmember Turner has held this position for the last year, and she indicated she has prepared for taking on the Mayor's duties in the event of his absence or incapacitation by attending many meetings in addition to her own committee meetings, staying close to the staff, supporting the Village and all its' activities, and having conversations with the Mayor. There's opportunity for additional responsibilities in this role with the support of the Mayor and Council.

Councilmember Steinbrink made a motion to nominate Sandra Turner to serve as Council President Pro Tem. Councilmember Deacon seconded the motion.

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

Nays: None

Motion carried.

3. Oath of Office to Council President Pro Tem starts at 7:48

Administered by Mayor Siemborski to Councilmember Turner

4. Mayoral Appointments to Administrative Offices starts at 9:00

Robert S. Reitman, Income Tax Administrator

R. Todd Hunt of Roetzel & Andress, Law Director

Michael Cicero, Prosecutor

David Biggert, Service Director, Building Official & Building Inspector

Trevor Murfello, Service Manager

Janet Mulh, Finance Administrator and Assistant Tax Administrator

D. Gregg Minichello, Chief of Police
Thomas Majeski, Fire Chief

Councilmember Broome moved to approve the Mayoral Appointments to Administrative Offices. Councilmember Deacon seconded the motion.

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

5. Mayoral Appointments to Boards, Commissions and Committees starts at 10:00

Planning & Zoning Commission:

Council Representatives (One-Year Term ending 12/31/2025):

Craig Steinbrink (Chair) and Scott Broome

Electors (Four-Year Term ending 12/31/2028):

Jay AuWerter and Jim Deacon

Architectural Board of Review for Term Ending 12/31/2027:

Jann Holzman and Sandra Turner

Historic Review Committee for Term Ending 12/31/2025:

Sara Welsh (Chair), Laurie Deacon, Jane Lindmark, Greg Nosan, Chuck Spear, and architects David Ellison, Joseph Giglio and William Childs (alternate)

Volunteer Fire Fighter Dependents Fund Board for Term Ending 12/31/2025:

Ed Welsh (Council) and Molly Brown (resident)

Real Estate Committee for Term Ending 12/31/2027:

Craig Steinbrink, Council Representative

Tree Canopy Committee:

Peter Wiest

Councilmember Press asked what are the intentions with the riparian, wildlife, and overarching committees, and the Mayor answered we need to staff those committees over the next month.

Councilmember Steinbrink moved to approve the Mayoral Appointments to Boards, Commissions and Committees. Councilmember Atton seconded the motion.

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

6. Minutes of the Regular Council meeting of December 17, 2024 starts at 12:57

Councilmember Broome indicated on Page 7, Item 12 - the correct spelling is Michael E. Cicero. Councilmember Atton suggested using "senior residents" rather than "old people" on Page 5, second paragraph.

Councilmember Broome moved to approve the December 17, 2024 minutes as amended and Councilmember Atton seconded the motion.

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

7. Pay Ordinance # 1293 \$943,163.82 starts at 14:37

Councilmember Atton moved to approve Pay Ordinance #1293. Councilmember Deacon seconded the motion.

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

Nays: None

Motion carried.

8. Mayor's Report starts at 16:03

1. 2024 Review - This annual report will be finalized over the next two weeks and expanded to include a reference guide of names/phone numbers/important dates/photographs. Thank you, Council, for your diligence and preparedness in 2024.

2. 2025 Priorities - at 17:19 - The Mayor sent the 2025 priorities he foresees to Council for comment. He has received most but not all comments back. He proposed a special meeting to go through the priorities as a group, assign responsibility, determine the need for additional resources, etc. The Mayor suggested using three comprehensive plan strategic priorities - safety, environment, and community engagement - to organize the 2025 priorities.

3. Funding for Wastewater Treatment Plant - at 18:46 - In December we were informed that we are on the preliminary list of the Water Pollution Control Loan Fund. Village Engineer Courtney will determine any additional paperwork necessary to move from the preliminary to the final list. The \$545,000 loan will qualify for a very low interest rate as this is a regionalization project - one of the priorities of the funding agency.

