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VILLAGE OF GATES MILLS
COUNCIL AGENDA
JUNE 18, 2024
5:30 p.m.

COMMUNITY HOUSE, 1460 CHAGRIN RIVER ROAD

(Livestream available on YouTube – click on the link on
www.gatesmillsvillage.com to watch)

1. Roll Call.
2. Minutes of Council meeting of May 21, 2024. Clerk.
3. Pay Ordinance #1286 \$847,466.58. Clerk.
4. Mayor's Report. Mayor.
 - a. Discussion of Proposed Charter Amendment for Voter Approval of Zoning Changes for Residential Density.
5. Clerk's Report. Clerk.
6. Financial Report. Mayor.
7. Police Department Report. Minichello.
8. Service Department Report. Biggert.
9. Fire Department Report. Majeski.
10. Committee Reports.
11. **Resolution No. 2024-19** (Second Reading) Mayor.

A Resolution Accepting the Bid of Rumpke of Ohio, Inc. for Refuse Collection, Disposal and Recycling Services, Authorizing a Contract Therefore, and Declaring an Emergency.
12. **Resolution No. 2024-21** (First Reading) Mayor.

A Resolution Submitting the Question of the Renewal of an Existing 3.5 Mill Tax Levy for the Purpose of Current Expenses Pursuant to Ohio Revised Code Sections 5705.19(A) and 5705.191 and Declaring an Emergency.
13. **Resolution No. 2024-22** (First Reading) Steinbrink.

A Resolution Authorizing the Mayor to Enter into a Sixth One-Year Extension of an Agreement for the Provision of School Resource Officer Services with the Mayfield City School District and Declaring an Emergency.
14. **Ordinance No. 2024-23** (First Reading) Mayor.

An Ordinance to Add New Firefighter Station Duty Hourly Rates and Declaring an Emergency.
15. **Ordinance No. 2024-24** (First Reading) 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.
16. **Ordinance No. 2024-25** (First Reading) Steinbrink.

An Ordinance Adopting a Moratorium on Applications for, and the Granting of, Zoning Approvals, Building Permits, and Certificates of Occupancy for Any Building, Structure, Use, or Change of

Use that Would Enable the Cultivation, Processing, Distribution, or Sale of Adult Use Cannabis for a Period Not to Exceed Six Months in Order to Allow the Village to Review Applicable State and Local Laws; to Plan for Regulations Relating to Such Uses; and Declaring an Emergency.

17. Council Matters.
18. Business from the Audience.
19. Executive Session.
20. 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
May 21, 2024

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, May 21, 2024, at 5:30 p.m. with Mayor Siemborski presiding. The meeting was livestreamed on the internet.

1. Roll Call starts at 0:39

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

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

2. Mayor Siemborski administered the Oath of Office to Treasurer, Dixon Morgan, Jr. at 0:55

3. Minutes of the Regular Council meeting of April 16, 2024 starts at 2:17

Clerk DeCapite proposed the following revisions on page 8, item 19:
Line 4 ...would increase ~~our~~ residential property owners' real estate taxes...
Line 8 ...would increase ~~to~~ by 10%...
Line 9 If a new levy of 5 mills were passed for Mayfield City Schools that would mean a 7% real estate tax increase to residents and a 10% real estate tax revenue increase to the School District, whereas the 30% revaluation would only increase the School District's real estate tax revenues by 3%.

Councilmember Steinbrink moved to approve the April 16, 2024 minutes and Councilmember Broome seconded the motion.

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

4. Pay Ordinance # 1285 \$678,386.84 starts at 4:39

Councilmember Steinbrink asked if payment by the Village to American Security for monitoring of resident security systems was being reduced or eliminated as previously discussed by the Finance and Budget Committee. Mayor Siemborski added that when the dispatch service was stopped, the Village agreed to pay for monitoring the security systems of approximately 75 homes that had been covered. To end that agreement and push the cost to the resident would be 3-4 times what the Village is currently paying. So, the Village continues to pay the monitoring cost, and as those homes are sold or those individuals leave, that same service will not be provided to the successive owners. Englebrook Construction and Charles Harris payments were also discussed.

Councilmember Welsh moved to approve Pay Ordinance #1285. Councilmember Steinbrink seconded the motion.

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

5. Mayor's Report starts at 8:15

a. Brigham/River Road - Residents concerned with safety/noise/speed in the area have requested 1) to meet with ODOT directly, 2) a study of the area be done, and 3) a committee to work through the issue. The ODOT meeting has been scheduled for the end of next week.

b. Fire Department - Station Duty Proposal - starts at 11:04 - Fire Chief Majeski and his staff were asked to look at staffing the Fire Station with one individual over the period of time when Service Dept firefighters are not present - from 4pm on Friday when they leave until 7am on Monday when they return. Response time to emergency calls outside of weekday business hours has gotten longer. Firefighters live further from the Fire Station. There are fewer volunteer firefighters. Paid-on-call volunteer firefighters respond from home or wherever they are when available.

The Fire Chief and his team put together a proposal that would cost \$25,000 for the remaining six months of this year and provides for one firefighter on call Saturdays 8am until Sunday 8am and six holidays (Phase 1). In 2023, the majority of emergency incidents occurred on Saturday. In addition to manning the Station, over 700 fire hydrants need to be tested and maintained, and training requirements can be fulfilled. This may be something that we expand next year (Phase 2 would be more like \$80,000) or if it doesn't work well, we don't do it again.

At 15:10 Councilmembers commented positively and asked questions. Fire Chief Majeski and Assistant Fire Chief Jamieson provided detailed responses. At 34:00 Councilmember Welsh made a motion to approve full weekend coverage with a firefighter to respond to emergency calls (Phase 1 and 2). There was no second motion.

At 34:36 Councilmember Turner moved to approve **Station Duty Proposal Phase 1 - 2024 Saturday and Holiday Coverage**. Councilmember Broome seconded the motion.

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

c. Tennis/Pickleball Update - At 35:27 - The nets are here, and Service Director Biggert's team will put the nets together when poor weather keeps them inside.

d. Encore Update - At 35:56 - Flyers listing the different things being done within the Village to support the Music & Ideas Festival are available tonight and, on the website, - June 6, June 10, June 21, and June 23 Festival Finale. An internal Village meeting was held to talk about chairs, audiovisual equipment, and staging.

- e. Mayoral Appointments Subject to Council Confirmation: starts at 37:00
 - i. **Budget & Finance Committee** - Charlie Baker
 - ii. **Investment Board** - Dixon Morgan, Jr., Chair,
David Atton, Michael Press
 - iii. **Tree Canopy Subcommittee** -
David Atton, Sandra Turner, Nathaniel Smith, Mitchell Bass,
Erick Carlson, Holly Matthews, Lucy Chamberlain
 - iv. **Service Committee** - Trina Nemastil

Councilmember Welsh moved to approve the Mayoral Appointments to the Board and Committees discussed. Councilmember Deacon seconded the motion.

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

6. Areas of Strategic Importance - Bridging Plans into Action - At 40:00

a. Environmental - May 13th Special Council Meeting - Workshop - The Mayor reported the discussion focused on a structure and the steps to move forward to address the protection and preservation of our natural and scenic environment. The need to reach out to citizens and see if they are interested in participating in some way was also discussed. One Committee will oversee three subcommittees - the tree canopy subcommittee is now fully staffed and will be meeting hopefully over the next two weeks. Post-workshop feedback indicates a very aggressive and comprehensive plan was put forth that will take a number of years to complete; we likely will need outside professional or consultant help.

7. Clerk's Report - None

8. Financial Report attached and starts at 41:57

Mayor Siemborski presented the report for the last time as Treasurer Morgan will be doing this going forward. A Finance and Budget Committee meeting was held yesterday. At one-third through our fiscal year, we appear to be on course to achieve or do slightly better than our break even 2024 budget. The Mayfield Road Culvert Replacement project is almost complete and is coming in on budget with no large overages.

9. Police Department Report attached and starts at 44:24

The Police Chief added a speed camera record was set by a car going 97mph westbound on Mayfield Road. Proof positive for his support of the traffic camera program - no ridiculous chase to stop the car.

10. Service Department Report attached and starts at 45:15

The Mayor commented on the early start to the road programs this year.

11. Fire Department Report attached and starts at 46:36

The Fire Chief added first aid jump kits and oxygen equipment were upgraded, supplies were purchased for the hydrant project, and some of the department attended updated classes on electric vehicles and lithium-ion battery disposal. Mayor Siemborski noted during the first four months of 2024, our fire calls are up from 70 to 85, and our EMS calls are down from 82 to 54.

12. Committee Reports

Finance and Budget (Mayor Siemborski) starts at 48:00

- a. YTD Review - year end probable at budget or more favorable
- b. Municipal Income Tax Projection - probable \$100,000-\$200,000 to the good
- c. Levy Renewal - unanimously approved as a necessary revenue source
- d. Long Range Financial Schedule Update - numbers to be rerun to reflect comments, add some narrative, and report back at next meeting

Broadband (Councilmember Deacon) starts at 49:00

- RFP was sent out May 15 and so far, receipt has been acknowledged by five different vendors. RFP also went to Broadband Ohio, an agency we hope will forward to their statewide ISP list and generate interest from someone not currently operating in our area. We're asking for vendors' intent to respond by May 24, and then the response is due June 14th.
- Hunting Valley has now discussed due diligence, the process they went through, and specifications.
- All on track

13. **Resolution No. 2024-19 (First Reading)** starts at 50:34

"A Resolution Accepting the Bid of Rumpke of Ohio, Inc. for Refuse Collection, Disposal and Recycling Services, Authorizing a Contract Therefor, and Declaring an Emergency" was read by Mayor Siemborski. Service Director Biggert explained that of the three bidders at the bid opening, only Rumpke submitted a bid.

Councilmember Welsh suggested renegotiating since it's a 30% increase and the Service Director advised a bid needs to be accepted or declined. Councilmember Press suggested curbside pickup would generate more bidders and better prices - currently the price is 32.21 per month and the bid price is 43.00 per month for the first year. The contract is for a three-year term with two additional one-year options. Councilmember Atton lamented our requirements are so specific that we are forced to outsource to only one supplier - doing it ourselves might not be out of the question. Councilmember Turner noted the bid price was the same for blue bag or tote method of recycling. Responses from a survey of the 50 households in the tote pilot would be helpful in making a decision.

Joe Schoffstall, Rumpke's Municipal Sales Specialist, was introduced and stated recycling with totes is favored by people and cleaner. Residents have two frequency options - weekly service or bi-weekly service at a lower price. Totes are provided at no additional cost. Councilmember Turner asked if Rumpke tracked recycling for use in preparing our County report, and Councilmember Deacon asked if communication around acceptable recyclable items was provided. Mr. Schoffstall

replied in the affirmative to both questions. Resolution No. 2024-19 will be placed on first reading.

14. **Resolution No. 2024-16 (First Reading)** starts at 1:07:34

“A Resolution Declaring it Necessary to Renew an Existing 3.5 Mill Tax Levy for the Purpose of Current Expenses Pursuant to Ohio Revised Code Sections 5705.19(A) and 5705.191, Requesting the County Fiscal Officer to Certify the Total Current Tax Valuation of the Village and the Dollar Amount of Revenue that would be Generated by that Renewal Levy, and Declaring an Emergency” was read by Mayor Siemborski. This will provide no increase in taxes. The Village has three levies - a 3.5 mill levy, another 3.5 mill levy, and a 3-mill levy. Every two years those levies are up for discussion and renewal. The levy that we are asking to be renewed was first approved in 2005. It’s been approved three previous times. This would be the fourth renewal. It’s generating \$703,650 annually - roughly the same amount it generated in 2005. Law Director Hunt explained this is step one of two, and this step is to ask the County Fiscal Officer to get the information. There’ll be another piece of legislation if this is passed this evening. That is why the emergency clause is here - so we don’t have to wait 30 days to file. Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2024-16 be placed on its final passage. Councilmember Deacon seconded the motion to suspend the rules.

