

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
September 9, 2014

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, September 9, 2014 at 6:30 p.m. in the Village Hall.

Councilmembers present: Barnes, Frankel, Reynolds, Schneider, Sogg.

Councilmembers absent: Turner, Welsh.

It was moved by Councilmember Frankel, seconded by Councilmember Reynolds, that Councilmembers Turner and Welsh be excused from the meeting.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
 Nays: None.
 Motion carried.

Mayor Riley presided.

Mayor Riley announced the appointment of Archie Kimbrew as Full-time Patrolman. Police Chief Whitmer explained that Patrolman Kimbrew has assisted the Police Department for several years and is now joining the department as a full-time employee. Mayor Riley administered the Oath of Office to Patrolman Kimbrew.

It was moved by Councilmember Reynolds, seconded by Councilmember Schneider, that the appointment of Archie Kimbrew to Full-time Patrolman be approved.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
 Nays: None.
 Motion carried.

The minutes of the August 12, 2014 Council meeting were presented by the Clerk. Councilmember Sogg noted that Ron Holman's name was misspelled on page 6. It was moved by Councilmember Schneider, seconded by Councilmember Frankel, that the minutes, as amended, be approved.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
 Nays: None.
 Motion carried.

The minutes of the Special Council meeting held on August 26, 2014 were presented by the Clerk. It was moved by Councilmember Sogg, seconded by Councilmember Reynolds, that the minutes be approved.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
Nays: None.
Motion carried.

Pay Ordinance #1169 in the amount of \$755,637.82 was presented by the Clerk. Councilmember Reynolds queried whether anyone was having or aware of problems with missed pickups. She stated that she has been in contact with Rumpke regarding the same.

It was moved by Councilmember Schneider, seconded by Councilmember Sogg, that Pay Ordinance #1169 be approved.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
Nays: None.
Motion carried.

The financial statement for the period ending August 30, 2014 was presented by the Clerk. Councilmember Barnes reviewed certain YTD results, highlighting as follows:

- Operating Revenues are \$3.5M compared to \$3.6M last year.
- Operating Expenses are essentially equal to last year.
- \$900,000 Operating Surplus versus \$1M last year.
- \$5.5M in Cash and Investments.
- Unfunded debt is under \$600,000.
- Capital Improvement spending is \$700,000 compared to the Budget amount of \$1.6M.

Councilmember Barnes advised that he will be working with Finance Administrator Lechman and Service Director Biggert to review and update projects to determine what will and will not be going forward for the remaining part of the year. Village Engineer Courtney shared that he anticipates the project on Old Mill Road will go over the contract award amount by approximately \$25,000.

Councilmember Frankel asked what the total cost was for rebuilding the tennis courts. After a brief discussion, Finance Administrator Lechman estimated the total cost, before contributions, to be \$100,000. Current contributions total \$10,525. A \$10,000 contribution is expected from the Improvement Society. Councilmember Schneider added that the Community Club is planning a fundraising event and anticipates it will raise approximately \$5,000. Based on the foregoing contributions, the total cost to the Village is estimated at \$75,000.

Mayor Riley reported that, similar with other communities, Gates Mills is experiencing problems with buying road salt for this coming season. Mayor Riley then announced new hours at Village Hall: 9:00 a.m. to 5:00 p.m. during the week and 9:00 a.m. to 1:00 p.m. on Saturdays. He then noted the upcoming Fieldstone Farms' fundraiser being held on Saturday, September 13.

Clerk DeCapite reported that Ryan Dentscheff is the new reporter for Chagrin Valley Times.

On behalf of the Planning & Zoning Committee, Councilmember Schneider shared that the Committee has met and discussed rental units from a safety standpoint. She expressed the need for the Village to have a permitting process for rental units. She added that it is possible that Gates Mills is not receiving all of the taxes from those that reside in rental units. Councilmember Frankel asked how such a process would be enforced. Councilmember Schneider explained that, per Assistant Law Director Hunt, most communities have a permitting process where the owner of a rental property would file annually a form and pay a fee. It would be the responsibility of the property owner to update as necessary. Councilmember Schneider stated that such a form is currently available on the Village's website. Mayor Riley added that the process is currently voluntary. Councilmember Frankel inquired as to the number of rental properties in Gates Mills. Councilmember Schneider answered that there are several. Mayor Riley highlighted the need to develop some clear rules for the residents but expressed sensitivity to not wanting to introduce several new regulations.

Councilmember Frankel shared that the Mayfield School System Liaison Committee's next meeting is set for Wednesday, September 24.

Police Chief Whitmer provided a written report.

A written report was provided by Service Director Biggert. He advised that the final striping on Mayfield Road has been completed. Councilmember Sogg questioned whether the parking spaces on Chagrin River Road would be striped. Service Director Biggert affirmatively confirmed. Mayor Riley requested explanation be given with regard to work being done on Mayfield Hill. Service Director Biggert explained that the gas company – without notification – started work to extend a main gas line. In response to Councilmember Frankel's concerns regarding the Old Mill project, Village Engineer Courtney responded that crews encountered rock when attempting to install steel sheet piling. The rock caused certain areas to be too shallow and the resulting need for about 14-16 supplemental anchors. Referencing his earlier comment about the project incurring more costs, he advised that he is waiting to receive the final pricing. He added that this extra project will require a 2-3 week road closure. Councilmember Frankel questioned if the problems encountered could have been determined in advance. Village Engineer Courtney responded that unless boring was done every 10 feet, it would not have been.