We did not receive the \$250,000 grant requested from the District One Public Works Integrating Committee. We ranked too low in their scoring matrix to warrant re-applying for the grant.

The Hunt Club has been informed, and they want to move forward with us using the benefit of the Water Pollution Control Loan Fund proceeds. Village Engineer Courtney will provide a schedule of what it would take to plan/design/construct, update the costs, and create a term sheet in sufficient time for review and discussion by the Wastewater Committee and to be in a position a month from now to present to Council - as well as the user charges that we need to finalize and update for all of our users. This timetable along with Council approval of the plan would fit well with a first draw down on the planning and design money in May, when the first distribution occurs.

At 22:07 Councilmember Press asked if we would enter the second round for smaller communities seeking the grant, and Mayor Siemborski answered we aren't high enough on the small municipal list to qualify. Councilmember Atton asked if we would contemplate using our own money to invest in this project if the loan was not approved, and the Mayor replied we haven't discussed that as the loan is 95% certain; he personally would support that as a good use of municipal money. Councilmember Press sought confirmation that Council still needed to approve the project as the previous approval was for applying for the grant. Yes, and approval for the project will not be

requested until more documents are available. Councilmember Deacon asked if we have a shortage without the grant, and the Mayor replied the construction costs are estimated at \$545,000. The \$250,000 grant would have reduced the loan to \$295,000. Without the grant, we will borrow the entire \$545,000.

At 25:05 Councilmember Press asked what if somebody along the corridor between the Hunt Club and the treatment plant, such as GM Elementary School, wants to tie in. Village Engineer Courtney explained there is a designated land area approved by the EPA when the wastewater treatment plant was approved. If anyone outside that land area wants to tie in, it would require a much different set of exercises by the EPA. Service Director Biggert added when the treatment plant was designed in the beginning, the Hunt Club was included in the equation because it was anticipated they would tie in. Councilmember Turner asked if the school is within the designated area. No. Councilmember Press asked what is our confidence that the septic system that the school has is adequate, and Village Engineer Courtney replied that would be determined by the County Board of Health.

4. Safety Fund - at 30:28 - We were fortunate to secure a \$29,000 gift from a resident in December for radios that will increase the interoperability between police, fire, and service departments. The radios have been ordered from Motorola and we expect to be plugged in sometime in March or April. We also received a \$10,000 gift from another resident for an additional flock camera designated for Brigham Road. The Police Chief will talk more on it in his report. We appreciate those contributions.

5. Gates Mills Land Conservancy - at 31:46 - GMLC has provided to the village their 2024 annual report and 2023 financial statements, fulfilling the annual requirement to do so, and these are included in tonight's Council packet. Both outgoing President Nat Smith and incoming President Jamie Carracher will attend either the February or March Council meeting. The Mayor suggested that any questions be sent to Janet or himself, assembled, and forwarded to GMLC ahead of time.

That concludes the Mayor's report. Questions?

At 32:46 Councilmember Press reminded the Mayor a charter amendment survey of residents is outstanding. The Mayor advised he drafted the survey and sent it to Councilmember Press for comment this afternoon. Law Director Hunt and Lisa Mack will also review the survey draft. Councilmember Deacon requested the Charter Review Committee, who previously did a charter amendment survey of prior Village officials and Councilmembers, also see the draft for comment. The Mayor looks to get comments back next week before sending the survey to all of Council.

9. Financial Report attached and on the website starts at 35:33

Mayor Siemborski reported we ended the year with a \$298,000 surplus after revenue of \$7,800,000 and expenditures of \$7,500,000. We had not anticipated that level of surplus. We received more municipal income tax revenue than planned and than RITA had estimated. That overage allowed us to handle unexpected expenses of \$100,000 from the August 6 tornadic storm and the \$323,000 Old Mill Road emergency repairs. The storm expenses have not been reimbursed and probably won't be reimbursed by any government agency. We should be reimbursed by the County and city water dept this summer \$120,000 of Old Mill expenses. We are fortunate to have

money available to handle the unanticipated things when they need to be done as opposed to pushing them off.

