

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
June 18, 2024

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, June 18, 2024, at 5:30 p.m. with Mayor Siemborski presiding. The meeting was livestreamed to the internet.

1. Roll Call starts at 1:07

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, Finance Administrator Mulh, Village Engineer Courtney, and Law Director Hunt.

2. Minutes of the Regular Council meeting of May 21, 2024 starts at 1:30

Clerk DeCapite received from Councilmember Atton a suggested revision of page 4, item 13, second paragraph, line 6 - Councilmember Atton lamented our requirements are so specific that ~~we are forced to outsource to only one supplier~~ now we attracted only one bidder - doing it ourselves might not be out of the question.

Councilmember Steinbrink requested page 7, final paragraph be changed to reflect he did not see nor receive a copy of the draft resolution.

Councilmember Broome moved to approve the May 21, 2024 minutes as amended and Councilmember Deacon seconded the motion.

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

3. Pay Ordinance # 1286 \$847,466.58 starts at 3:11

Included are \$450,000 to Chester Township for paving work to begin on County Line Road and \$17,700 to Weather Lock Roofing for Community House roof.

Councilmember Steinbrink moved to approve Pay Ordinance #1286. Councilmember Press seconded the motion.

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

4. Mayor's Report starts at 4:37

- Tennis/Pickleball courts completed and in use
- Community House roof and gutters replaced
- Noise study of the River/Brigham Roads area completed and report expected back in one or two weeks
- Garden Club recognized National Garden Week with daily community events - including events for children in collaboration with the GM Branch of the Cuyahoga County Library and Encore Chamber Music Institute
- Community Club sponsored additional Encore quartets at Sara's Place
- Dan Kish Family Gallery and patio has opened at the Southwick Museum allowing the Historical Society to showcase items unique to the Village
- Encore camerata finale Sunday June 23 at 3 p.m. on the Village Green

a. Discussion of Proposed Charter Amendment for Voter Approval of Zoning Changes for Residential Density starts at 11:56

This topic was brought up by Councilmember Press last month. It's an open item that has been raised in several sections of the Comprehensive Plan. The Charter Review Commission Report completed last October referenced zoning changes and how they should be handled. In the 1990's a robust set of zoning laws were put in place by previous Councils, and those rules have done us quite well for the last 30 years. Steps are built in to make sure changes to the use of our land have been thought through, considered, and evaluated by 3-4 different bodies. What is the right check and balance between what the Council should be doing and what the electors should have a say in? The Mayor finds that to be the valid question and this Council is the appropriate body to wrestle with that.

At 17:00 Councilmember Press stated major zoning changes should be taken to the voters. They should not be decided at this table. Many of us around the table have said that at various times. It is very important to get it right - this is analogous to modifying the federal Constitution. He proposed a dual track approach - put the ordinance prepared by Law Director Hunt on first reading in order to preserve the ability to go to the ballot in November if we still want to do that at that time - meanwhile, while the ordinance is going through its three readings, we do Town Hall workshops, Council discussions, whatever is necessary to see if Council can reach a point of unanimity instead of a 5 to 2 vote.

At 20:00 Law Director Hunt explained that he prepared and distributed to Council proposed charter language using the three areas of concern contained in Councilmember Press' motion voted on last month - 1) minimum lot area of five acres, 2) Chapter 1160, and 3) multi-family residential housing. Definitions and required approvals were explained.

At 24:22 Councilmember Broome methodically explained the life cycle of any zoning ordinance. To summarize, fourteen people first look at the zoning ordinance - seven on P & Z and seven on Council. Then there's at least four public meetings with posting and notice requirements. There's always a chance to have a referendum by the residents if

they don't like what the Council has done. The myriads of requirements within the conservation development district ordinance (Chapter 1160-where the allowable amount of houses on a large parcel using a 5-acre minimum per home are grouped more tightly together in order to preserve a majority of the land in its natural state) have kept this type of development nonexistent. Current zoning regulations have worked well up until now. We need to be careful about changing zoning using a meat cleaver instead of a paring knife. Without changing the charter and without having to go to a general election, we could change the ordinance for the posting notification to require that any proposed legislation for any of the three areas of concern be posted on the Village website at least 15 days in advance of the meeting. Finally, if we were to take up an ordinance looking to amend the charter, there are some zoning anomalies that should be fixed before any kind of zoning change would go on the ballot.