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

Councilmember Welsh moved to approve Resolution No. 2024-16 and Councilmember Press seconded the motion.

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

15. **Resolution No. 2024-17 (First Reading)** starts at 1:10:33

“A Resolution Authorizing and Directing the Transfer of Certain Sums from the General Fund to the Capital Improvement Fund” was read by the Mayor. The expenditure and contracts for County Line Road resurfacing have previously been approved. We never asked for approval to transfer the money. This resolution allows us to move \$600,000 from the General Fund into the Capital Improvement Fund. Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-17 be placed on its final passage. Councilmember Steinbrink seconded the motion to suspend the rules.

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

Councilmember Steinbrink moved to approve Resolution No. 2024-17 and Councilmember Turner seconded the motion.

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

16. **Resolution No. 2024-18 (First Reading)** starts at 1:12:10

“A Resolution Approving and Adopting the Tax Budget for the Village of Gates Mills for Fiscal Year 2025; and Declaring an Emergency” was read by Mayor Siemborski. The County Budget Commission requires us to submit information to them every July so they can calculate their tax budgets. Councilmember Welsh moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-18 be placed on its final passage. Councilmember Press seconded the motion to suspend the rules.

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

Councilmember Welsh moved to approve Resolution No. 2024-18 and Councilmember Press seconded the motion.

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

17. **Resolution No. 2024-20 (First Reading)** starts at 1:13:45

“A Resolution Authorizing the Mayor to Enter into a Contract with the Eclipse Companies, LLC for the County Line Culvert #20 at 1120 Project; and Declaring an Emergency” was read by Mayor Siemborski. Village Engineer Courtney stated this is the award of County Line Culvert #20, the culvert we are splitting the cost with Chester Township, located by address 1120, about 1500 feet north of Mayfield Road. His estimate was \$75,000. This proposal is for \$70,000 - our share is \$35,000. We were able to do it through soliciting quotes from contractors and not through a public bidding system. His history with Eclipse in other communities is good. Gates Mills had some issues with Eclipse in the past, but they have been sold and grown and they’re a completely different company. They need to be out of the way of the paving contractor by July so suspension of the rules is being requested. Councilmember Turner moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-20 be placed on its final passage. Councilmember Press seconded the motion to suspend the rules.

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

Councilmember Steinbrink moved to approve Resolution No. 2024-20 and Councilmember Deacon seconded the motion.

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

Motion carried.

18. Council Matters starts at 1:16:43

Councilmember Turner advised of the tree planting dedication in honor of Paula Nock, our Gates Mills Post Office clerk who passed away in December. It will take place on the Green at the Post Office on Saturday, June 29th at 1:00 p.m. Her family will be there, and refreshments follow at Addie's Cup.

At 1:17:57 Councilmember Press addressed Charter Amendment one last time. Doing something with a Charter Amendment would be consistent with the Comprehensive Plan as well as with the advice by zoning expert Bruce Rinker to the Advisory Committee. It's going to take a while. We don't want to rush a Charter Amendment. It's a big deal, but I propose a resolution that Council agrees that they'll proceed with the design and implementation of a Charter Amendment such that any zoning ordinance that either a) change the five-acre spacing, b) modify Section 1160, or c) otherwise encourage higher density housing or multi-family housing shall be submitted to the voters for resolution. Councilmember Welsh stated I'll second it.

At 1:20:12 the Law Director advised this should be a motion rather than a resolution. Councilmember Press acknowledged that, and advised he is not concerned with the timing of going on the ballot - he is concerned that we get it right and not feel pressured or rushed. Better wording might prevail. A decision needs to be made one way or the other. The Law Director advised the next step in the process would be to put together an ordinance with a specific Charter Amendment suggested ballot language. The ordinance would have to be passed by Council and then go to the Board of Elections at least 60 days before the election. Councilmember Atton added Council would need 75% of the vote, i.e. five members, to vote in favor.

At 1:21:50 Councilmember Turner thanked Councilmember Press for continuing to bring up this unfinished issue. After her review of the Charter Review Commission Report and presentation Shawn Riley made at the November Council meeting, she found the Commission recommended, if Council is considering a change to the zoning code, holding a public meeting at which residents would be able to weigh in on the changes and then proceed with a vote. After that, if the change that was decided by Council was unacceptable to the villagers, 10% of the citizens would be able to gather a petition in an initiative to repeal that zoning change. Councilmember Turner noted the Commission's recommendation applied to any zoning change. She supports going back to the Charter Review Commission with a Council recommendation indicating whether or not we want to pursue the language as proposed by Councilmember Press. Councilmember Press sees no point in sending it back to the Commission. Under their mechanism, there's no assurance that it will go to the voters unless the voters do their own referendum. Many of us at this table and beyond have all said any significant zoning changes should go to the voters. Yet the Commission did not achieve that - it says we're going to have a public hearing and then Council decides whether or not to take it to the Charter. Councilmember Press thinks we go with his language, or not and move on and forget about Charter Amendment.

At 1:25:02 Councilmember Steinbrink indicated his surprise with seeing a draft of this resolution for less than a day, and Councilmember Press responded we don't have to pass it tonight. Councilmember Steinbrink prefers to be thoughtful and not

make snap judgements. He is concerned with boundary realignment and lot split requests made to Planning & Zoning on a regular basis whereby P & Z effectively approves a new lot less than five acres - are we creating something that takes away that flexibility from P & Z? Councilmember Press has no interest in taking away flexibility from P & Z; he wants to agree to do it and then take our time to work out the wording.

At 1:26:44 Councilmember Atton suggested not getting too caught up in the specifics of the language. We are trying to react to the Comprehensive Plan process which, in his view, had two primary findings - to protect the environment we live in and everything that goes with it, and we don't want any significant changes in zoning. Zoning is fundamental to the lifestyle we have here. The question really is - is Council prepared to trust the residents to make decisions like this? He thinks yes. How we do it is a separate question. We should be asking residents for their views on decisions of this kind. The wording is a technical matter.

At 1:27:55 Councilmember Broome discussed any change to the minimum lot zoning would not change the flexibility that P & Z has in boundary realignments. Councilmember Atton concurred the role or flexibility or authority of P & Z is not affected - we are talking about switching the role of Council to the voters. Councilmember Turner supports looking into the concept but does not want to be restricted by the language. Language is important and this resolution has language that is going to bind us going down the road.

At 1:30:38 Councilmember Deacon spoke to a number of items in the Charter that do not conform with existing statute. There are technical changes that need to be made and if we are going to the voters with this, we really should do a cleanup. She supports conferring with the expertise of the Commission if people are worried about the language. Councilmember Press contends referring to committee is synonymous for killing something.

At 1:32:10 Councilmember Steinbrink discussed the importance of process - public hearings and town halls affording the opportunity for explanation. He prefers something of this magnitude be thought out by a committee like everything else has been done. Our neighboring communities have not done any of this and we already have a five-acre minimum lot size in our ordinances. What does this do for us over and above what we already have? Councilmember Press responded it boils down to if we're going to make a significant zoning change, is Council going to do that or are we going to let the residents do that.

At 1:34:08 Councilmember Broome attempted to clarify. Who goes first is the question we're talking about. Under the current Charter, if there were a change, Council would make the change and the residents could by referendum overrule that change. What we are talking about is the change would have to go to a vote of the residents to make the change; Council wouldn't have the ability to make the change and then have it subject to a referendum effort by the voters. Any change would have to go to the voters first. Councilmember Press did not agree and tried another angle. He believes his colleagues around the table would do the right thing if a zoning change were put before us and he thinks this Council would take it to the voters. But he is not sure what some future Council would do. Law Director Hunt stated this circumvents the referendum petition process where signatures equal to 10% of the electors at the last municipal election are necessary to put it on the ballot. Councilmember Broome added

it makes it so that if Council wants to make a change in these areas, Council has to go to the voters after voting for it. Councilmember Press made one last comment - there are residents in the village who are talking about putting a voter initiative through on their own to modify the Charter if we don't do anything. Councilmember Broome felt it would be better to have Council recommend the change, because we want to make sure the change gets the eyes of our Law Director and the eyes of everybody, so we don't change something that later hamstrings something that is a good and useful flexibility. It's better that Council look at the Charter Amendment and to propose it ourselves. If someone is going to propose it, it would be better that Council study it and do it first.

At 1:38:39 Councilmember Press wanted to vote on the motion and the Mayor requested a second. Councilmember Atton seconded the motion.

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

At 1:40:32 Councilmember Atton requested the names of the members and chairperson of the Broadband Committee. The Mayor will get that.

19. Business from the Audience starts at 1:41:00

Jerry Bohinc can't think of any politician who hasn't said that a zoning change of some consequence would go to the voters, and he congratulated Councilmember Press for proposing a perceived two-step process - 1) Council reaffirms that general principle, which they have done, and 2) determine the best way to embed that through some heavy lifting into the Charter making it more permanent. He concurred with Councilmember Steinbrink that some heavy thinking is necessary to change the Charter. We've got to start with a report, but Council has to get comfortable with that. As an interim step, this is a great night, and I salute you all.

At 1:42:40 Chuck Spear recalled there was some conversation a while ago around giving the audience an opportunity to input early in the discussion rather than later. That has not happened. We have lost a member of the audience, Mark Shoag, and Chuck extended his condolences to his wife, Betsy, and to his family. The Fire Chief's proposal was an amazing piece of work, but an EMT/fire/police levy should be considered as the matter of safety is addressed. To Councilmember Atton in regard to the statement a 30% increase in appraised value will translate to a 3% increase in taxes, I want to hear from you that the 145 new residents in the last three years will get a larger increase because it is really wrong to say it's just 3%. Councilmember Atton replied you misunderstood a very general statement - if all property values were increased by the County by 30% and that's the only thing that happened, their real estate taxes would go up by 3-4%. I don't know about those 145 people who paid more for their house than appraised value - they have to figure it out themselves. Finally, congratulations to the Mayor regarding Ancora, investment strategy, and the appointment of Councilmembers Atton and Press and Treasurer Morgan to serve on the Treasury Advisory Board.

At 1:49:25 Councilmember Broome responded to Jerry Bohinc's comment on "the dust up on River Road" (Glynos property) by making it really clear there was no

chance the Payne & Payne proposal was going to get approved by P & Z. Nobody in the prior administration or anybody else came to me to say this thing should get approved. Payne & Payne was looking for an advisory opinion from P & Z, which we don't give, but they were trying to see whether there was an appetite for that. They came in with something completely different compared to the thing submitted initially. Out of politeness and respect and the way we carry ourselves, we didn't ask them to just leave without hearing what they had to say because their proposal was very different. It had no chance. With that being said, Councilmember Press' concern that there could be different Councils after us that might view things different than we do and preserving the place and leaving it to the residents to decide what their community is going to be like - I think it's a good proposal. We just have to make sure that we don't jam up any of the day-to-day things done to keep everything working and flowing by passing something that interferes with those. I want to calm everyone's fears that there is not this boogeyman of a development push out there. I don't think anyone around this table or anyone on P & Z would be inclined to push that.