Councilmember Atton observed it's the first time since he became a Councilmember that we finished the month or year with less than \$10,000,000 in the bank. Councilmember Press expected traffic camera revenues to be ahead of budget because of the change we made in the threshold a few months ago. The Mayor said two items caused the decline in fourth quarter camera revenue - 1) cameras were down about 14 days during the August storm and 2) we did not have staff on hand between Christmas and New Years to verify and authorize tickets. Councilmember Broome thinks the program is working - people have slowed down.

10. Clerk's Report - None

11. Committee Reports starts at 41:54

Tree Canopy Committee (Councilmember Atton)

- We're glad that Peter Wiest is joining our committee
- Invasives pilot program kicks off on February 1
- Signage/Pink Sheet/Mayor's Letter will communicate a controlled invasives removal program is in progress, not clear cutting or development

12. Police Department Report attached and starts at 43:21

The Police Chief referred to the flock camera mentioned during the Mayor's Safety Fund report earlier - the camera has been ordered, should be in service in the 7700 block of Brigham Road in the spring, and will be our sixth camera. A flock camera is an investigatory tool, not a speed camera. A donation from a resident for \$20,000 will cover the cost - \$10,000 was received in August and \$10,000 was received after the first of the year.

Three instances of fraud perpetrated upon our residents for sizable amounts of money over the last six months gave rise to a scam/fraud seminar for residents to be presented at the Community House by the FBI in February.

Regarding a previous comment about the decline in the number of passes on Mayfield Road - a technician from Gatso came out January 14 and found the eastbound camera had to be realigned. All the violations were being recorded, but the camera was not capturing every single pass.

Councilmember Atton asked if the scam/fraud seminar would be available on YouTube. Police Chief Minichello will talk to Mike Feig about that.

13. Service Department Report attached and starts at 46:59

Service Director Biggert reported Nick Nemastil started in January as the new Service Dept. employee, and he has already shown himself to be a great asset to the Village.

Councilmember Atton noticed the windows and roof at 640 Chagrin River Road look great, but there is still a dangerous looking massive hole down near the foundation and he wonders if there is a plan to fill that in. Service Director Biggert is also concerned and will discuss with either the homeowner or the builder. Councilmember Atton also wonders if plans are being prepared for presentations to the Historic Review Committee or ARB. The Service Director heard from the builder that the original architect is retired and not interested in doing any of the necessary changes on the drawing, but he is willing to pass on the digital form of the drawing to a new architect working with the builder. The Service Director suggested a site visit by the builder, architect, and himself to address questions in order to provide the drawing as requested by the Historic Review Committee - we would like to have those approvals before we go to the February Council meeting for another hearing.

14. Fire Department Report attached and starts at 51:28

Fire Chief Majeski reported that the Fire Dept. responded to a record number of calls in 2024 - 293 including the 32 storm duty calls in August. We had 201 squad calls for Mayfield Village EMS and one call to our backup squad, Mayfield Heights, in 2024.

Relative to our fire hydrant program, of 700 hydrants in the Village, there are about 30 hydrants out of service for various reasons, and 52 hydrants have been replaced or have had major repairs completed by Cleveland Water Dept in the last 18 months.

Hot stick units used to advise first responders of an electrical hazard were ordered several months ago, but we believe the company went out of business. We continue to check alternate sources for the brand we find to be most reliable.