At 47:25 Councilmember Press responded to Councilmember Broome. This is a matter of philosophy - do you believe the people at this table should make significant zoning changes, or do you believe those changes should go to the ballot, as he does? Prior Councils have been more activist than current Council about zoning changes and allowing for multi-family and cluster housing. We have a comprehensive plan document on our website containing objectionable suggestions about zoning changes that would be inappropriate. Bruce Rinker talked about the necessity of being very careful that you can defend the zoning you've got and he suggested we do a lot more than we have done when he addressed the Advisory Committee. Councilmember Broome replied whether we leave it as is and we increase the notice, or we pass a charter amendment requiring zoning changes on these issues to go to the voters, all those could still be challenged judicially the same. It doesn't withstand scrutiny any more because it went to a vote than it does now.

At 50:20 Councilmember Deacon asked what problem are we trying to solve? She is struggling with the philosophical disconnect here - it seems Councilmember Press is saying Council can't be trusted, so it goes to the voters, but the voters elected Council. In governance, do you have the appropriate check and balance? Councilmember Broome's comprehensive review reveals ours is a strong check and balance. If there is a falling apart at the Council level, then there's a 10% referendum right in the Ohio Revised Code. Councilmember Press responded if we don't act on the charter amendment, he thinks it's probably a likelihood that the residents will act on it themselves.

At 52:54 the Village Engineer, author of Chapter 1160, spoke to nomenclature being correct. We have no cluster zoning in the village. There is nothing in our Code that would allow for cluster zoning under Chapter 1160, a conservation development district. It allows a developer to come forward with a plan that would be typically allowed under our five-acre zoning and then put together a good case for why they would like to make the lot smaller in consideration of preserving environmental aspects of a particular property. Instead of having say 10 lots on 50 acres, they would have 10 slightly smaller lots that would have a lot of conserved area. None of them would be attached. None of them would be cluster. Upon challenge from Councilmember Press, Village Engineer Courtney stated there were two chapters that were written. Only one was adopted. There was a conservation cluster ordinance written that was never adopted because after the completion of an in-depth study it was determined to be economically infeasible. Chapter

1160 is a conservation development district. P & Z and Council always reserve the right to tell them to build a standard 5-acre development under that ordinance. They have to get permission to build a conservation development.

At 54:54 Councilmember Turner believes we are a representative democracy. She trusts the people to elect the right individuals to Council and Mayor. There are only so many years in a term giving people an opportunity to elect other representatives, and there is a provision in the charter where someone can be removed from Council. This is a philosophical issue. The Charter Review Commission looked at 1) the authority of Council to change zoning, 2) the authority of Council to alter the income tax credit, 3) enlarging the powers of the Council President Pro Tem, and 4) reducing the size of Council. In all of those cases there was a consensus among the members of the Commission (Lori Deacon, David Hooker, Bob Reitman, Shawn Riley, Michael Press). Michael Press disagreed with the conclusion of the Commission. David Atton circulated an email emphasizing that passing a motion to go before the voters to allow them to vote on zoning changes would reduce Council's powers to a level that's consistent with the clear opinions expressed by the 542 respondents to the Comprehensive Plan Resident Survey of 2022. Hunting Valley, Kirtland Hills, Waite Hill, Mayfield Village, and Chagrin Falls do not require a vote by the electorate to implement zoning changes. Moreland Hills and Mayfield Heights do - proposed zoning amendments are submitted to the electors and if a petition of 10% is signed, then the proposal goes to the voters. We are consistent with some of our closest neighbors.