21. Adjourn

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

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Steven L. Siemborski, Mayor

VILLAGE OF GATES MILLS, CUYAHOGA COUNTY

6/3/2024 12:48:40 PM

Payment Listing

UAN v2024.2

May 2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
83-2024	02/07/2024	02/07/2024	CH	CUYAHOGA COUNTY TREASURER	\$19,982.18 *	C
83-2024	02/13/2024	02/13/2024	NEG ADJ	CUYAHOGA COUNTY TREASURER	-\$525.04 *	C
83-2024	02/16/2024	02/16/2024	NEG ADJ	CUYAHOGA COUNTY TREASURER	-\$3,124.57 *	C
83-2024	04/17/2024	04/17/2024	NEG ADJ	CUYAHOGA COUNTY TREASURER	-\$148.65 *	C
83-2024	04/22/2024	04/22/2024	NEG ADJ	CUYAHOGA COUNTY TREASURER	-\$5,556.26 *	C
83-2024	05/09/2024	05/09/2024	NEG ADJ	CUYAHOGA COUNTY TREASURER	-\$638.31	C
230-2024	04/23/2024	04/23/2024	CH	SAM'S CLUB	\$265.48 *	C
230-2024	05/09/2024	05/09/2024	NEG ADJ	SAM'S CLUB	-\$132.74	C
246-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$9.50	C
247-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$9.50	C
248-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$9.50	C
249-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$9.50	C
250-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$9.50	C
251-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$13.69	C
252-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$17.88	C
253-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$18.70	C
254-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$53.49	C
254-2024	05/06/2024	05/06/2024	NEG ADJ	DIVISION OF WATER	-\$53.49	C
255-2024	05/01/2024	05/03/2024	CH	DIVISION OF WATER	\$461.52	C
256-2024	05/02/2024	05/03/2024	CH	DIVISION OF WATER	\$290.59	C
257-2024	05/02/2024	05/03/2024	CH	CLEVELAND ILLUMINATING CO.	\$94.82	C
258-2024	05/02/2024	05/03/2024	CH	CLEVELAND ILLUMINATING CO.	\$99.15	C
259-2024	05/02/2024	05/03/2024	CH	CLEVELAND ILLUMINATING CO.	\$163.79	C
260-2024	05/02/2024	05/03/2024	CH	CLEVELAND ILLUMINATING CO.	\$364.95	C
260-2024	05/09/2024	05/09/2024	NEG ADJ	CLEVELAND ILLUMINATING CO.	-\$364.95	C
261-2024	05/03/2024	05/03/2024	CH	CLEVELAND ILLUMINATING CO.	\$509.43	C
262-2024	05/03/2024	05/03/2024	CH	CLEVELAND ILLUMINATING CO.	\$483.42	C
263-2024	05/03/2024	05/03/2024	CH	THE HARTFORD	\$203.34	C
264-2024	05/03/2024	05/03/2024	CH	CHARTER COMMUNICATIONS	\$5.73	C
265-2024	05/03/2024	05/03/2024	CH	OPERS PUBLIC EMPLOYEES	\$19,178.82	C
266-2024	05/03/2024	05/03/2024	CH	OHIO POLICE & FIRE PENSION	\$26,673.40	C
267-2024	05/03/2024	05/03/2024	CH	AETNA HEALTH INC. (OHIO)	\$41,138.81	C

VILLAGE OF GATES MILLS, CUYAHOGA COUNTY

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Payment Listing

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Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
268-2024	05/06/2024	05/06/2024	CH	CHASE BANK	\$2.50	C
269-2024	05/06/2024	05/06/2024	CH	CLEVELAND ILLUMINATING CO.	\$99.57	C
270-2024	05/07/2024	05/08/2024	CH	CLEVELAND ILLUMINATING CO.	\$97.82	C
271-2024	05/07/2024	05/08/2024	CH	CLEVELAND ILLUMINATING CO.	\$99.84	C
272-2024	05/08/2024	05/08/2024	CH	DOMINION EAST OHIO	\$191.00	C
273-2024	05/08/2024	05/08/2024	CH	DOMINION EAST OHIO	\$212.00	C
273-2024	05/09/2024	05/09/2024	NEG ADJ	DOMINION EAST OHIO	-\$212.00	C
274-2024	05/09/2024	05/09/2024	CH	CLEVELAND ILLUMINATING CO.	\$49.95	C
275-2024	05/09/2024	05/09/2024	CH	VERIZON WIRELESS	\$612.89	C
276-2024	05/10/2024	05/10/2024	CH	CLEVELAND ILLUMINATING CO.	\$375.56	C
277-2024	05/13/2024	05/13/2024	CH	DELTA DENTAL	\$1,941.97	C
278-2024	05/13/2024	05/13/2024	CH	CLEVELAND ILLUMINATING CO.	\$94.82	C
279-2024	05/13/2024	05/13/2024	CH	CLEVELAND ILLUMINATING CO.	\$95.05	C
280-2024	05/13/2024	05/13/2024	CH	CLEVELAND ILLUMINATING CO.	\$671.91	C
281-2024	05/14/2024	05/14/2024	CH	PRIME PAY	\$644.65	C
282-2024	05/14/2024	05/14/2024	CH	DOMINION EAST OHIO	\$242.16	C
283-2024	05/14/2024	05/14/2024	CH	PRIME PAY	\$68,610.46	C
284-2024	05/15/2024	05/15/2024	CH	CINTAS CORPORATION #259	\$2,032.41	C
285-2024	05/15/2024	05/15/2024	CH	EQUIVEST	\$2,488.00	C
286-2024	05/15/2024	05/15/2024	CH	OHIO DEFERRED COMP	\$7,072.54	C
287-2024	05/15/2024	05/15/2024	CH	OHIO DEFERRED COMP	\$660.00	C
288-2024	05/16/2024	05/16/2024	CH	HOME DEPOT CRC	\$306.36	C
289-2024	05/16/2024	05/16/2024	CH	LYNDHURST MUNI COURT	\$29,180.00	C
290-2024	05/20/2024	05/28/2024	CH	CLEVELAND ILLUMINATING CO.	\$876.18	C
291-2024	05/22/2024	05/28/2024	CH	DIVISION OF WATER	\$67.20	C
292-2024	05/23/2024	05/28/2024	CH	SAM'S CLUB	\$212.56	C
292-2024	05/31/2024	05/31/2024	NEG ADJ	SAM'S CLUB	-\$0.02	C
293-2024	05/28/2024	05/28/2024	CH	FIRST COMMUNICATIONS, LLC	\$2,777.60	C
294-2024	05/28/2024	05/28/2024	CH	PRIME PAY	\$68,932.02	C
295-2024	05/29/2024	05/29/2024	CH	OHIO DEFERRED COMP	\$7,222.54	C
296-2024	05/29/2024	05/29/2024	CH	OHIO DEFERRED COMP	\$785.00	C
297-2024	05/29/2024	05/29/2024	CH	EQUIVEST	\$2,488.00	C

VILLAGE OF GATES MILLS, CUYAHOGA COUNTY

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Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
298-2024	05/29/2024	05/29/2024	CH	CHASE CARD SERVICE	\$1,442.71	C
299-2024	05/30/2024	05/30/2024	CH	CLEVELAND ILLUMINATING CO.	\$447.16	C
300-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$9.50	C
301-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$9.50	C
302-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$9.50	C
303-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$9.50	C
304-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$9.50	C
305-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$13.69	C
306-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$18.70	C
307-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$25.00	C
308-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$67.73	C
308-2024	05/31/2024	05/31/2024	NEG ADJ	DIVISION OF WATER	-\$67.73	C
309-2024	05/30/2024	05/30/2024	CH	DIVISION OF WATER	\$482.89	C
310-2024	05/31/2024	06/03/2024	CH	STATE TREASURER OF OHIO	\$1,050.00	C
311-2024	05/31/2024	06/03/2024	CH	REDSS	\$140.00	C
312-2024	05/31/2024	06/03/2024	CH	LYNDHURST MUNI COURT	\$42.00	C
313-2024	05/31/2024	06/03/2024	CH	LYNDHURST MUNI COURT	\$275.00	C
314-2024	05/31/2024	06/03/2024	CH	LYNDHURST MUNI COURT	\$260.00	O
7284	01/15/2024	01/14/2024	AW	CUY. SOIL & WATER CONS. DST.	\$6,000.00 *	C
7284	05/06/2024	05/06/2024	NEG ADJ	CUY. SOIL & WATER CONS. DST.	-\$6,000.00	C
7427	03/11/2024	03/10/2024	AW	C.W. COURTNEY COMPANY	\$44,938.63 *	C
7427	05/16/2024	05/16/2024	NEG ADJ	C.W. COURTNEY COMPANY	-\$2,789.50	C
7522	04/16/2024	04/16/2024	AW	MARGARET HERRON	\$600.00 *	V
7522	05/03/2024	05/03/2024	AW	MARGARET HERRON	-\$600.00	V
7536	04/16/2024	04/16/2024	AW	DUSTBUSTER	\$510.00 *	V
7536	05/09/2024	05/09/2024	AW	DUSTBUSTER	-\$510.00	V
7579	05/03/2024	05/03/2024	AW	AKE ENVIRONMENTAL, INC.	\$2,437.70	C
7580	05/03/2024	05/03/2024	AW	AUBURN PIPE & PLUMBERS SUPPLY	\$343.02	C
7581	05/03/2024	05/03/2024	AW	CHAGRIN VALLEY DISPATCH	\$17,240.13	C
7582	05/03/2024	05/03/2024	AW	CHAGRIN VALLEY NURSERIES, INC.	\$260.00	C
7582	05/09/2024	05/09/2024	NEG ADJ	CHAGRIN VALLEY NURSERIES, INC.	-\$130.00	C
7583	05/03/2024	05/03/2024	AW	CHARDON WELDING INC.	\$9.50	C