Our cadet program now has three participants aged 18-20. They will be attending Fire Academy locally or in Reynoldsburg. All three are going to do the entire fire class, and all three are going to do the EMS class, so by July or August they'll be fully functional and sworn in to our department. We applied for and received some matching grant funds through the State Fire Marshall. We're also working with Jobs and Family Services to get a matching grant for the EMS portion. The Mayor added this program with our agreement to pay for their education, training, and outfitting is one that not a lot of other departments will do or can do, and one that allows us to have more hands on deck.

Councilmember Steinbrink asked if the two gas leaks on Cedar Road listed on the report were a result of the boring work being done by Hunting Valley for the broadband project. The Fire Chief responded it's hard to prove they were, but it was rectified by the gas company.

Councilmember Broome reiterated of the 700 hydrants; the Fire Dept. was able to test 693 last year. Everyone should know the Fire Dept. is always doing something and that takes a lot of time. Do the math. The fire hydrants need to be checked. They don't always work. Thank you Chief.

15. **Motion: Authorization to bid the 2025 Road Maintenance Program**
starts at 58:58

Village Engineer Courtney stated we have more road work than the budget provides for. If the bid numbers come in low or receipts are higher for the year, we may opt to add an additional road. At this point in time, we have programmed in \$200,000 of county road maintenance - we've applied for \$309,000 of which \$139,000 would be reimbursable by the County. Local road maintenance is programmed in at about \$200,000. That will vary up and down based on the budget we have available and how the numbers come in. We also intend on doing Hillcreek and Andrews - two roads that were delayed last year because of the expense of County Line Road. The additional road we've selected for this year is Colvin which runs right next to the elementary school. That road is in terrible shape. We are proposing to remove it and replace it with full depth concrete, which will be much more durable for the buses coming up and down the hill. All in, it's about a million dollars' worth of work. Once the bids are received, we would come back and look for authorization up to the amount in the 2025 budget.

Clerk DeCapite asked if Colvin Road would be widened. Village Engineer Courtney said we can maybe squeeze a half a foot extra on each side, if we do that road. That would be the road added later in the year. Summertime would be the time to do it when school is out of session.

Councilmember Atton asked of the million dollars how much is Andrews and Hillcreek. The Village Engineer stated Hillcreek is about \$425,000 and Andrews is about \$125,000. Councilmember Atton said that it's the expense that we moved into this year in order to do County Line last year within the budget. Confirmed by the Village Engineer.

The Mayor added we've done most of the engineering already. Recall we used to go out for bid in July and do road work in November when the snow was coming. The Village Engineer and the Service Director have done a great job moving the process up half a year.

Councilmember Press moved to authorize the Village Engineer to bid the 2025 Road Maintenance Program. Councilmember Atton seconded the motion.

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

Nays: None

Motion carried.

16. **Resolution No. 2025-1 (First Reading)** starts at 1:02:53

"A Resolution Authorizing and Directing the Transfer of Certain Sums from the General Fund to the Capital Improvement Fund, Mayor's Fund, Wastewater Fund and Police Pension Fund" was read by Mayor Siemborski. This resolution allows us to transfer the amounts in the approved 2025 budget from the General Fund to the listed funds for the full year. This eliminates the noisy work of unnecessary emergency motions for partial transfers being placed in front of Council.

Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2025-1 be placed on its final passage. Councilmember Steinbrink seconded the motion.

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

Councilmember Broome moved to approve Resolution No. 2025-1 and Councilmember Turner seconded the motion.

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

Councilmember Atton described how the Mayfield City School Board disposes most of their agenda with a consent agenda - there is no discussion at all, they assume everybody has read it, the answer to "do you agree with this consent agenda" is always yes, and they get out early as there is nothing much left to talk about. The consent agenda is a device this Council hasn't exercised, and it might be a possibility to simplify things and save time. Mayor Siemborski finds a lot of the stuff we do here is pretty procedural so we can talk about grouping that way. Councilmember Steinbrink would be in favor of doing something like that - in particular the items found on the legislation housekeeping listing by month prepared by Finance Administrator Mulh.