Fire Chief Robinson provided a written report. He pointed out that he added Firemen's anniversary dates to his report.

Ordinance #2014-17 "An Ordinance Accepting The Donation Of A Parcel Of Property" was introduced by Councilmember Frankel and read by the Clerk.

It was moved by Councilmember Frankel, seconded by Councilmember Reynolds, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2014-17 be placed upon its final passage.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
 Nays: None.
 Motion carried.

It was then moved by Councilmember Frankel, seconded by Councilmember Schneider, that Ordinance #2014-17 be approved.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
Nays: None.
Motion carried.

Ordinance #2014-19 “An Ordinance Authorizing The Service Director To Purchase Road Salt and De-Icer On The Open Market, Waiving Further Competitive Bidding, And Declaring An Emergency” was introduced by Councilmember Barnes and read by the Clerk. He explained that in response to an ad for bids for salt, the Village received four (4) non-bids. Councilmember Barnes commented that many communities are experiencing the same problem – that companies are not bidding on salt. He advised that Service Director Biggert is working to find someone to provide the Village with salt. He reported that the Village has 500 tons and typically bids for 2,000 tons. Last year, the Village paid \$32 a ton, spending a total of \$70,000. He advised the current rate is \$225 a ton. He added that Service Director Biggert found a potential supplier in New York state. Councilmember Reynolds asked whether price gouging was occurring. Mayor Riley shared that suppliers, hit by penalty clauses last year, are now under committing. Councilmember Schneider asked if there were any alternatives. Service Director Biggert stated he is currently looking at a 3-part plan: (1) the purchase of additional salt; (2) looking into obtaining a full tanker of a liquid that enhances and makes road salt more efficient; and (3) being disciplined on use of salt such as making hills and intersections a priority. Service Director Biggert stated that he would continue to explore what options are available. He added that he has been in contact with ODOT and believes the State will likely help in some way. Councilmember Barnes summarized that this Resolution is to give Service Director Biggert the authority to find a supplier and enter into a deal for salt.

It was moved by Councilmember Barnes, seconded by Councilmember Schneider, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2014-19 be placed upon its final passage.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
Nays: None.
Motion carried.

It was then moved by Councilmember Barnes, seconded by Councilmember Sogg, that Ordinance #2014-19 be approved.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
Nays: None.
Motion carried.

Ordinance #2014-20 “An Ordinance To Amend The Annual Appropriation Ordinance No. 2014-02 To Increase Certain Appropriations And Other Expenditures Of The Village Of Gates Mills, Ohio For The Fiscal Year Ending December 31, 2014” was introduced by

Councilmember Barnes. Finance Administrator Lechman explained the Village has spent more in the Park & Recreation fund and also received a much higher than expected bill for the Waste Water Treatment Plant inspection provided by the County. That bill was for a 2-year period. Finance Administrator Lechman noted that payment was made for only one year and cautioned next year's bill will increase. This Ordinance is to transfer money pursuant to the Auditor's requirements that funds cannot have negative balances.

It was moved by Councilmember Barnes, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2014-20 be placed upon its final passage.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
Nays: None.
Motion carried.

It was then moved by Councilmember Barnes, seconded by Councilmember Sogg, that Ordinance #2014-20 be approved.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
Nays: None.
Motion carried.

Resolution #2014-21 "Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor" was introduced by Councilmember Barnes and read by the Clerk. He explained that earlier this year, submission was made by the Village for the levies that were on the books. The Resolution is to approve the same based on the County's approval.

It was moved by Councilmember Barnes, seconded by Councilmember Reynolds, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2014-21 be placed upon its final passage.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
Nays: None.
Motion carried.

It was then moved by Councilmember Barnes, seconded by Councilmember Reynolds, that Resolution #2014-21 be approved.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
Nays: None.
Motion carried.

Resolution #2014-22 "A Resolution Requesting The County Auditor To Advance Taxes From The Proceeds Of Tax Levies Pursuant To Ohio Revised Code Section 321.34" was introduced by Councilmember Barnes and read by the Clerk. Councilmember Barnes explained

that as the County approved the levies, this Resolution allows the Village to request the County Auditor to advance the money due to the Village.

It was moved by Councilmember Barnes, seconded by Councilmember Schneider, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2014-22 be placed upon its final passage.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
 Nays: None.
 Motion carried.

It was then moved by Councilmember Barnes, seconded by Councilmember Sogg, that Resolution #2014-22 be approved.

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
 Nays: None.
 Motion carried.

Business from the audience:

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

Roll call: Ayes: Barnes, Frankel, Reynolds, Schneider, Sogg.
 Nays: None.
 Motion carried.

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Shawn M. Riley, Mayor