

Village of Gates Mills  
MINUTES OF A REGULAR MEETING OF COUNCIL  
November 11, 2015

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Wednesday, November 11 at 6:30 p.m. in the Village Hall.

Councilmembers present: Frankel, Reynolds, Schneider, Sogg, Turner, Welsh, Whitney.

The minutes of the October 21, 2015 Council meeting were presented by the Clerk. Councilmember Reynolds requested clarifying the language on page 7 regarding the contract renewal for EMS services. It was agreed to change the wording to "an aggregate 6% increase over the 5 years." It was moved by Councilmember Reynolds, seconded by Councilmember Sogg, that the minutes, as amended, be approved.

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

Pay Ordinance #1183 in the amount of \$350,299.79 was presented by the Clerk.

It was moved by Councilmember Welsh that Pay Ordinance #1183 be approved.

Responding to Councilmember Frankel's inquiry, it was confirmed that expenses of RSA Architects expenses relating to the Burton Court/Sara's renovations are the Village's responsibility. Councilmember Frankel then asked about Ontario Stone expenses. Service Director Biggert confirmed the same was for slag material used in the winter.

It was seconded by Councilmember Sogg, that Pay Ordinance #1183 be approved.

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

The financial statement for the period ending October 31, 2015 was presented by Treasurer Reynolds. Treasurer Reynolds indicated there were no significant changes since last month and highlighted the following:

- Operating Revenues are up by approximately half a million dollars due to higher municipal income taxes and higher real estate taxes received.
- Overall surplus is approximately \$848,000.
- No significant changes with departmental budgets relative to last month. Councilmember Frankel asked about the Dispatch Operating Fee. Chief Minichello stated the total for the year has been paid.

Ordinance #2015-28 “An Ordinance Adopting New Chapter 792 Of The Codified Ordinances Of The Village Of Gates Mills Regarding Municipal Income Tax, and Declaring An Emergency” was introduced by Councilmember Whitney. Councilmember Whitney reminded Council that the first reading was held last month. She further explained that this Ordinance is to allow for the Village’s compliance with the State of Ohio. She advised that this needs to be passed before the end of the year and expressed her preference to not wait until December to do so.

It was moved by Councilmember Whitney, seconded by Councilmember Welsh, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2015-28 be placed upon its final passage.

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

Councilmember Whitney provided a brief update on the changes being made to the Chapter includes taxing any amount of lottery or gambling winnings versus the former practice of only taxing winnings exceeding \$250,000.

It was moved by Councilmember Whitney, seconded by Councilmember Welsh, that Ordinance #2015-28 be approved.

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

Ordinance #2015-30 “An Ordinance To Provide Temporary Appropriations For The First Quarter 2016” was introduced by Councilmember Whitney. Councilmember Whitney explained that this Ordinance is necessary to be able to expend funds for the first quarter of 2016 and as it deals with the welfare of the Village requested it be passed by emergency measure.

It was moved by Councilmember Whitney, seconded by Councilmember Welsh, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2015-30 be placed upon its final passage.

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

It was moved by Councilmember Whitney, seconded by Councilmember Welsh, that Ordinance #2015-30 be approved.

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

Mayor Riley raised the possible land swap between the Village and Mr. John Mueller which was discussed at the last Council meeting. Mayor Riley reported that when the property was deeded to the Village, it included a restriction. He advised that the former owners have been located and are willing to amend the restriction so that we may move forward with the proposal. Councilmember Reynolds asked if Mr. Mueller discussed the proposal with his neighbor. Mayor Riley confirmed but indicated that he would follow up regarding the result of such discussion. Mayor Riley then raised the topic of the beautification project near the tennis courts. He shared his understanding that the Community Club has expressed some reservation of their donation being used toward playground expenses. Finance Administrator Mulh stated that the Community Club will hold a vote at its November 18 meeting. Mayor Riley confirmed receipt of the Garden Club's first \$500 donation. Mayor Riley then provided a reminder and encouraged attendance at the memorial ceremony for Tom Quintrell being held on Saturday at 1:00 p.m. Mayor Riley concluded his report by extending his congratulations to the newly elected Village officials.

Councilmember Reynolds remarked on the passing of Mario DiPadova, a former councilmember, and wished to recognize his contributions to the Village. Councilmember Schneider indicated that flowers should be sent on behalf of Council. Councilmember Welsh suggested a Citation for Mr. DiPadova. Mayor Riley said that can be discussed at the next Council meeting.

Clerk DeCapite had nothing to report.

Councilmember Welsh, on behalf of the Cemetery Committee, indicated there was nothing to report. Law Director Cannon provided an update on the Glynos property purchase. She advised that the property was sold at a sheriff's sale; however, the purchaser still has not yet paid the purchase price and has filed a motion for extension for time. She stated that the motion indicates that the initial financing was denied due to the condition of the property. She said the potential purchaser is now working to secure financing with another financial institution. Law Director Cannon confirmed that she has been in contact with counsel for the bank and has advised bank's counsel of the Village's potential interest in a portion of the property. She is waiting to hear back. In response to Councilmember Frankel's question regarding any environmental concerns of the structure, Law Director Cannon said she is not aware of any occupancy problems with the structure. She noted that per the motion, financing was contingent on the condition of the structure. Service Director Biggert stated he is not aware of why it could not be occupied. Councilmember Welsh asked about discussing a potential purchase with the Land Conservancy. Mayor Riley suggested working on having an offer ready to purchase a portion of the property and work to identify a suitable purchase price. Councilmember Schneider commented that the Land Conservancy has an interest in obtaining a portion of the property. Councilmember Welsh suggested considering borrowing money for the purchase and using funds received from the sale of grave plots toward repayment.

Councilmember Schneider requested Council members consider their choices for the committees they would like to serve on in the new year and to advise her as to their preferences.

Police Chief Minichello provided a written report. Pursuant to a conversation he had with Chagrin Valley Dispatch, he advised that the Village's fees for 2016 should be

approximately \$10,000 lower than this year due to more partners joining Chagrin Valley Dispatch. He noted the Village of Bratenahl is joining and noted possible additions of other communities next year. Police Chief Minichello, noting state mandates, reported that the Police and Fire Departments recently worked with Gilmour Academy on a successful evacuation drill.

Service Director Biggert provided a written report. Service Director Biggert noted the Berkshire Road project is almost done with guardrails being installed next week. Councilmember Welsh asked if the paving projects were finished. Service Director Biggert confirmed completion. Councilmember Welsh expressed his opinion that Hillcreek looks terrible. Village Engineer Courtney added that the Foxboro drainage project is almost complete as well.

Fire Chief Robinson provided a written report.

Business from the audience: Resident Charles Belson inquired as to when the election results/charter amendment would be certified. Mayor Riley responded sometime during the last week of November.

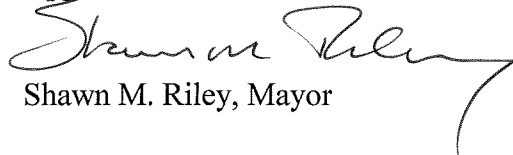
There being no further business, it was moved by Councilmember Welsh, seconded by Councilmember Reynolds, and unanimously carried, that the council meeting be adjourned.

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

Respectfully submitted,

  
Beth DeCapite, Clerk

Approved:

  
Shawn M. Riley, Mayor