17. **Resolution No. 2025-2 (First Reading)** starts at 1:06:29

"A Resolution Authorizing Change Order No. 1 to the Contract with Nerone and Sons, Inc. for the Riverview Drainage Improvements at 442-443 Project for Additional Labor and Materials; and Declaring an Emergency" was read by the Mayor, and

18. **Resolution No. 2025-3 (First Reading)**

"A Resolution Authorizing Change Order No. 2 to the Contract with Nerone and Sons, Inc. for the Riverview Drainage Improvements at 442-443 Project for Additional Services, Labor, and Materials; and Declaring an Emergency" was read by Mayor Siemborski.

The Riverview Drainage project had a budget of \$42,000. As we got into it, there was more required adding \$33,000 to the project for a total of \$75,000 - Change Order No. 1 for \$13,574 (Resolution No. 2025-2) and Change Order No. 2 for \$20,305 (Resolution No. 2025-3). The \$42,000 was paid last year. The additional change orders have to be paid this year.

Village Engineer Courtney provided further details. At the end of Riverview there was a private storm sewer that went through the Groszek parcel and picked up public drainage. The project was to remove that private sewer and replace and relocate it with a public sewer that would be within an easement, to get it out from underneath the proposed house footprint. When the contractor got past the ground cover to look at where the sewer was going to be built to save as many trees as possible, a little bit of reconfiguration of the sewer was needed. That resulted in removing a number of dead trees for access. Additional large slab rock at the outlet was added to make a more aesthetically pleasing outfall adjacent to the river. The first change order relates to the tree removal and rock.

The second change order relates to arborist services, labor, and materials for tree protection adjacent to the storm sewer trench requested by the Groszeks in lieu of payment for the easement and the Groszeks donate the easement.

The Service Director thanked the Groszeks for their cooperation and partnership in this project. We've been working to get this done for 4-5 years.

As a matter of efficiency, Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that both Resolution No. 2025-2 and Resolution No. 2025-3 be placed on their final passage. Councilmember Steinbrink seconded the motion to suspend the rules.

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

Councilmember Broome moved to approve Resolution No. 2025-2 and Councilmember Steinbrink seconded the motion.

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

Councilmember Broome moved to approve Resolution No. 2025-3 and Councilmember Steinbrink seconded the motion.

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

19. **Resolution No. 2025-4 (First Reading)** starts at 1:11:39

"A Resolution Authorizing the Mayor to Enter into a Purchase Agreement with Montrose Ford for a 2025 Ford Lightning F-150 Battery Electric Special Service Vehicle for Use by the Police Department" was read by Mayor Siemborski.

Police Chief Minichello wants to trade in the Tesla and purchase a Ford Lightning truck. The Tesla has been a good vehicle for us, expensive to fix, not a police car but a conversion, so usage is limited, and has a high trade-in value. The Ford Lightning truck has come down \$12,000 in price from its peak and is the same price as the Ford Explorer. There are a lot of utility benefits with the Ford Lightning, we have the electric infrastructure in place already, and it's more comfortable than the Tesla.

Councilmember Press asked if it would be less expensive to replace the Tesla with a gasoline powered vehicle. The Chief does not think so. Councilmember Press asked does it make sense to have all gasoline powered vehicles in the fleet except one electric powered. The Chief said that's what we have now and we will keep evaluating. We expect the pickup to do exactly what the other cars do, and we're going to equip it the exact same way. Councilmember Press asked does that mean the rest of our fleet will become electric over time, and the Chief replied we are not in a position to say that right now.

Councilmember Atton mentioned the Tesla donor, and the Chief indicated the donor was all in favor of the plan and got involved in the process.

Councilmember Broome finds the key difference to be the F-150 has a lot more utility.

Councilmember Turner moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2025-4 be placed on its final passage. Councilmember Atton seconded the motion to suspend the rules.

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

Nays: None

Motion carried.

Councilmember Deacon moved to approve Resolution No. 2025-4 and Councilmember Broome seconded the motion.

