

Village of Gates Mills  
MINUTES OF A REGULAR MEETING OF COUNCIL  
January 14, 2014

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, January 14, 2014 at 6:30 p.m. in the Village Hall.

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

Councilmembers absent: Welsh.

It was moved by Councilmember Schneider, seconded by Councilmember Turner, that Councilmember Welsh be excused from the meeting.

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

Mayor Riley presided.

Assistant Law Director Todd Hunt administered the Oath of Office to elected Councilmembers Barnes, Frankel, Schneider and Sogg.

Assistant Law Director Todd Hunt administered the Oath of Office to elected Treasurer Tim Reynolds.

Councilmember Reynolds nominated Councilmember Schneider for the position of President of Council Pro Tem. No other nominations were submitted.

It was moved by Councilmember Reynolds, seconded by Councilmember Barnes, that Councilmember Karen Schneider be elected President of Council Pro Tem for the ensuing year.

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

The oath of office was administered to President of Council Pro Tem Schneider by Law Director Todd Hunt.

Mayor Riley announced, in light of Tim Reynolds' election as Treasurer, he recommends Robert S. Reitman to serve as Income Tax Administrator. Mayor Riley explained that the Treasurer usually serves as Income Tax Administrator, however, given Tim Reynolds' position on the Income Tax Appeal Committee, he suggested that Bob Reitman serve in this capacity and advised that Mr. Reitman was willing to do so.

It was moved by Councilmember Sogg, seconded by Councilmember Schneider, that the appointment of Bob Reitman to Income Tax Administrator be approved.

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

A list was distributed to Council identifying proposed appointments to various Boards, Commissions and Committees. The list included:

- Robert S. Reitman, Income Tax Administrator;
- Margaret Cannon, Law Director;
- Michael Cicero, Prosecutor;
- Jo Ann Lechman, Finance Administrator and Assistant Tax Administrator;
- Gail Palmer, Assistant Treasurer;
- Ronald Whitmer, Police Chief;
- Gregg Minichello, Executive Lieutenant;
- David Biggert, Service Director, Building Official and Building Inspector;
- Tom Robinson, Fire Chief;
- William Murfello, Service Manager.

It was moved by Councilmember Sogg, seconded by Councilmember Schneider, that the appointments to various Boards, Commissions and Committees be approved.

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

The minutes of the December 17, 2013 Council meeting were presented by the Clerk. Councilmember Frankel noted that the words “for bids” should be inserted between “statutory requirement” and “could be waived” on page 5. It was moved by Councilmember Frankel, seconded by Councilmember Turner, that the minutes, as amended, be approved.

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

Pay Ordinance #1161 in the amount of \$795,891.56 was presented by the Clerk. It was moved by Councilmember Sogg, seconded by Councilmember Schneider, that Pay Ordinance #1161 be approved.

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

The financial statement for the period ending December 31, 2013 was presented by the Clerk. Councilmember Barnes reviewed certain YTD results, highlighting as follows:

- The 2013 YTD budget figure for revenues had a variance of only \$1,000. He commented on the excellent job of Finance Administrator Lechman with regard to the same. He noted that additional real estate taxes were received toward the end of the year.
- Operating expenses of \$3,856,000 which amount represents \$110,000 less than last year and \$150,000 under budget.
- Operating surplus of \$640,000. He acknowledged the Department Heads for their assistance in keeping expenses down.
- Inheritance taxes received was just under \$400,000.
- Legal fees in the amount of \$70,000 represents a significantly higher figure than last year's \$45,000 and over the budgeted amount of \$45,000.
- Engineering fees were slightly above budget.
- A significant cost incurred by the Village was for Flood Insurance which was \$120,000 compared to the budget of \$89,000 and last year's cost of \$87,000. Councilmember Barnes suggested that attention be given on ways to reduce this expense. Mayor Riley added that some buildings in the Village were not insured to assist with cost reduction.
- Councilmember Barnes noted two unbudgeted items regarding the Police Department: the Dispatch Operating Fee and the Alarm System Fee.
- The Fire Department figures are below last year's due to the renegotiated EMS contract.
- Negative expenses noted included cost of salt and aggregate as well as expenses relating to Village Hall.
- \$5.1 Million in Cash and Investments.
- \$640,000 in Unfunded Debt.

Councilmember Barnes stated that the Finance Committee would be meeting on Saturday to review preliminary budgets of the Department Heads and expects to present the Budget at the next Council meeting for approval. Additionally, he advised that the Finance Committee would be addressing Capital Improvement concerns. Councilmember Barnes suggested that some Capital Improvement projects be put on hold until we find grant money. He explained that although less funds were spent on Capital Improvement projects in 2013, there are several projects that were deferred to carry over into 2014. Mayor Riley queried how much was in the Capital Fund. Finance Administrator Lechman responded \$1,337,000. Mayor Riley added if we continue to spend at this rate in four years we could be out of cash.

In Mayor Riley's report, he provided a summary of a memorandum he had distributed to Council. The memorandum outlined a proposed idea of establishing a trust to take assignment of the mineral extraction rights for property owners in the Village who are willing to participate. The idea is if property owners are proactive and organize now, they may be in a position to control deep well drilling in the future. Mayor Riley stated that according to industry experts,

ten years from now deep wells are a real possibility in the Gates Mills area. Councilmember Schneider asked if an owner could be forced to be part of the group. Mayor Riley said they could be if enough residents were a part of the group. Councilmember Reynolds asked how many acres is need. Mayor Riley replied 600. Councilmember Barnes asked if any other communities were doing this. Mayor Riley said Pepper Pike's Mayor has approached him. Mayor Riley indicated that he has had preliminary meetings with groups such as the Western Reserve Land Conservancy and the Gates Mills Land Conservancy. He stated that the Western Reserve Land Conservancy is prepared to provide logistical support and that he did not sense opposition from the Gates Mills Land Conservancy. Councilmember Turner said she supported this idea because it would give the Village more control and more leverage. Councilmember Frankel suggested the Villagers be informed about this idea. Mayor Riley pointed out that once the group is formed it could decide that there would be no well. At least it would have the ability/power to make the decision. Mayor Riley encouraged feedback and welcomed the opportunity to discuss this idea further.