At 59:20 Councilmember Atton stated his reading of 1160 is that cluster homes are allowed up to three attached residences. Our Village Engineer previously said that is not in the regulation. Law Director Hunt believes that the conservation district is a cluster chapter - that nomenclature was not used purposefully because people have a different mindset as to what cluster is. Those homes can be clustered. They're on smaller lots; they can be attached or detached. The Village Engineer is correct - it's the same density per acre. Councilmember Atton stated from the over 500 responses to the questionnaire in the Comprehensive Plan process, it was very clear the respondents 1) did not want any reduction in the minimum lot size and 2) did not want cluster homes or any other variety of homes that were questioned. One possible response was "I don't know but I need to understand more", and we've made no effort to get people to understand this more than they do. Councilmember Broome suggested we ought to have a public meeting explaining 1160 to the residents. Councilmember Atton asked what is the difference between multi-family residential housing (Item C) and attached single family dwellings. The Law Director answered multi-family is one building with different living units in one building. Attached are separate buildings that happen to be together. Item B allows three attached houses under 1160, and Item C handles multi-family apartments.

At 1:06:36 Councilmember Welsh believes Cuyahoga County requires five acres per septic tank further protecting our current ordinances. Why poke a sleeping, happy bear? What we've got seems to be working. Let's just leave it alone.

At 1:07:21 Councilmember Steinbrink stated the Charter Review Commission came to Council with findings and a recommendation. Up until this point, Council hasn't

taken any action on the recommendation. The Commission made one recommendation, and we're here talking about a draft ordinance that was drafted by a committee of one. Amending the charter is a complicated issue and should be thoughtful, deliberate, and painstakingly difficult to do. Concurring with Councilmember Press, it should be a 7 to 0 vote. There should be no voter confusion about what we did, why we did it, and why it's being recommended. From a governance standpoint, the Commission said there should be a voter petition initiative done in a certain way. Yet we're talking about doing something completely different. The motion was Council agrees that "they" shall proceed to design and implement. It's only today that Council, as the word "they", have begun designing anything. Yet we already have had two drafts of potential language for a charter amendment. Residents should have the ability for input at Town Halls. Concurring with Councilmember Broome, use the least intrusive approach/instrument/language to get us there. What we have before us could be just that, but we haven't looked at anything else. Regarding 1160, Gates Mills passed 1160 in 2007, Waite Hill passed theirs in 2012, Moreland Hills passed theirs in 2013, and Hunting Valley passed theirs last fall. None contain any language for voter approval. This is all fantastic discussion, what he hoped would happen, but he is not ready to vote to put anything on first reading or anywhere near for the voters in November. We spent almost eight months on the chicken ordinance! Now we're talking about amending the charter in two months' time.

At 1:11:11 Councilmember Press stated the motion we passed last month does not change 1160. In fact, it said you can't change it without going to the voters. Forget about the 1160 discussion - that's a separate matter. Secondly, he agrees with Councilmember Steinbrink on involving voters and residents using any method we can find to encourage voter input. Lastly this quote, "in my opinion any change in zoning regarding development should be put in front of the voters". Craig Steinbrink during Candidates Night September 2021.

At 1:12:32 Law Director Hunt responded to Councilmember Deacon. We do have referendum and initiative provisions in our Charter at Section 10-1, and that relies on the Ohio Constitution and the State Code which clearly sets out the process for referendum and initiative. Secondly, Bruce Rinker's opinion to the Comprehensive Plan Advisory Committee, as recalled, was that there may be challenges to your existing zoning - which meant that maybe you should consider reducing density, maybe you should consider redoing specifically Chapter 1160 because all the requirements Scott Broome went through are too burdensome on developers. Law Director Hunt thinks it has served us well over the last 14 years and he or a good lawyer can defend 1160 if it is challenged. Similarly, he believes the five acre minimum lot size is defensible, mostly because we don't have central sewers. The case law bears that out. The last point is the need to put in our Code the public hearing requirement that's in State Code - where there's a 30-day period that the amendment is in front of the public before you have a public hearing and before you can pass an ordinance.