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

Nays: None

Motion carried.

20. **Resolution No. 2025-5 (First Reading)** starts at 1:17:27

“A Resolution Authorizing the Mayor to Enter into a Service Agreement, an Indefeasible Right-to-Use Agreement, and a Grant of Right of First Refusal Agreement with Chagrin Valley GIG, LLC to Provide a Fiber Optic Broadband Communications Network in the Village of Gates Mills” was presented by Councilmember Deacon. The slides to follow provide a refresh on process, where we’ve been, the selection, the advantages of OhioGig, and the key provisions in the agreement. The agreement is in draft form and a few provisions still need a little tweaking. This resolution will go to three readings. Questions and comments are welcome.

At 1:19:01, Broadband: Fiber to the Home/Business for Gates Mills slide show presentation starts and is narrated by Councilmember Deacon.

At 1:48:23, Councilmembers asked questions, made comments, and discussed the Broadband subject.

At 1:51:31, Mayor Siemborski reiterated the schedule of readings laid out a month ago, and asked Council if the process was still acceptable:

- First Reading: January
- Second Reading: February - answer questions raised tonight that could not be answered - forward additional questions to village for gathering and directing - Greg Dunn, our attorney from Taft, and OhioGig to participate
- Town Hall: open to residents - date will be between Feb 18 and March 18 - Greg Dunn and OhioGig to participate
- Third Reading: March - Council action

At 1:53:44, more Broadband discussion continued among Councilmembers.

At 2:01:48, Councilmember Broome wished to clarify that timing is the reason for putting the resolution on first reading now while we are still working on the draft a bit. Councilmember Press stated since OhioGig is negotiating with surrounding communities, there is a risk if we lallygag for too long the equipment, after they finish in Hunting Valley, goes elsewhere and that pushes us further out in time. The Mayor added it is a well done draft but for 5-6 questions to narrow down. We want to give Council time to think about it and to have the Town Hall. Councilmember Deacon said Law Director Hunt did opine that the tweaks to the draft are not material and it was fine to put it out on first reading.

Resolution No. 2025-5 remains on first reading.

At 2:03:45, the Mayor suggested the Police and Fire Chiefs, Service Director, and Village Engineer be excused. All agreed.

21. Council Matters starts at 2:04:27

Hunting Valley and Pepper Pike Governance and Zoom Meetings (Councilmember Press) - On the November ballot Hunting Valley passed a charter amendment to allow electronic meetings; Pepper Pike had done the same by ordinance. Councilmember Press thinks that's something we should give some thought to - not all meetings - it would be the exception rather than the rule - rules are necessary to prevent abuse of the privilege - vast majority of our meetings would be just like they are today. Councilmember Broome and Deacon agreed it should be the exception. Councilmember Turner and others were under the impression electronic meetings were not allowed by the State, then came Covid and they were allowed, then State reversed, now what. Acting Law Director Mack's understanding is that they are allowed so long as you've got a public notice and an opportunity for the public to participate. Finance Administrator Mulh stated you're not part of the quorum and you can't vote based on state law if you attend via Zoom meetings per Law Director Hunt. It's hard to have public interaction if you're meeting via Zoom because someone has to monitor the YouTube livestream. Councilmember Press finds it safer to have a charter amendment than an ordinance to allow the meetings. Councilmember Turner and others want advice from Law Director Hunt.

At 2:09:20, Councilmember Press talked about the Pepper Pike Charter Review Commission, a body of nine qualified residents created by legislation approved by their Council. The commission has held 15 meetings since April 2024 and turned a report over to Council which is currently on second reading. They intend to go to the ballot in May 2025. There are two things in the report that are most important. First is the organization and role of P&Z. Currently P&Z is chaired by the mayor who appoints three members, and all the zoning decisions are made by this body. The commission report recommends a model similar to ours - a councilmember chairs P&Z; council and the mayor jointly agree on who will make up the rest of P&Z. Additionally, all significant zoning changes go to the ballot. Second item of importance is balance of power. Under the current system in Pepper Pike, the mayor is president of council and has a casting vote. The recommendation is to establish the position of president of council to run meetings and set the agenda. The Mayor will continue to come to council meetings. He will not have a vote. According to the commission that is the predominant method of doing local governance in Cuyahoga County. It provides a clearer separation of powers between the legislative and executive branches. Councilmember Press thinks

broadening our approach to charter amendment is worth thinking about. He will keep us posted on what happens between now and May.