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Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
7584	05/03/2024	05/03/2024	AW	MICHAEL E. CICERO	\$850.00	C
7585	05/03/2024	05/03/2024	AW	CUYAHOGA CO BOARD OF HEALTH	\$100.00	C
7586	05/03/2024	05/03/2024	AW	CUYAHOGA LANDMARK	\$995.75	C
7587	05/03/2024	05/03/2024	AW	DUSTBUSTER	\$510.00	C
7588	05/03/2024	05/03/2024	AW	FIRE FORCE INC	\$1,105.00	C
7589	05/03/2024	05/03/2024	AW	FIRST CALL	\$47.19	C
7590	05/03/2024	05/03/2024	AW	JAYDEE ENTERPRISES, INC.	\$45.00	C
7591	05/03/2024	05/03/2024	AW	MARSHALL POWER EQUIPMENT	\$48.98	C
7592	05/03/2024	05/03/2024	AW	OHIO PEACE OFFICER TRAINING AC	\$1,100.00	C
7593	05/03/2024	05/03/2024	AW	THE ORIGINAL FARINACCI LANDSCAPE DESIGN	\$500.00	C
7594	05/03/2024	05/03/2024	AW	RUGG'S PEST MANAGEMENT	\$360.00	C
7594	05/09/2024	05/09/2024	NEG ADJ	RUGG'S PEST MANAGEMENT	-\$360.00	C
7595	05/03/2024	05/03/2024	AW	SHUTTLE'S UNIFORM INC.	\$888.00	C
7596	05/03/2024	05/03/2024	AW	SIGNAL SERVICE COMPANY	\$1,260.00	C
7597	05/03/2024	05/03/2024	AW	STATE OF OHIO UST FUND	\$1,100.00	C
7598	05/03/2024	05/03/2024	AW	TURNEY HOME & AUTO	\$477.74	O
7599	05/03/2024	05/03/2024	AW	MARGARET HEYDORN	\$600.00	C
7600	05/09/2024	05/09/2024	AW	DUSTBUSTER	\$510.00	C
7601	05/09/2024	05/09/2024	AW	ADVANCED GAS & WELDING SOLUTIO	\$454.76	C
7602	05/09/2024	05/09/2024	AW	BOB ANDREANO	\$482.24	C
7603	05/09/2024	05/09/2024	AW	THOMAS J COOK	\$700.00	O
7604	05/09/2024	05/09/2024	AW	MATT RUTKOWSKI	\$91.16	O
7605	05/09/2024	05/09/2024	AW	SUZANNE SNELSON	\$810.00	C
7606	05/09/2024	05/09/2024	AW	VANCE OUTDOORS, INC	\$537.55	C
7607	05/13/2024	05/13/2024	AW	AKE ENVIRONMENTAL, INC.	\$2,160.00	C
7608	05/13/2024	05/13/2024	AW	TREASURER, STATE OF OHIO	\$101.25	C
7609	05/13/2024	05/13/2024	AW	ABATE LANDSCAPING FLORIST	\$74.76	C
7610	05/13/2024	05/13/2024	AW	AUBURN PIPE & PLUMBERS SUPPLY	\$89.70	C
7611	05/13/2024	05/13/2024	AW	CCM RENTAL	\$80.50	C
7612	05/13/2024	05/13/2024	AW	CHAGRIN VALLEY NURSERIES, INC.	\$31.00	C
7613	05/13/2024	05/13/2024	AW	CLEVELAND PLUMBING SUPPLY CO.	\$3,443.30	C
7614	05/13/2024	05/13/2024	AW	SIGNAL SERVICE COMPANY	\$290.00	C

VILLAGE OF GATES MILLS, CUYAHOGA COUNTY

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Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
7615	05/13/2024	05/13/2024	AW	SITEONE LANDSCAPE SUPPLY	\$125.44	C
7616	05/13/2024	05/13/2024	AW	SOUTHEASTERN EQUIPMENT CO INC	\$634.01	C
7617	05/13/2024	05/13/2024	AW	SHRED-IT	\$1,059.20	C
7618	05/13/2024	05/13/2024	AW	WINZER	\$311.46	C
7619	05/28/2024	05/28/2024	AW	CHESTER TOWNSHIP	\$450,000.00	C
7620	05/28/2024	05/28/2024	AW	AMERICAN SECURITY & AV SYSTEMS	\$702.51	O
7621	05/28/2024	05/28/2024	AW	ADVANCE OHIO	\$1,098.24	C
7622	05/28/2024	05/28/2024	AW	DISTILLATA COMPANY	\$137.30	C
7623	05/28/2024	05/28/2024	AW	KOLENZ TRANSPORT INC	\$4,800.00	O
7624	05/28/2024	05/28/2024	AW	TOM MAJESKI	\$35.00	O
7625	05/28/2024	05/28/2024	AW	RUMPKE	\$88.82	O
7626	05/28/2024	05/28/2024	AW	SENSYS GATSO USA, INC.	\$33,098.00	O
7627	05/28/2024	05/28/2024	AW	SHUTTLE'S UNIFORM INC.	\$341.00	O
7628	05/28/2024	05/28/2024	AW	TECHNOLOGY MANAGEMENT SOLUTION	\$1,380.00	O
7629	05/28/2024	05/28/2024	AW	ULLMAN OIL COMPANY	\$9,268.50	C
7630	05/28/2024	05/28/2024	AW	UNIQUE PAVING MATERIALS CORP.	\$285.00	C
7631	05/28/2024	05/28/2024	AW	UNITED SURVEY, INC.	\$4,700.00	O
7632	05/28/2024	05/28/2024	AW	ZOOM CAR WASH	\$144.00	O
7633	05/28/2024	05/28/2024	AW	WEATHER LOCK ROOFING	\$17,708.64	C
Total Payments:					\$847,466.58	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$847,466.58	

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		\$847,466.58
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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)

Clerk

**VILLAGE OF GATES MILLS
FINANCIAL STATEMENT
MAY 31, 2024**

	2024 BUDGET	Current Month	2024 Year to Date	2023 Year to Date
General Fund (GF) Revenues:				
Taxes:				
Real Estate Taxes	2,488,500	145,973	1,417,005	1,349,765
Municipal Income Taxes	2,100,000	492,913	985,647	839,949
Share of Sales and State Taxes	28,000	5,755	25,316	28,647
Total Tax Revenue	4,616,500	644,642	2,427,968	2,218,361
Other Sources:				
Fines and Costs	75,100	7,157	29,670	36,825
Traffic Camera Gross Receipts	1,518,400	122,945	701,000	-
Building/Liquor Permits & Licenses	51,040	12,993	37,534	37,075
Interest Income	259,000	25,700	132,180	50,638
Rental Income	222,960	2,500	130,271	147,560
Mills Building Rental Income	142,631	9,649	43,636	54,888
Ambulance Income	36,000	-	35,386	17,952
SRO Reimbursement	94,450	7,871	39,354	37,858
Misc	47,750	120	23,729	11,806
Total Other Sources Revenue	2,447,331	188,935	1,172,760	394,602
Assessments:				
School Board/Property Assessment	-	-	-	-
Total General Fund Revenues	7,063,831	833,576	3,600,729	2,612,963
Add Year Beginning General Fund Balance		7,898,052	7,580,424	7,811,278
Less Expenses:				
Administration Costs	(see Page 2)	(34,959)	(391,270)	(363,426)
Administration - Transfers		(600,000)	(796,500)	(496,500)
Police Department Costs	(see Page 3)	(199,574)	(1,077,276)	(746,644)
Fire Department Costs	(see Page 3)	(11,766)	(79,543)	(86,894)
Fire Department Ambulance	(see Page 3)	-	(183,290)	(222,388)
Service Department Costs	(see Page 4)	(137,840)	(905,785)	(958,281)
Total General Fund Expenses		(984,140)	(3,433,663)	(2,874,133)
Current General Fund Balance		7,747,489	7,747,489	7,550,108
Plus:				
Other Fund Current Balances		2,214,615	2,214,615	1,891,633
Total Current Balance - All Funds		9,962,104	9,962,104	9,441,741

VILLAGE OF GATES MILLS
FINANCIAL STATEMENT
MAY 31, 2024

	2024 BUDGET	2024 Month Expenses	2024 To Date Expenses	2023 To Date Expenses
ADMINISTRATION:				
Salaries and Wages	165,000	12,488	68,630	66,464
Health Insurance	54,180	4,460	28,291	21,456
Worker's Comp/Medicare	8,000	212	1,705	1,562
Employee Retirement (OPERS)	27,900	2,081	11,385	11,043
PERSONNEL COSTS	255,080	19,241	110,012	100,525
Legal - Law Director	60,000	-	16,717	10,695
Legal - Prosecutor	48,000	850	13,438	12,538
Legal - Other	500	-	8	153
Engineering	33,900	2,377	13,437	14,028
Other Professional Services	114,500	(1,306)	51,601	54,452
LEGAL AND PROFESSIONAL	256,900	1,921	95,202	91,866
General Insurance	120,000	-	116,741	103,887
Income Tax Expense	75,000	13,488	28,240	23,824
County Auditor Expenses	64,000	-	33,289	36,822
Office Expenses	9,500	34	4,844	2,960
Miscellaneous Expenses	5,000	275	2,943	3,542
OTHER ADMINISTRATIVE COSTS	273,500	13,797	186,057	171,035
ADMINISTRATION OPERATING COSTS	785,480	34,959	391,270	363,426
Transfers to Other Funds	1,096,500	600,000	796,500	496,500
TOTAL ADMINISTRATION COSTS	1,881,980	634,959	1,187,770	859,926

VILLAGE OF GATES MILLS
FINANCIAL STATEMENT
MAY 31, 2024

	2024 BUDGET	2024 Month Expenses	2024 To Date Expenses	2023 To Date Expenses
POLICE DEPARTMENT:				
Salaries and Wages	1,134,000	88,440	484,689	464,484
Overtime	50,000	4,214	14,351	10,590
Health, OPERS, MEDI, Worker Comp	274,700	20,728	122,518	105,875
PERSONNEL COSTS	1,458,700	113,382	621,558	580,949
Gasoline	25,000	3,162	7,003	11,247
Repairs and Maintenance	16,000	144	5,559	4,302
Uniforms	15,000	1,229	3,000	4,401
Training/Conferences	12,000	1,100	4,578	11,069
Dispatch Operating Fee	170,100	14,063	70,315	80,360
Alarm System Fee	18,000	-	8,662	9,607
Maintenance Agreements/Radio Expenses	29,000	3,177	20,623	20,936
Traffic Camera Program LMC	312,000	29,180	118,800	-
Traffic Camera Program Gatso	379,400	33,098	197,400	-
Other Expenses	16,000	1,039	4,736	6,371
V.E.G.	11,000	-	11,000	10,000
OTHER POLICE DEPART COSTS	1,003,500	86,192	451,677	158,293
Vehicle Purchases	60,000	-	-	-
Equipment Purchases	12,000	-	4,040	7,402
CAPITAL EXPENDITURES	72,000	-	4,040	7,402
TOTAL POLICE DEPARTMENT COSTS	2,534,200	199,574	1,077,276	746,644

FIRE DEPARTMENT:				
Salaries and Wages	160,000	9,111	56,157	62,559
PERS, MEDI, SOC SEC, Worker Comp	31,150	786	6,249	6,531
PERSONNEL COSTS	191,150	9,897	62,406	69,090
Vehicle Maintenance	11,000	31	96	71
Ambulance/EMS <i>see below</i>	437,000	-	183,290	222,388
Training/Conferences	12,000	-	-	823
Contracts & Annual Fees	24,000	1,347	11,913	13,823
Other Expenses	10,000	491	1,327	492
OTHER FIRE DEPARTMENT COSTS	494,000	1,869	196,626	237,597
CAPITAL EXPENDITURES	63,125	-	3,801	2,595
TOTAL FIRE DEPARTMENT COSTS	748,275	11,766	262,832	309,282
<i>Ambulance Income on Cover Page</i>	36,000	-	35,386	17,952

**VILLAGE OF GATES MILLS
FINANCIAL STATEMENT
MAY 31, 2024**

	2024 BUDGET	2024 Month Expenses	2024 To Date Expenses	2023 To Date Expenses
SERVICE DEPARTMENT:				
Salaries and Wages	776,600	58,588	314,387	302,824
Overtime	30,975	752	14,173	12,864
Health, OPERS, MEDI, Worker Comp	323,650	26,777	152,136	130,000
PERSONNEL COSTS	1,131,225	86,116	480,696	445,688
Salt/Aggregate (snow removal)	65,000	4,800	26,273	67,395
Building Inspection	12,000	700	4,066	5,073
Equipment Maintenance	46,000	2,237	32,520	31,139
Gasoline Expense	40,000	6,107	16,068	18,113
Supplies/Uniforms	34,000	2,782	15,586	15,925
OPERATING COSTS	197,000	16,626	94,512	137,645
BUILDING OPERATION & MTC				
Village Hall	127,300	8,205	38,385	53,017
Village Houses	12,300	-	63	1,048
Community Building	65,200	18,474	28,326	7,725
Post Office	3,000	43	521	4,169
OBT Building	1,940	114	701	763
Wash House	3,700	27	27	13
Burton Court	3,100	99	3,596	3,094
Mills Building	34,010	559	37,560	53,684
BUILDING OPERATION & MTC	250,550	27,523	109,179	123,513
Street Repair	8,000	285	888	1,084
Ditch, Drain, Sewers	35,500	3,907	5,601	1,196
Tree Grinding (Contractors)	15,000	-	15,275	800
Street Lighting	17,100	2,792	7,819	8,815
Parks	21,000	431	2,906	9,911
Guardrails, Signs, Bridges	26,600	160	943	2,250
STREETS AND ROADS	123,200	7,575	33,432	24,056
Vehicles	181,400		174,689	208,512
Other Equipment	20,000		13,277	18,867
CAPITAL EXPENDITURES	201,400	-	187,966	227,379
TOTAL SERVICE DEPARTMENT COSTS	1,903,375	137,840	905,785	958,281