The Clerk had nothing to report.

No Committee reports were given.

Police Chief Whitmer provided a written report. He stated that the YTD number for speed citations increased from 630 to 693. Additionally, he pointed out that the citations for reasonable control decreased from 28 to 13. He explained that those figures resulted in a 30% decrease in crashes with injuries. Police Chief Whitmer believed such result is due to the proactive approach of the Police Department in being more visible in the community.

A written report was provided by Service Director Biggert. Mayor Riley asked how the Village's supply of salt was. Service Director Biggert advised that this season had required the use of a large amount of salt compared to prior years, however, a second delivery of salt is expected. Mayor Riley then questioned how much overtime has been incurred with regard to weather-related road maintenance. Service Director Biggert said he would look into finding out that answer. Finance Administrator Lechman suggested that overtime was minimal as workers elected to bank comp time. Councilmember Sogg shared with Council a compliment she received from a resident with how well the roads are maintained.

Chief Robinson provided the Fire Department report. Councilmember Reynolds queried about an alarm report included in his report. Fire Chief Robinson stated the alarm report questioned was from Sara's Restaurant and explained that the restaurant had an issue with a detector which has since been resolved. Fire Chief Robinson explained the roll out of a phone app called "PulsePoint" and stated that service announcements regarding the same should be expected in the near future. His explanation included that individuals certified in CPR can download the PulsePoint application to their phone and if they are within a quarter mile radius of someone needing CPR, a message will be sent to their phone with the location of the individual in need and a message of where the closest AED is located. He added that currently only two agencies in Ohio participate in this program including Chagrin Valley Dispatch. He advised that the Cleveland Clinic will also be participating in the future. Chief Robinson reminded Council

that the Fire Department conducts CPR classes. Councilmember Frankel stated that he was not aware of that offering and suggested that the same be announced in the *Pink Sheet*.

Councilmember Frankel expressed concern with regard to the recent detonation in the area referred to as the “Old Dump.” He also suggested that the site be renamed. Fire Chief Robinson stated that after the last detonation, given the residential area surrounding the site, it was his opinion that detonations should no longer take place at the site. He stated that Mayor Riley and Police Chief Whitmer shared the same opinion. Police Chief Whitmer advised that he informed the bomb squad commander that the property is no longer available for the use of detonation. Police Chief Whitmer also said he would address the same in his article for the *Pink Sheet*. In response to Councilmember Frankel’s suggestion of renaming the property, Councilmember Reynolds recommended the Beautification Committee address renaming the site. Councilmember Sogg agreed.

Ordinance #2014-01 entitled “An Ordinance Amending Chapter 1313 of the Building and Housing Code to Amend the Proceedings of the Architectural and Historic Board of Review”, was introduced by Councilmember Schneider and read by the Clerk. Councilmember Sogg explained that with the assistance of Service Director Biggert an application was submitted on behalf of the Village to become a Certified Local Government. In response to the application submission, certain changes in the language of the existing Ordinance are required in order to process the application. She added that the goal of the Village to become a Certified Local Government is to allow it to be in a position to apply for grants for future projects that relate to protecting and/or reusing historic resources. Councilmember Sogg explained that communities that become Certified Local Governments have potential access to both State and Federal resources that matches grants to rehab or initiate other programs related to historic resources. Service Director Biggert and Councilmember Sogg added that grants are also available for educational purposes. Such grants are given on a 60/40 basis with the Village’s contribution being 40%. Mayor Riley inquired as to what type of projects are being considered. Councilmember Sogg explained that after becoming a Certified Local Government, any proposed projects would be presented to Council for their consideration and approval. Two projects that have been preliminary discussed between Councilmember Sogg and Service Director Biggert included the restoration of the archive building for future use as well as the painting of the foot bridge. Councilmember Sogg added that additional consideration needs to be given to whether the option of nominating anything to the National Registry would be beneficial in assisting the Village to obtain grant money. Mayor Riley asked how much money is available. Service Director Biggert responded that typically there has been approximately \$100,000 year available to distribute. Councilmember Schneider questioned if the bridge or the building had to be declared “historic” in order to qualify for grant money. Service Director Biggert explained that if the Village wanted to use the funds for physical buildings, those building would have to be deemed “historical.” Councilmembers Schneider and Barnes expressed their concerns with regard to if the same would jeopardize the Village’s use of buildings and the possible restrictions to the Village from the same. Councilmember Turner asked why other communities have not applied. In response, Councilmember Sogg emphasized that to qualify, a community must be an older community. Councilmember Turner asked what the application fee is. Councilmember Sogg advised that there is no fee to apply. Mayor Riley confirmed that this Ordinance was only to allow for the process of the Village to become a

Certified Local Government and no approval for projects are being sought at this time. Councilmember Turner reminded Council that this was the first reading and additional time is allowed for further consideration and discussion.

Business from the audience: none.

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

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

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Shawn M. Riley, Mayor