Meeting Among Councilmembers (Councilmember Turner) - starts at 2:18:42 - Councilmember Turner proposed that Councilmembers and President of Council meet in a special informal more social session to identify what is lacking in the working relationship of this body, how we can support each other to get the important things done during the last year this body will work together, and what more could Councilmembers do to shift responsibility off the Mayor. Hearing consensus and Councilmember Deacon's statement to define what the outcome is, Councilmember Turner offered to prepare an agenda for the meeting.

Acting Law Director Mack advised the purpose of the meeting needs to be articulated in the public notice. You can not go beyond the defined purpose in your discussions.

Councilmember Turner moved to have a special meeting of Council and the President of Council to review 2024 achievements, to preview priorities for 2025, and to discuss the collaborative process among Council. Time and place to be determined. Councilmember Broome seconded the motion.

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

Nays: None

Motion carried.

At 2:31:10, Councilmember Press finds it peculiar Council doesn't review and approve the budget. Council approves the appropriation of the money, but we never have a presentation on what's in the budget and have a chance to interrogate. The Mayor finds no reason why we can't have that session. He explained the practice that we've always followed is to have budget approval and Council recommendation done by the Budget/Finance Committee. Most everyone in this room has attended the annual three lengthy Budget/Finance Committee meetings and leave knowing what the story is. The Mayor will put on the agenda for the February meeting a presentation of the 2025 budget for Council's review.

22. Business from the Audience - starts at 2:33:20

Resident Chuck Spear addressed electronic meetings - when the hard topics come up and you really need to be here in person, your inclination will be to not be here. Second, the Broadband presentation was beautiful, but you can't call it a reading if there's no agreement to read. Mayor Siemborski replied it's online and you can request a copy. Legal counsel advised this agreement is sufficiently detailed and materially complete and that it would be legitimate to put it on a first reading. Normally it would have been included in Council's package and we post it all online at the same time, but we got the final agreement on Friday at four o'clock, so we sent the packages without the hard copies and a note to call if you want it. Third, you're going to do a survey about the charter amendment. I love that; I think that's just the thing to do. But I want to point out to you that we've done a questionnaire recently. Thirty-eight questions - we asked the villagers what they thought; 522 responses; we gave them an open-ended opportunity to write their comments; 1,576 comments; we had neighborhood meetings; Town Hall; flip charts; we wrote the comments down; 830

comments. You all have those I'm pretty sure. Look through them. See when they say "the Mayor has too much power - we must take it away from him" or "the Council has too much power - we must take it away" or "we have to amend the charter". You'll never find it. We have surfaced an issue here that's going to rip at the fabric of our community for no particular reason. Maybe they do it differently in Garfield Heights. I don't live in Garfield Heights. I live here and I love the way it works here. I come to every meeting because I think it's great. The idea that we're going to tear at this with a charter amendment - even today coming up with a new idea/hey snowbirds - I think you need to be very careful about this.

Councilmember Deacon added the reason she was in favor of putting the Broadband resolution on first reading was when we come with an agreement that is all done, Councilmembers or other say I couldn't give any feedback. This gives the opportunity in a complex situation that involves a lot of different stakeholders to have a good conversation. The Mayor thanked Councilmember Deacon and the Broadband Committee, also Ann Whitney and others from prior years, for all the hard work.

23. Adjourn

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

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Steven L. Siemborski, Mayor