VILLAGE OF GATES MILLS
FINANCIAL STATEMENT
MAY 31, 2024

	Beginning Year Balance	Year-to-date Actual Receipts	Year-to-date Actual Expenses	Unexpended Balance
Street Const Maint Repair	134,824	84,185		219,010
State Highway	27,243	6,928	17,344	16,827
Bond Retirement (KeyBank Loans)	2,730	-	-	2,730
	<u>164,797</u>	<u>91,113</u>	<u>17,344</u>	<u>238,566</u>
Capital Improvement	420,762	602,345	589,631	433,476
Water	284,003	16,500	21,240	279,263
Wastewater Plant	29,776	41,362	35,550	35,587
Park Recreation	53,947	27,474	22,786	58,635
Cemetery	54,799	5,000	579	59,220
Mayor's Court-Violations Bureau	1,220	12,771	12,331	1,660
Mayor's Discretionary	285	1,500	240	1,545
Purcell Trust	31,800	-	-	31,800
Land Conservation	210,318	127,689	65,523	272,484
Local Fiscal Recovery Fund (ARPA)	499,530	-	6,201	493,329
Building Bond Deposit	129,989	9,891	-	139,880
Underground Storage Tank	11,000	-	-	11,000
Safety Fund	26,714	450	14,398	12,766
Police Relief & Pension	23,104	198,294	90,160	131,238
Law Enforcement	265	-	265	-
VEST Grant	-	-	-	-
OneOhio Fund (Opiod)	1,769	139	149	1,759
STATE Grants	20,008	-	7,600	12,408
TOTAL OTHER FUNDS	<u>1,964,085</u>	<u>1,134,527</u>	<u>883,996</u>	<u>2,214,615</u>
GENERAL FUND	7,580,424	3,600,729	3,433,663	7,747,489
TOTAL ALL FUNDS	<u>9,544,509</u>	<u>4,735,255</u>	<u>4,317,660</u>	<u>9,962,104</u>

STATE OF THE VILLAGE
MAY 31, 2024

	2024	2023
Total Current Balance - All Funds	9,962,104	9,441,745
Cash and Investments:	5/31/2024	5/31/2023
Cash:		
ANCORA	8,569,992	8,398,737
CHASE DDA	201,328	224,133
CHASE SAV - LAND CONS	272,484	220,004
CHASE VIOLATIONS BUREAU	41,819	38,614
Star Ohio	<u>924,533</u>	<u>569,113</u>
Total Cash	10,010,156	9,450,601
(OUTSTANDING CHECKS)	<u>(48,051)</u>	<u>(8,856)</u>
Total Cash and Investments	9,962,104	9,441,745

** From Wastewater Fund

GENERAL FUND SUMMARY	BUDGET	MAY	2024 YEAR TO DATE	2023 YEAR TO DATE
Real Estate Taxes	2,488,500	145,973	1,417,005	1,349,765
Municipal Income Tax	2,100,000	492,913	985,647	839,949
Share of Sales and State Taxes	28,000	5,755	25,316	28,647
Other Sources	2,447,331	188,935	1,172,760	394,602
Assessments	-	-	-	-
TOTAL OPERATING REVENUES	7,063,831	833,576	3,600,729	2,612,963
OPERATING EXPENSES				
Administration Department	785,480	34,959	391,270	363,426
Police Department	2,534,200	199,574	1,077,276	746,644
Fire Department	748,275	11,766	262,832	309,282
Service Department	1,903,375	137,840	905,785	958,281
Transfers excluding Inheritance Taxes	1,096,500	600,000	796,500	496,500
TOTAL OPERATING EXPENSES	7,067,830	984,140	3,433,663	2,874,133
SURPLUS (DEFICIT)	(3,999)	(150,563)	167,065	(261,170)

Project	May 31, 2024	BUDGET	MAY	YEAR TO DATE EXPENSES	COURTNEY	OTHER	SCMR/STHWY
	CAPITAL IMPROVEMENT						
	2024 ROAD PROGRAM	900,000	450,000	564,429	114,429	450,000	
	SERVICE LOT PAVING	70,000		-			
	STORM WATER REGS AND ISSUES	20,000		2,015	2,015		
	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	
TOTAL	CAPITAL IMPROVEMENT	1,083,000	450,000	589,632	116,444	473,188	-

Village of Gates Mills

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

June Council Report

- 1) No incidents occurred at the St. Francis of Assisi Festival. Our officers along with our mutual aid partners who assisted did a great job!
- 2) A Chagrin Falls female was arrested for OVI after causing property damage in Chesterland and Gates Mills. The female was highly impaired, uncooperative and belligerent. She was transported to Hillcrest by squad because of her condition.
- 3) Two Part-Time officers are resigning due to conflicts with their full-time departments.

Monthly Totals:

- 58 Traffic Citations.
- 28 Warnings.
- 21 Incident/Accident reports
- 7,812 Patrol Miles.
- 933 House Checks
- Total Fines \$7,157.00

Sincerely,



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

Gates Mills Service Department

"Yours in service since 1920"

TO: Mayor
and Council Members

FROM: Dave Biggert, Service Director

RE: SERVICE DEPARTMENT REPORT – MAY 2024

1. In May, 5 building permits were issued for a total construction value of \$940,371. This includes a new home permit on County Line Road.
2. In May 2023, 12 building permits had been issued for a total construction value of \$2,156,772. This includes a new home permit on Saddleback Lane.
3. The May Planning and Zoning meeting minutes are attached for review.
4. Please find attached data related to the second reading of the Rumpke rubbish/recycling collection and disposal resolution. I hope the information is helpful.

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, MAY 07, 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, May 07, 2024.**

Members present: Craig Steinbrink; Chair, Chip AuWerter, Scott Broome, Jim Deacon, Emily Hamilton, and Christine Riley.

Members absent: Jeannine Voinovich.

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

1. Roll call.
2. The minutes of **Tuesday, March 05, 2024** regular meeting of the Planning and Zoning Commission were submitted for approval.

A motion was made to approve the minutes as *amended*.

Motion by: S. Broome 2nd: J. Deacon

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

3. Building demolition request for the **LANE** property at **1405 Echo Glen Road**. Scott Lane, Owner was present.

Mr. Lane reviewed the proposed demolition request for the Board. He indicated the existing house is in such poor condition and currently has major structural issues causing the foundation walls and masonry fireplace to shift. He continued by stating a contractor had previously looked at the building and estimated it would take over \$500,000 to restore the building. The proposed estimate did not include any cost to repair or correct the foundation structural issues.

Mr. Biggert stated the demolition request has been reviewed and approved by the Historic District Subcommittee and the Architectural Review Board with no objection.

After further discussion, a motion was made to approve the building demolition request as submitted.

Motion by: S. Broome 2nd: J. AuWerter

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

4. Boundary realignment and lot size variance requests for the **KIRSCHENBAUM** residence at **2080 Woodstock Road** and **JOHNSON** residence at **2070 Woodstock Road** was heard. Notice has been provided to adjoining property owners.
Dan Kirschenbaum, Owner was present.

Mr. Kirschenbaum explained the boundary realignment and lot size variance requests to the Board. He stated he owns the front lot on Woodstock Road and his sister owns the lot behind his. For many years, he has been using the existing detached garage on his sister's property. The purpose for the boundary realignment is so the detached garage is on his lot. The realignment will also redraw the lot line so that Mr. Kirschenbaum's sister's existing septic system will be on her property instead of on his property as is the current situation.

Members of the Board agreed having the existing septic system on the correct lot is important and hopefully will prevent any issues in the future if one or the other properties are sold and transferred.

Mr. Kirschenbaum stated the lot areas being swapped are very similar and the lot sizes are almost unchanged once completed. The only real difference is the lot configurations.

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

After further discussion, a motion was made to grant the lot size variances for lot "C" and lot "D" and the boundary realignment as requested based on the facts as stated in the variance worksheet and the fact there will be no significant differences in the lot sizes and configuration once completed.

Motion by: S. Broome 2nd: J. Deacon

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

5. A variance request to locate solar panels on roofs visible from the street for the **SOLWITZ** residence at **1809 Berkshire** was heard. Notice has been provided to adjoining property owners.
Dr. Richard Solwitz, Owner was present.

Dr. Solwitz reviewed the solar panel variance request for the Board. He submitted photographs from the street of the roof planes the proposed solar panels will be located. He stated in his opinion the panels will not be seen from the street because of the existing vegetation. He also stated he and his wife are trying to be environmentally friendly and currently have an electric vehicle which the panels will aid in charging and reduce energy costs.

Mr. Biggert stated he drove Berkshire Road in both directions multiple times and while the existing natural vegetation might help screen the panels from the street, the panels will be visible especially during the winter. Also stated he is concerned about relying on the current vegetation to act as the screening, in the past, variances have been granted on the condition screening is planted and then the next owner removes the screening and it becomes an agreement with the Village.

Mr. Steinbrink agreed the panels would be visible from the street even with the existing vegetation.

Dr. Solwitz indicated he would be willing to plant additional trees to help conceal the panels.

Mr. Courtney stated a landscape plan with a longitudinal section would have to be completed in order to determine if any proposed planting plan would really be effective in screening the panels. Based on the fact the street sits higher than the house location, he estimated the trees would have to be a minimum of 12' to 15' tall.

Mr. Steinbrink suggested the purpose for the current ordinance is clear, the Village does not want to see solar panels located on roofs that can be seen from the street, with or without natural screening. The ordinance is meant to prevent a significant change in appearance and character of the Village. He also explained that the solar panel ordinance had been recently considered by Council for evaluation of whether it should be changes. After considering the matter Council decided not to change the ordinance which is an endorsement of its current language and its current effect.

Mr. AuWerter asked if the panels could be re-arranged in some way so they are not visible from the street.

Dr. Solwitz stated it would not be economically viable with a different design or fewer panels.

Mr. Biggert stated he did receive a response from a neighbor across the street objecting to the approval of the variance to locate panels that can be seen from the street.

Mr. Steinbrink explained to Dr. Solwitz it does not appear the Board is willing grant such a request to locate solar panels that can be seen from the street. Suggested if a motion is made and a vote taken, the variance is very likely to be denied. Asked Dr. Solwitz if he would like the Board to call a vote or would he prefer to withdrawal the current variance request and submit a revised request at a later date.

Dr. Solwitz stated he would like to withdraw the current request.

No Action Taken

Refer to audio recording for additional detail.