At 1:15:42 a member of the audience, Shawn Riley, Chairperson of the Charter Review Commission, stated quite a bit of time was spent looking at other communities' zoning rules and the ways to change zoning in those communities. We also were aware of Ohio law and the rights provided to voters regarding zoning changes. We made the

recommendation we did after considerable review and discussion of those things. He is troubled by the fact that, notwithstanding that recommendation from the Commission, one person drives this Council towards making major changes. He commented on Councilmember Turner's mention that it is the job of Council as elected representatives to make decisions for the community; not to be pollsters-in-chief and constantly run around and ask what do people want. It's your job to make decisions for the community, as stewards of the community, based on your belief as to what is the best interest of the community. He finds it presumptuous for a Council today to say never in the future can Council make decisions on zoning; we're going to take that away from Council. There may be circumstances in which the Council in the future has to make a zoning decision, maybe even reduce density for a particular piece of property for a very good reason. If the voters don't like it at that time, they have the right through referendum to try to change it. It's in the first instance the Council's responsibility and ultimate decision.

At 1:17:41 resident Jerry Bohinc is troubled by the reference in 1160 that if the underlying lot sizes are less than five acres that the ordinance is modified accordingly. He is not sure what that means. There ought to be some clarity added to 1160. If you put 1160 as is written today to a vote, it would fail because of its reference to cluster homes even though the major intention was plan development that concentrates houses together in return for getting land set aside.

At 1:20:39 the Mayor suggested we move on. He and others will put together some steps to go forward.

5. Clerk's Report - None

6. Financial Report attached and starts at 1:22:17

The Mayor announced that going forward Finance Administrator Mulh will write the financial report, and Treasurer Morgan will focus his attention primarily on the treasury investment policy statement, investment returns, and simplifying the policy statement. The financial report is on the website - we continue to look favorable meeting or exceeding our budget.

Treasurer Morgan stated he has met with Ancora and the Treasury Investment Board has met informally and we plan to meet formally with Ancora in July to review the first year. The portfolio is in good shape, the bond market is holding up, and we are all right.

7. Police Department Report attached and starts at 1:23:36

The Police Chief reported that recent issues at church festivals brought a higher level of awareness for the Police Dept. to take additional security steps during the St. Francis festival - checking backpacks, a no mask policy, p.m. closing, and additional support. Attendees felt comfortable, we had no major incidents, and the Chief was proud to report that. Councilmember Broome thanked the Mayfield Heights Police Dept., Cuyahoga County Sheriff's Dept., Cleveland Clinic Police, and our own Police Dept. The

Mayor added our Fire Dept. provided coverage and strategically placed a fire engine funneling all the people down the main driveway. A canine dog crew was present. Councilmember Welsh mentioned the SWAT vehicle was present and complimented the Chief for keeping us out of the news.

8. Service Department Report attached and starts at 1:26:26

Service Director Biggert reported an additional two responses to the Rumpke Tote vs. Bag Recycling Survey were received, both in favor of the tote system. 89% of the total respondents have requested to use the tote system. Councilmember Welsh asked what the cost would be if the Village were to pay for all trash collection under the new contract and the Mayor replied \$450,000.

9. Fire Department Report attached and starts at 1:27:58

Councilmember Broome congratulated Fire Chief Majeski on 29 years of service, Armando Farinacci 7 years, and Trevor Murfello 34 years.

10. **Resolution No. 2024-19 (Second Reading)** starts at 1:29:17

“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. Our bid specifications depict the manner in which refuse collection and recycling has been done for many years. We do not have the kinds of driveways that accommodate curbside collection. That has resulted in only one vendor that would bid for this work. Other vendors would consider talking to us only if we had given them an advance commitment allowing time to purchase the necessary vehicles/equipment. We talked to other municipalities and there is no interest in picking us up for outsourcing. After discussion with Rumpke executive management, we have learned we generate 1000 tons of rubbish and 200 tons of recyclables per year yielding a 17% recycling rate. That is a low recycling rate. Because we are not recycling enough, it ends up in the landfills, the landfills are going to cost Rumpke and us money. Recycling totes could help us improve our recycling rate. We also learned that our residents can choose between weekly or bi-weekly service. Changing to bi-weekly collection would keep the cost where it’s at now. Weekly collection would bear a 33% increase. Councilmember Welsh moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-19 be placed on its final passage. Councilmember Turner seconded the motion to suspend the rules.