There being no further business the meeting was adjourned at **6:03 P.M.**

Craig Steinbrink, Chair

David Biggert, Secretary

Village of Gates Mills

1470 Chagrin River Road
Gates Mills, Ohio 44040 phone (440)423-4405

Dear Michael & Jennifer,

Thank you for participating in the recent “tote” recycling program! Now that the trial period is over, we would like to receive some feedback regarding this type of recycling program.

Please take a few minutes to answer the following survey questions and return your answers to the Town Hall. If you’d prefer, you can complete the survey online at:
<https://www.gatesmillsvillage.com/content/web-form-tote-recycling-survey> (Alternately you can go to www.GatesMillsVillage.com/service and look for the Survey). Your input is important to us and will help to determine if this type of recycling is worth having throughout the Village.

PLEASE RESPOND BY JUNE 12, 2024

Address: 7541 River Oaks Trail

1. Overall, how satisfied are you with the current back door “bagged” recycling?
(circle one)
1- Very Dissatisfied 2 – Dissatisfied 3 – Neutral 4 – Satisfied 5 – Very Satisfied
2. Does your household currently recycle? **Yes No**
3. How often do you set out materials for recycling collection? **Weekly Bi-weekly**
4. Did you use the “tote” for recycling during the trial period? **Yes No**
5. If so, did the “tote” system make it easier to recycle? **Yes No**
6. Did you find your household recycled more material with the “tote”. **Yes No**
7. Given no difference in the cost between “bagged” recycling and “tote” recycling, which method would you prefer?

Bagged Recycling Tote Recycling

8. In the space below, please provide any other information you feel would be helpful for us in making the decision on which method would be best for the Village.

RUMPKE RECYCLING TOTE TRIAL SURVEY

Q1: Overall, how satisfied are you with the current back door "bagged" recycling?

Very Dissatisfied	4%	1
Dissatisfied	28%	7
Neutral	28%	7
Satisfied	28%	7
Very Satisfied	8%	2
Not Answered	4%	1
Total		25

Q2: Does your household currently recycle?

Yes	100%	25
No	0%	0
Total		25

Q3: How often do you set out your materials for recycling collect

Weekly	80%	20
Bi-Weekly	20%	5
Total		25

Q4: Did you use the "tote" for recycling during the trial period?

Yes	100%	25
No	0%	0
Total		25

Q5: If so, did the "tote" system make it easier to recycle

Yes	84%	21
No	16%	4
Total		25

Q6: Did you find your household recycled more material with the Tote?

Yes	64%	16
No	36%	9
Total		25

Q7: Given no difference in the cost between "bagged" recycling and "tote" recycling, which method would you prefer?

Bagged	12%	3
Tote	88%	22
Total		25

Surveys Mailed	47	
Surveys returned	25	53%

RUMPKE RECYCLING TOTE TRIAL SURVEY

Q8: Please provide any other information you feel would be helpful for us in making the decision on which method would be best for the Village:	
1	Much easier to recycle cardboard products. I would say tote only needs picked up every other week
	The totes were not picked up on the same day every week. The totes were more convenient as we did not go to the paper recycle bins at service dept. I did not see any information about this program when it was initiated; the tote showed up at the end of the driveway. My neighbor didn't know about it either.
2	Educating the residents could assist determining if the program was utilized properly.
3	I would prefer the tote if I could use bags along with the tote as well. If I could put blue bags in the tote, it would be the best of both worlds. I found having to recycle without being able to use a bag to be messy.
4	The tote was significantly easier.
5	We recycled more because it was easier. No bundling up magazines, small boxes, etc.
6	I found I disposed of recycled materials quicker since I co-mingled items rather than waiting to fill a bag of plastic and a separate bag of paper. I would be happy to have the tote collection be twice a month rather
	It is so much easier to recycle using the tote because you can put everything in there together. It is more environmentally sustainable-no plastic bags. It was great to be able to recycle small shipping boxes in the tote. Finally, if you have reluctant recyclers in the house, I would imagine they would be more likely to recycle with the tote-less work.
7	Full disclosure- we moved here from out of state a little under 2 1/2 years ago and had a 96 gallon tote for 15 years and loved it.
8	I do think the tote made us put more recyclables into it.
9	The tote bins were way too large. Could they be half the size?
10	90% of the time it takes 2 weeks to fill the tote.
11	The tote was far too large for our needs. Pick-up was unreliable. Rumpke missed weeks entirely, even after we called. Finally, having a Rumpke vehicle make an additional trip down our drive each week essentially doubles the carbon footprint of recycling, and increases the likelihood of damage to my garden from the Rumpke trucks. If the tote is used we would be unlikely to continue recycling.
12	Tote was easier, but it is quite large and takes up more space then bagged recycling.
13	We love having extra space for our cardboard.

RUMPKE RECYCLING TOTE TRIAL SURVEY

Q8: Please provide any other information you feel would be helpful for us in making the decision on which method would be best for the Village:	
14	I applaud the Village and Rumpke for exploring this option. The only problem I had was that the truck responsible for collecting my recycling failed to do so at least 4-5 times during the program - even though I set my trash & recycling out the night before and they are visible from the street. I called Rumpke several times when the truck never came - but the driver continued to fail to stop at my house. I don't know if the "route" list of addresses was incorrect or whether multiple drivers were handling pick-up of the recycling.
15	I don't like having to purchase bags in order to recycle. The tote makes it much easier - especially for larger items & cardboard. PLEASE implement tote recycling!
16	I found having to store the bin to be cumbersome. I did like the ease of cardboard recycling this way. My bin wasn't always collected by Rumpke.
17	The Tote system is excellent. Please implement. We are one of few communities still using blue bags!
18	I don't remember receiving any background on the program - no explanation of why we were doing it that way. The container arrived and you were told to use it for recycling. If there was more encouragement community-wide to recycle or minimize use of plastics, reduce waste overall, etc, residents might feel more compelled to recycle. It might be a great community program, but there was no communication, no feedback on how it worked or didn't work - or why we were doing it that way. Recycling should be encouraged, along with minimizing waste. You can't expect a program to run itself with little to no input. Somebody needs to take it on passionately and promote it as a way of life.
19	Much prefer tote! Fits way more, especially cardboard. Please bring back the totes!!
20	We found the tote recycling to be much easier, and would hope the Village moves to using the tote.
21	We have a family & produce a lot of trash. With bagged recycling we can't put the recycle bags in our trash tote or we would run out of room for our trash, so it piles up in the garage. The recycling tote was much easier & cleaner & more environmentally friendly.
22	If using tote system, please have a consistent pic-up date - it varied without notice.
23	You can put more in the tote, but I had to call **most EVERY WEEK to have them come pick up the tote. The bagged gets picked up with trash (at the same time!)

Municipal Recycling Comparison

Information provided by *Cuyahoga County Solid Waste District*
Recycling Reports 2019 - 2022

Village of Gates Mills (Rumpke – bagged rubbish and recycling)

	<u>Rubbish Landfilled</u>	<u>Recycled Material</u>	<u>Recycling Rate</u>
2022	903.64(tons)	178.24(tons)	16.53%
2021	1,111.92	190.88	14.65%
2020	1,098.07	241.42	18.37%
2019	901.74	197.90	<u>18.46%</u>
			4 – year average 17.00%

Village of Hunting Valley (Waste Management – bagged rubbish/tote recycling)

2022	349.91(tons)	79.78(tons)	23.59%
2021	648.00	54.09	17.68%
2020	523.59	83.66	13.78%
2019	399.08	60.78	<u>13.22%</u>
			4 – year average 17.07%

City of Mayfield Heights (Kimble – all curbside tote pickup)

2022	4,735.96(tons)	923.34(tons)	40.03%
2021	4,804.33	980.40	36.01%
2020	4,698.02	945.18	40.36%
2019	5,995.23	932.92	<u>34.58%</u>
			4 – year average 37.74%

City of Mayfield Village (Kimble – all curbside tote pickup)

2022	1,334.48(tons)	206.77(tons)	50.78%
2021	1,453.09	243.32	51.35%
2020	1,477.21	221.97	47.96%
2019	1,396.86	325.53	<u>41.55%</u>
			4 – year average 47.91%

Gates Mills Fire Department

May 2024 Council Report

DATE	NFIRS NUMBER	Address/Location	Description of Incident
05-01-24	2024-86	7880 Old Mill Road	Natural Gas leak.
05-01-24	2024-87	463 Overlook Road	Smoke detector activation.
05-04-24	2024-88	7870 Old Mill Road	CO detector activation.
05-10-24	2024-89	1200 West Hill Drive	Smoke detector activation.
05-11-24	2024-90	7460 Foxboro Road	Refrigerant leak—geothermal.
05-15-24	2024-91	2045 SOM Center Road	Carbon Monoxide Incident.
05-20-24	2024-92	1790 Woodstock Road	CO detector activation.
05-21-24	2024-93	1815 SOM Center Road	Public Service.
05-21-24	2024-94	6850 Mayfield Road	Alarm system malfunction-water flow alarm.
05-26-24	2024-95	1337 Chagrin River Road	Animal Problem.
05-29-24	2024-96	1777 SOM Center Road	Smoke detector activation.
05-30-24	2024-97	1815 SOM Center Road	Public Service—detector install.
05-31-24	2024-98	12465 County Line Road	Auto aid Chesterland—cancelled enroute.

CURRENT MONTH TOTAL	2024 YEAR TO DATE	2023 YEAR TO DATE
G.M. FIRE 13	98	83
M.V. EMS 24	78	99
Cancelled 1	4	

The May training topics were:

May 14, 2024: Practical pump drafting from a static source. Portable deck gun use with 3 inch feeds, pump test E1413(passed) Flow tested deck guns 1413 and 1412 to 1000 gpm. Engine refill from hydrant.

May 28, 2024: Walk through and preplan at Gilmour Academy new Commons Building. Review alarms, Sprinkler system Kitchen suppression systems, utilities and water mains and shut offs. Exterior outside access and fire lanes. Reviewed open burning regulations and new handout to public. Station staffing and scheduling update. Procedures from Cleveland Water Department on hydrant flushing reviewed.

May employee anniversaries:
Trevor Murfello – 34 Years
Armondo Farinacci—7 years
Tom Majeski—29 years

Thomas Majeski

June 4, 2024

RESOLUTION NO. 2024 – 19

BY MAYOR SIEMBORSKI

A RESOLUTION ACCEPTING THE BID OF RUMPKE OF OHIO, INC. FOR REFUSE COLLECTION, DISPOSAL AND RECYCLING SERVICES, AUTHORIZING A CONTRACT THEREFOR, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to advertisement, one bid was received on May 15, 2024, for Refuse Collection, Disposal and Recycling Services for Village residences;

WHEREAS, the one bid received was from Rumpke of Ohio, Inc.;

WHEREAS, the Service Director has recommended acceptance of the bid of Rumpke of Ohio, Inc. as being reasonable and meeting the Village's specifications for the contract for refuse collection, disposal and recycling services, a copy of which bid is attached hereto as Exhibit "A" and incorporated herein fully as if by reference;

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

SECTION 1. The bid for refuse collection, disposal and recycling services of Rumpke of Ohio, Inc., a copy of which bid is attached hereto as Exhibit "A" and incorporated herein fully as if by reference, is accepted and the Mayor is authorized to enter into a contract therefor for a three-year term from January 1, 2025 through December 31, 2027, with two additional one-year contract terms for calendar years 2028 and 2029, which two additional one-year terms shall be at the sole option of the Village.

SECTION 2 The method of recycling collection shall be by [bag or tote] and the frequency of collection of refuse and recycling collection services shall be at the election of the resident being serviced.

SECTION 3. This Resolution is declared to be an emergency measure necessary for the immediate protection of the public health, safety and welfare and for the further reason that it is necessary in order to timely accept the bid within a reasonable period of time; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed thereto, 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 _____, 2024.

President of Council

ATTEST:

Clerk

APPROVED:

Mayor

EXHIBIT A

BASE PROPOSAL
FOR REFUSE COLLECTION, DISPOSAL,
AND "BAGGED" RECYCLING SERVICES

The undersigned, RUMPKE OF OHIO, INC. hereby proposes to provide refuse collection, disposal and recycling services in accordance with the 2024 Gates Mills Specifications for Refuse Collection, Disposal and Recycling Services for the following prices stated for weekly and bi-weekly collections:

collected Weekly

FIRST YEAR

\$43.00 Per Residential Unit
Per Month

SECOND YEAR

\$44.72 Per Residential Unit
Per Month

THIRD YEAR

\$46.51 Per Residential Unit
Per Month

FOURTH YEAR

(at the option of
the Village)

\$48.37 Per Residential Unit
Per Month

FIFTH YEAR

(at the option of
the Village)

\$50.30 Per Residential Unit
Per Month

collected Bi-weekly

FIRST YEAR

\$32.00 Per Residential Unit
Per Month

SECOND YEAR

\$33.28 Per Residential Unit
Per Month

THIRD YEAR

\$34.61 Per Residential Unit
Per Month

FOURTH YEAR

(at the option of
the Village)

\$35.99 Per Residential Unit
Per Month

FIFTH YEAR

(at the option of
the Village)

\$37.43 Per Residential Unit
Per Month

ALTERNATE #1 PROPOSAL
FOR REFUSE COLLECTION, DISPOSAL
AND "TOTE" RECYCLING SERVICES

Provide alternate bid for Refuse Collection and Disposal per 3.1(a) and Drive-Up automated "tote" recycling collection and disposal service in lieu of "bagged" recycling service as directed in Section 3.1(a). Contractor shall provide each Producer within the Village with one (1), sixty-five (65) gallon Tote. All recycling material should be placed in the Tote loose (not bagged)

collected Weekly

FIRST YEAR

\$43.00 Per Residential Unit
Per Month

SECOND YEAR

\$44.72 Per Residential Unit
Per Month

THIRD YEAR

\$46.51 Per Residential Unit
Per Month

FOURTH YEAR

(at the option of
the Village)

\$48.37 Per Residential Unit
Per Month

FIFTH YEAR

(at the option of
the Village)

\$50.30 Per Residential Unit
Per Month

collected Bi-weekly

FIRST YEAR

\$32.00 Per Residential Unit
Per Month

SECOND YEAR

\$33.28 Per Residential Unit
Per Month

THIRD YEAR

\$34.61 Per Residential Unit
Per Month

FOURTH YEAR

(at the option of
the Village)

\$35.99 Per Residential Unit
Per Month

FIFTH YEAR

(at the option of
the Village)

\$37.43 Per Residential Unit
Per Month

Addendums Received: _____

RESOLUTION NO. 2024-21

BY MAYOR SIEMBORSKI

A RESOLUTION SUBMITTING THE QUESTION OF THE RENEWAL OF AN EXISTING 3.5 MILL TAX LEVY FOR THE PURPOSE OF CURRENT EXPENSES PURSUANT TO OHIO REVISED CODE SECTIONS 5705.19(A) AND 5705.191 AND DECLARING AN EMERGENCY.

WHEREAS, the electors of this Village on November 5, 2019, approved the renewal of a 3.5 mill levy for a period of five (5) years for the purpose of current Village expenses and to be on the 2020 tax duplicate for distribution to the Village in 2021;

WHEREAS, the authority to levy the aforesaid tax expires with the levy heretofore made on the 2024 tax duplicate for distribution to the Village in 2025;

WHEREAS, on May 21, 2024, this Council adopted Resolution No. 2024-16, pursuant to Sections 5705.19(A) and 5705.191 of the Revised Code, declaring it necessary to renew the aforesaid 3.5 mill tax levy for a period of five years for the purpose of current expenses and requesting the County Fiscal Officer to certify the total current tax valuation of the Village and the dollar amount of revenue that would be generated by that renewal levy;

WHEREAS, the County Fiscal Officer has certified that the total current tax valuation of the Village is \$ 227,106,850 and the dollar amount of revenue that would be generated by the renewal of that 3.5 mill levy would be \$728,000 annually during the life of the levy, assuming that the total current tax valuation remains the same throughout the life of the levy;

WHEREAS, this Council finds it necessary to proceed to renew said 3.5 mill levy in accordance with Revised Code Sections 5705.19(A) and 5705.191 in order to continue receiving such revenue without interruption.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Gates Mills, Cuyahoga County, State of Ohio, not less than two-thirds of all the members thereof concurring, that:

SECTION 1. It is hereby found, determined and declared that the amount of taxes that may be raised by the Village of Gates Mills, Cuyahoga County, State of Ohio, within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of this Village, and it is necessary to levy a tax in excess of that limitation at the rate of 3.5 mills for a period of five years for the purpose of funding current Village expenses.

SECTION 2. The question of the renewal of the 3.5 mill tax levy for the purpose of funding current Village expenses for five years, beginning with the tax list and duplicate for the year 2025, the proceeds of which levy first would be available to this Village in the calendar year 2026, shall be submitted under the provisions of Ohio Revised Code Sections 5705.19(A) and 5705.191 to the electors of the Village of Gates Mills at the election to be held therein on November 5, 2024, as authorized by law. Said election shall be held at the regular places of voting in said Village as established by the Board of Elections of Cuyahoga County, Ohio, or otherwise, within the time provided by law and shall be conducted, canvassed and certified in the manner provided by law.

SECTION 3. A majority affirmative vote of those electors voting upon the ballot question set forth in Sections 1 and 2 of this Resolution shall be sufficient for its passage.

SECTION 4. The form of ballot to be cast at such election on the question of such tax shall be substantially as follows:

**Proposed Tax Levy
(Renewal)
Village of Gates Mills**

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of the Village of Gates Mills for the purpose of current expenses at a rate not exceeding 3.5 mills for each one dollar of valuation, which amounts to 35 cents for each one hundred dollars of valuation, for five years, commencing in 2025, first due in calendar year 2026.

	For the Tax Levy
	Against the Tax Levy

SECTION 5. The Clerk is authorized and directed to certify to the Cuyahoga County Board of Elections not later than the Board’s business hours on August 7, 2024: (i) a certified copy of Resolution No. 2024-16; (ii) the certification by the County Fiscal Officer as to the total current tax valuation of the Village and the dollar amount of revenue that would be generated by the renewal of that 3.5 mill levy; and (iii) a copy of this Resolution. This Council requests that the Board of Elections give notice of the election and prepare the necessary ballots and supplies for the election in accordance with law.

SECTION 6. 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 of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SECTION 7. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in that it is necessary that it become effective immediately in order to permit necessary arrangements to be made in sufficient time for the aforesaid election and for the timely certification to and filing of this Resolution with the Board of Elections; wherefore, this Resolution shall go into effect immediately upon its adoption and approval by the Mayor.

Adopted the ____ day of ____, 2024.

President of Council

ATTEST:

Clerk

APPROVED:

Mayor

Certificate of Estimated Property Tax Revenue

Use this form when a taxing authority certifies a millage rate and requests the revenue produced by that rate.

DTE 140R
Rev. 01/23
R.C. 5705.01, 5705.03

The county auditor of Cuyahoga County, Ohio, does hereby certify the following:

- On May 30, 2024, the taxing authority of the Village of Gates Mills (political subdivision name) certified a copy of its resolution or ordinance adopted May 21, 2024, requesting the county auditor to certify the current taxable value of the subdivision and the amount of revenue that would be produced by 3.50 mills, to levy a tax outside the 10-mill limitation for Current Expense purposes pursuant to Revised Code § 5705.19(A) & 5705.191, to be placed on the ballot at the November 5, 2024 election. The levy type is Renewal.
- The property tax revenue that will be produced by the stated millage, assuming the taxable value of the subdivision remains constant throughout the life of the levy, is calculated to be \$ 728,000.
- The total taxable value of the subdivision used in calculating the estimated property tax revenue is \$ 227,106,850.
- The millage for the requested levy is (3.500) mills per \$1 of taxable value, which amounts to \$ 98 for each \$100,000 of the county auditor's appraised value.

Auditor's signature

Date

Instructions

- "Total taxable value" includes the taxable value of all real property in the subdivision as indicated on the tax list most recently certified for collection and estimates of the taxable value of public utility personal property for the first year the levy will be collected as set forth on the worksheets prescribed in conjunction with this form. If the subdivision is located in more than one county, the home county auditor (where the greatest taxable value of the subdivision is located) shall obtain the assistance of the other county auditors to establish the total tax valuation of the subdivision.
- For purposes of this certification, "subdivision" includes any agency, board, commission or other authority authorized to request a taxing authority to submit a tax levy on its behalf. See R.C. 5705.01(A) & (C).
- "Levy type" includes the following: (1) additional, (2) renewal, (3) renewal with an increase, (4) renewal with a decrease, (5) replacement, (6) replacement with an increase and (7) replacement with a decrease levies.
- In completing Lines 1 and 4 of this form, mills should be identified in whole numbers, i.e., 5 mills, rather than as a fraction of a dollar, i.e., \$0.005. This expression is consistent with the prior practice of identifying mills in whole numbers per \$1 of valuation.
- "The county auditor's appraised value" means the true value in money of real property. R.C. 5705.01(P).
- For any levy or portion of a levy, an estimate of the levy's annual collections, rounded to the nearest one thousand dollars, which shall be calculated assuming that the amount of the tax list of the taxing authority remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the auditor to the county budget commission. R.C. 5705.03(B).
- Please file this certificate with the subdivision as soon as possible, so the taxing authority can pass a resolution to proceed not later than 90 days before the election.

Levy Certification Information Sheet

****Please be as specific as possible****

Political Subdivision: Village of Gates Mills

Levy Purpose: Current Expense
(ie: current expense, bond, PI)

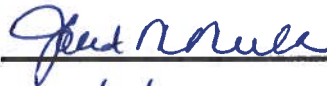
Levy Type: Renewal
(Renewal, Additional, Replacement, etc)

Projected Millage: 3.50

Length of Levy: 5 Years

Levy Collection Start Year: TY2025/CY2026
(ie: starts TY2009/CY2010)

Levy Collection End Year: TY2029/CY2030
(ie: ends TY2013/CY2014)

Finance Director/Treasurer Signature: 

Date: 6/3/24

Analyst Signature: 

Date: 5/31/2024

RESOLUTION NO. 2024-22

BY COUNCILMEMBER STEINBRINK

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A SIXTH ONE-YEAR EXTENSION OF AN AGREEMENT FOR THE PROVISION OF SCHOOL RESOURCE OFFICER SERVICES WITH THE MAYFIELD CITY SCHOOL DISTRICT AND DECLARING AN EMERGENCY.