Councilmember Press commented that given we only have one bidder and it is a 33% increase, he recommends we approve only the first year and buy ourselves some time to see if we can find a better, more efficient solution. The Mayor was not hopeful - at this point we have no leverage. If we can demonstrate a sizable increase in our recycling rate, then there could be shareable cost savings. Councilmember Broome asked if the resolution is for using the totes, or, the totes or the bags. The Mayor replied it is an open item for this group to decide - it’s one or the other for the entire community. Bid prices were the same whether we picked totes or bags. Service Director Biggert clarified it’s either all bagged

(garbage and recycling), or it's bagged garbage with tote recycling. The tote is only for recycling. Councilmember Broome asked if the tote pickup is on a different day than the bag pickup. The Service Director replied that both bagged garbage and recycling totes would be picked up the same day at your back door or wherever you're placing it now. Councilmember Turner stated she found she was recycling more using the tote during the trial. Councilmember Deacon asked if cardboard and paper would go in the tote. The Service Director replied yes and the biggest increase in recyclables during the trial was cardboard. Councilmember Steinbrink asked if time goes by and the feedback is the opposite of this, can we go back and change the contract or are we locked in for three years. Service Director Biggert thinks we could go back to what we are doing now but would want to verify that.

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

Nays: None

Motion carried.

Councilmember Welsh moved to approve Resolution No. 2024-19 using the tote system and Councilmember Deacon seconded the motion.

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

Nays: None

Motion carried.

Mayor Siemborski commented on the need for a communication plan to our residents about the cost and roll out of the tote system to enable readiness in January 2025.

11. Committee Reports

Friends of the Library (Councilmember Welsh) starts at 1:46:33

- August 10 event celebrating the 50th anniversary of the Gates Mills Library will include an ice cream truck, face painter, balloon artist, and more
- Service Director will assist Library Manager with location
- Library is looking for assistance with library logo development
- 7 pickleball paddles and balls are available at the library for use on the new courts and can be put in the return book slot if returned after library hours

Fiber Optic/Broadband Committee (Councilmember Deacon) starts at 1:49:35

- Two full responses to our RFP were received last Friday and Reid Consulting indicated these were the two we would want.
- Next step is to evaluate, in a small committee, the two responses using the scoring process provided by Reid Consulting (approx June 28-July 1). Reid will facilitate the scoring as part of our agreement with them, while the committee should do the actual scoring - a better process. After evaluation, determine if requests for additional information are required and if we want each respondent to do a presentation to the committee (approx July 15). From there we would try to reach

a final decision and negotiate, possibly negotiate in parallel (approx end of July/first of August). That would be followed by public information.

Mayor Siemborski stated that Councilmember Deacon and himself propose a five-person committee to evaluate the RFP responses: Councilmember Deacon, Chairperson, Rick Hymer, Mayor Siemborski, Village Engineer Courtney, and Councilmember Press, if interested or willing. Councilmember Press replied he would be happy to do that and suggested considering Dennis Leazott as a sixth committee member.

At 1:53:20 Councilmember Press asked why bother with the scoring when only two filled out the full RFP? Just go right to the next step. Councilmember Deacon stated the scoring is based on the technical aspects of the bid and we want to understand the differences, the pros and cons of each bid. Councilmember Press asked how much does the scoring cost and Councilmember Deacon answered it is part of the consulting cost we approved. It is a benefit we should take advantage of. The two bids are very different. Councilmember Press asked who the two vendors are. Councilmember Deacon replied we keep it confidential at this point for negotiating purposes.