WHEREAS, after substantial discussion and negotiation in 2018 between Village officials and representatives of the Mayfield City School District (“School District”) regarding the provision of a Village police officer to serve as a “School Resource Officer” (“SRO”) in the School District’s student facilities located in the Village of Gates Mills – i.e., Gates Mills Elementary School and the Gates Mill Environmental Education Center – for the safety and security of the students, staff and the facilities, an agreement for SRO service was entered into by those parties pursuant to Resolution No. 2018-28, which after a successful year of the provision of SRO services, the agreement was extended each school year thereafter by Council Resolutions, the most recent Resolution being No. 2023-20 for the school year 2023-2024, which will expire on July 31, 2024;

WHEREAS, after another successful school year in 2023-2024 in which the SRO services were provided to the satisfaction of both parties to the agreement for those services, this Council determines that it is in the best interests of the citizens of Gates Mills, its children, the Village government, the School District, and the students and staff of the entire School District to continue to provide for the SRO services for the upcoming school year 2024-2025;

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 enter into a “Sixth Extension Agreement of Agreement for the Provision of School Resource Officer Services” with the Mayfield City School District in substantially the same form as the copy of which that is attached hereto as Exhibit “A” and incorporated herein as if by reference.

SECTION 2. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this Resolution that resulted in formal action were in meetings open to the public as required by law.

SECTION 3. 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 furthering the safety and security of School District students, staff and facilities at the earliest time possible; 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 June, 2024.

President of Council

ATTEST:

Clerk

APPROVED:

Mayor

EXHIBIT "A"

SIXTH EXTENSION AGREEMENT

OF

AGREEMENT FOR THE PROVISION OF SCHOOL RESOURCE

OFFICER SERVICES

WHEREAS, pursuant to Resolution No. 2018-28, on or about August 1, 2018, the Mayfield City School District (the "Mayfield Schools") and the Village of Gates Mills ("Village") entered into an agreement entitled "Agreement for the Provision of School Resource Officer Services", and the term of that Agreement provided that the Agreement expire on July 31, 2019 (the "Original Agreement");

WHEREAS, pursuant to Resolution No. 2019-22, the Village authorized an extension of the Original Agreement (the "First Extension") which was entered into with the Mayfield Schools and expired on July 31, 2020; a "Second Extension Agreement" to the Original Agreement was authorized by Village Council Resolution No. 2020-29, a "Third Extension Agreement" to the Original Agreement was authorized by Village Council Resolution No. 2021-26, a "Fourth Extension Agreement" to the Original Agreement was authorized by Village Council Resolution No. 2022-21, and a "Fifth Extension Agreement" to the Original Agreement was authorized by Village Council Resolution No. 2023-20 and will expire on July 31, 2024;

WHEREAS, the safety and security of students, faculty, administration, and staff at the Mayfield Schools' Gates Mills Elementary and Gates Mills Environmental Education Center (collectively "Schools" and each as a "School") continues to be of paramount interest and concern to the Parties;

WHEREAS, the Parties desire to continue to work together to increase safety at the Schools, at School events, and generally in the Village through the continued provision of School Resource Officer Services ("Services") provided by a "School Resource Officer" ("SRO"); the provision of Services by a SRO is referred to in the Original Agreement as the "Program"; and

WHEREAS, through this "Sixth Extension Agreement," the Parties desire to extend the term of the Original Agreement to continue the Program for a sixth school year.

NOW, THEREFORE, in consideration of the mutual promises, terms, conditions, and covenants set forth in the Original Agreement, the terms of which are being extended for an additional one-year term through this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed by and between the Parties as follows:

1. The terms of the Original Agreement are not amended or revised and shall remain in full force and effect, except as explicitly provided herein, and in the event of a conflict between

any provision of this Sixth Extension Agreement and the Original Agreement, the provisions of this Sixth Extension Agreement shall prevail.

2. Pursuant to Section II. C. of the Original Agreement, the term of the Original Agreement shall be extended through July 31, 2024.

3. The SRO Work Assignment Schedule for the School Year 2024-2025 is attached hereto and incorporated by reference herein as "Schedule A".

The Parties hereto have executed this Agreement in duplicate originals.

VILLAGE OF GATES MILLS

MAYFIELD CITY SCHOOL DISTRICT

By: _____

Steven L. Siemborski
Mayor

By: _____

Dr. Michael J. Barnes
Superintendent

Date

Date

Approved as to legal form and correctness.

R. Todd Hunt, Law Director
Village of Gates Mills

FISCAL OFFICER'S CERTIFICATE

As the fiscal officer of the Village of Gates Mills, I certify that as of the date of execution of the within Sixth Extension Agreement, the amount required to satisfy payment under this Agreement has been fully appropriated, or authorized or directed for such purpose and is in the treasury, or is in the process of collection, and is free from any obligation or certification now outstanding.

Date: _____, 2024

By: _____
Dixon Morgan, Jr., Treasurer

**MAYFIELD CITY SCHOOLS
SCHOOL RESOURCE OFFICER
ASSIGNMENT SCHEDULE
FOR THE 2024-25 SCHOOL YEAR**

Month	Dates	# of work days in Month
August 2024	19, 20, 21, 22, 23, 26, 27, 28, 29, 30	10
September 2024	3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 30	20
October 2024	1, 2, 4, 7, 8, 9, 10, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31	21
November 2024	1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26	18
December 2024	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20	15
January 2025	6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 21, 22, 23, 24, 27, 28, 29, 30, 31	19
February 2025	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28	19
March 2025	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 31	16
April 2025	1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 22, 23, 24, 25, 28, 29, 30	20
May 2025	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 27, 28, 29, 30	21
June 2025	2, 3, 4, 5, 6	5

TOTAL: 184

In addition, the SRO will be asked to attend the Parent Teacher Conference held at his or her building pursuant to the tentative date listed below. The date will be confirmed with the SRO by the Building Administrator.

Elementary Schools: November 14, 2024: 3:00-9:00pm

Middle School: November 14, 2024: 3:00-9:00pm

High School: October 30, 2024: 3:00-9:00pm

ORDINANCE NO. 2024-23

BY MAYOR SIEMBORSKI

**AN ORDINANCE TO ADD NEW FIREFIGHTER STATION
DUTY HOURLY RATES AND DECLARING AN EMERGENCY.**

WHEREAS, the Village has determined to provide for “station duty” coverage at the Fire Department on certain days and, therefore, to establish hourly rates of pay for the firefighters/emergency medical technicians/paramedics who perform that station duty;

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

SECTION 1. Section 4 of Ordinance No. 2023-42 is hereby amended so that the same shall hereafter read as follows, to wit:

“Section 4. The following compensation is established for members of the Volunteer Fire Department of the Village, effective June 18, 2024:

Fire Chief/Emergency Coordinator	49,920.00	per year
Assistant Fire Chief	9,609.08	per year
Fire Captain	8,682.44	per year
Fire Lieutenant 1	3,109.60	per year
Fire Lieutenant	2,147.34	per year
Education Officer (Asst Chief or Teacher/trainer)	33.14	per hour
All Officers except Fire Chief		
Per drill (2 ½ hour Training Event)	45.30	per event
Each building or auto fire (if flame)	47.24	per hour
Each field fire or emergency (no flame)	35.73	per hour
Firemen		
Per drill (2 ½ hour Training Event)	45.30	per event
Each building or auto fire (if flame)	36.77	per hour
Each field fire or emergency (no flame)	22.01	per hour
Attendance at school (not in Gates Mills)	22.57	per hour
Special Duty for bad storm or event (stay at station)	30.37	per hour
Fire Hydrant Flushing	16.75	per hour
<u>Station Duty</u>		
<u>Firefighter</u>	22.50	per hour
<u>Firefighter/EMT or Medic</u>	26.50	per hour
<u>Firefighter Holiday</u>	32.50	per hour
<u>Firefighter/EMT or Medic Holiday</u>	36.50	per hour”

SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, convenience and welfare in order to immediately compensate the Fire Department personnel who perform the approved station duty which duty has begun and, therefore, this Ordinance shall take effect and be in force from and after the earliest period provided by law.

Passed the ____ day of _____, 2024.

President of Council

ATTEST:

Clerk

APPROVED:

Mayor

ORDINANCE NO. 2024 - 24

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 Parks and Recreation Fund be increased by \$3,600.

SECTION 3. That the appropriation from the Local Fiscal Recovery Fund be increased by \$40,027.43.

SECTION 4. That the appropriation from the General Fund to the Fire Department Salaries and Wages be increased by \$25,000 and Benefits be increased by \$1,000.

SECTION 5. 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

ORDINANCE NO. 2024-25

BY COUNCILMEMBER STEINBRINK

AN ORDINANCE ADOPTING A MORATORIUM ON APPLICATIONS FOR, AND THE GRANTING OF, ZONING APPROVALS, BUILDING PERMITS, AND CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE, OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION, OR SALE OF ADULT USE CANNABIS FOR A PERIOD NOT TO EXCEED SIX MONTHS IN ORDER TO ALLOW THE VILLAGE TO REVIEW APPLICABLE STATE AND LOCAL LAWS; TO PLAN FOR REGULATIONS RELATING TO SUCH USES; AND DECLARING AN EMERGENCY.

WHEREAS, on November 7, 2023, Ohio voters passed Issue 2 to enact Chapter 3780 of the Ohio Revised Code, effective December 7, 2023, which legalized and provided for the regulation of “adult use cannabis” as defined in Section 3780.01 of the Revised Code, including cultivation, processing, sale, purchase, possession, and home growth;

WHEREAS, the Ohio Senate passed H.B. 86 on December 6, 2023, which made changes to the provisions in Chapter 3780 enacted by the passage of Issue 2, but H.B. 86 remains pending in the Ohio House of Representatives;

WHEREAS, Section 3780.25 of the Revised Code gives this Council the authority to adopt an ordinance to prohibit or allow and regulate through zoning provisions adult use cannabis operators licensed under Chapter 3780 of the Revised Code within the Village;

WHEREAS, pursuant to the Village Charter, as well as the Ohio Constitution, this Council also has the inherent power to enact planning, zoning and business regulations and laws that further the health, safety, welfare, and peace of its citizens, including restricting or prohibiting certain business uses;

WHEREAS, this Council has determined that the public peace, health, safety, and general welfare is preserved by establishing a moratorium on the applications for zoning approvals, building permits, and certificates of occupancy related to adult use cannabis in order to give the Council and the Village Planning and Zoning Commission the opportunity to determine whether to permit and or otherwise regulate such uses as permitted by R.C. Chapter 3780;

WHEREAS, this Council has further determined that additional time is needed to review the applicable sections of R.C. Chapter 3780 and the Ohio Administrative Code regulations, as well as the Village’s Codified Ordinances, and to plan for and formulate a response to adult use cannabis within the Village.

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

Section 1. This Council hereby establishes a moratorium on the acceptance of any application for, or the granting of, any zoning approvals, building permits, and certificates of occupancy for any building, structure, use, expansion of use, or change of use that would enable the cultivation, processing, distribution, or sale of adult use cannabis in the Village of Gates Mills for a period of six (6) months from the effective date of this Ordinance.

Section 2. No existing business in the Village of Gates Mills may expand in any way that would establish the cultivation, processing, distribution, or sale of adult use cannabis for the duration of the moratorium period established by this Ordinance.

Section 3. All formal actions of this Council related to this Ordinance and all deliberations of this Council and of 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 4. This Ordinance is declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the Village and the inhabitants thereof for the reason that this action is necessary to enable the Village to fully study the impacts of Chapter 3780 of the Revised Code and its effects on the Village and the health, safety and general welfare of its inhabitants, and provided it receives approval of two-thirds of the members of Council, shall be in full force and effect from and after its approval by the Mayor, or otherwise take effect and be in force from and after the earliest period provided by law.

Passed the _____ day of June, 2024.

President of Council

ATTEST:

Clerk

APPROVED:

Mayor