Councilmember Welsh moved to approve the Broadband Committee members proposed by Mayor Siemborski and Councilmember Turner seconded the motion. Councilmember Broome asked if Dennis Leazott was included. Mayor Siemborski replied he was okay with adding Dennis, and Councilmember Deacon concurred as long as Dennis could make himself available at the meetings.

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

Tree Canopy Subcommittee (Councilmember Turner) starts at 1:57:24

- Has met twice and will continue to meet once a month
- Will compare our tree related ordinances to ODNR and Tree Canopy Academy samples
- Educational materials to be shared with residents along the way

12. **Resolution No. 2024-21 (First Reading)** starts at 1:58:45

“A Resolution Submitting the Question of the Renewal of an Existing 3.5 Mill Tax Levy for the Purpose of Current Expenses and Declaring an Emergency” was read by Mayor Siemborski. Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-21 be placed on its final passage. Councilmember Welsh seconded the motion to suspend the rules.

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

Councilmember Broome moved to approve Resolution No. 2024-21 and Councilmember Deacon seconded the motion.

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

13. **Resolution No. 2024-22 (First Reading)** starts at 2:00:52

“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” was read by Councilmember Steinbrink. In place since 2018, there are no changes to the language in the agreement and the 77/23 percent split remains unchanged. Councilmember Steinbrink moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-22 be placed on its final passage. Councilmember Welsh 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. 2024-22 and Councilmember Welsh seconded the motion.

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

14. **Ordinance No. 2024-23 (First Reading)** starts at 2:03:30

“An Ordinance to Add New Firefighter Station Duty Hourly Rates and Declaring an Emergency” was read by the Mayor. Councilmember Welsh moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2024-23 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 Ordinance No. 2024-23 and Councilmember Deacon seconded the motion.

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

15. **Ordinance No. 2024-24 (Revised 6/18/2024) (First Reading)** starts at 2:04:53

“An Ordinance to Amend the Annual Appropriation Ordinance No. 2023-49 to Increase Certain Appropriations and Other Expenditures of the Village of Gates Mills, Ohio for the Fiscal Year Ending December 31, 2024” was read by Mayor Siemborski. Three items require additional money beyond what was budgeted - 1) \$5000 for the Encore Finale staging and tent, 2) \$40,000 for renovating the women’s bathroom on the side of the Service Garage, and 3) \$25,000 for salaries and \$1000 for benefits to staff the Saturday Fire Station Duty. Councilmember Turner moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2024-24 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 Ordinance No. 2024-24 and Councilmember Deacon seconded the motion.

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

16. **Ordinance No. 2024-25 (First Reading)** starts at 2:08:16

“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” was read by Councilmember Steinbrink. This ordinance is necessitated by the passage of Issue 2 last fall. In 2016 Council did something similar and put a six-month moratorium in place for medical cannabis use and that was referred to P & Z who developed an ordinance basically banning medical dispensaries and cultivation. We need time to do something similar for recreational use. Councilmember Steinbrink moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2024-25 be placed on its final passage. Councilmember Deacon seconded the motion to suspend the rules.

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

Councilmember Welsh stated there’s a corporation that owns a farm here in the Village and this is entirely premature for them.

Councilmember Turner moved to approve Ordinance No. 2024-25 and Councilmember Broome seconded the motion.

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

17. **Ordinance No. 2024-26 (First Reading)** starts at 2:11:00

“An Ordinance Authorizing the Disposal by Sale of Slag Gravel that is Surplus and Unneeded for Village Purposes; and Declaring an Emergency” was read by the Mayor. Cole Burton recently paved the Service Dept. areas and has a use for the gravel pile that we no longer use. This will generate approx. \$5000. Councilmember Steinbrink moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2024-26 be placed on its final passage. Councilmember Broome seconded the motion to suspend the rules.

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

Councilmember Deacon moved to approve Ordinance No. 2024-26 and Councilmember Broome seconded the motion.

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

18. Council Matters - None

19. Business from the Audience - None

20. Adjourn

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

Respectfully submitted


Beth DeCapite, Clerk

Approved:



Steven L. Siemborski, Mayor