

Village of Gates Mills  
MINUTES OF A REGULAR MEETING OF COUNCIL  
October 9, 2012

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, October 9, 2012 at 7:00 P.M. in the Village Hall.

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

Councilmembers absent: Bletcher, Welsh.

Mayor Riley presided.

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

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

The minutes of the meeting of September 11, 2012 were presented by the Clerk. It was moved by Councilmember Sogg, seconded by Councilmember Barnes, that the minutes be approved.

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

Pay Ordinance #1146 in the amount of \$605,283.04 was presented by the Clerk. It was moved by Councilmember Reynolds, seconded by Councilmember Sogg, that Pay Ordinance #1146 be approved.

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

The financial statement for the period ending September 30, 2012 was presented by the Clerk. Councilmember Barnes said \$2,000,000 had been moved from Star Ohio to Star Plus. Municipal Income tax is \$50,000 higher than last year. This month there have been some one-time expenses. In Administration there is an audit fee; in the fire department, a quarterly EMS fee; and in the service department, street repair expense. It is possible we will end the year with a surplus. Time will tell.

Mayor Riley reported that in his Pink Sheet article he solicited volunteers to help raise money for tennis court improvements. No one has responded.

Mayor Riley said the Village has reached in principal an EMS agreement with Mayfield Village. No document has yet been prepared. The average amount the Village has paid Mayfield Village for EMS over the last three years has been about \$300,000. The target for the new contract is \$150,000 per year. Mayfield Village can count on \$125,000 per year and Gates Mills can cap exposure at \$175,000. Essentially the cost is cut in half. He feels this is a first step in what will ultimately be a

regional effort to reduce costs and consolidate services. He thanked the Safety Committee co-chaired by Councilmember Reynolds, Fire Chief Robinson, and Finance Administrator Lechman for their efforts.

Mayor Riley reminded everyone about the upcoming Gates Mills Improvement Society's forum.

The Clerk reported that the State required audit has been completed and a draft of the report is ready for presentation. If anyone is interested in attending an after-audit meeting let Finance Administrator know and she will arrange a date that accommodates as many as possible.

Councilmember Turner reported that the Gas Well Committee has a meeting scheduled for October 24, 2012 and 8:30 a.m. There is concern about deep well drilling which could affect the Village.

Councilmember Turner reported that the Mayfield School Liaison Committee had a good meeting which was attended by John Folkman, Scott Snyder (Mayfield School Treasurer), George Hughes (member of the School Board), and Jennifer Decker (President of Gates Mills Elementary School PTO). October 11 through October 26 there will be a reading marathon for grades K through 5. It's a competition with prizes. They are looking for sponsors for each grade. The second and third grades still needs sponsors. Councilmember Reynolds said this is a fund raiser. Village support of this activity would send a message to the school and parents that the Village knows the school exists and encourages these projects. She challenged the Councilmembers to pledge \$10 each toward the second or third grade class. She said if one of the classes still has no sponsor she will ask the Friends of the Library for support. Councilmember Reynolds said there is a new principal at Gates Mills Elementary School who is dynamic, charming, and in love with the school. She feels this sponsorship sends a good message to her.

Councilmember Turner asked if Council would be interested in paying for an ad about Gates Mills Elementary School in the Gates Mills Players' program. She said the downside is that everyone could ask Council for contributions. Councilmember Sogg said if Council did this, a Club could be the next to ask for support.

Councilmember Sogg reported on the Beautification Committee. They are working on the entryways into the Village, trying to make them look uniform and to make a statement. Ann Whitney took pictures of the entryways and Councilmember Sogg sent suggestions to Service Director Biggert. Mary Ann Kish put an ad in the Pink Sheet to raise funds. Paul Neundorfer is on the Committee and hopefully will give input as to the style. The ideas will be brought to Council for comments. The committee is also working on the properties across the street from the Town Hall.

Police Chief Szeredy presented a written report for the Police Department for the preceding period. There were a few burglaries this month. It appears there is a group working the area. At every house that has been hit the doors were not locked or if there was an alarm system, it was not activated. The two things targeted are jewelry and cash. He suggested getting a safe or taking valuables elsewhere. The police department is doing some reading programs with the school.

Service Director Biggert submitted a written report for his department for the preceding period. Mayor Riley asked when Mayfield Road would be opened. Service Director Biggert said mid-November. Village Engineer Courtney said he thought it would be the end of October. Service Director Biggert reminded Council that Tom Morley was at the Council meeting last month expressing

his concerns with the neighboring property. Since then Engineer Courtney and he visited the Mangeluzzi project and felt the site work portion of the permit could be closed. He sent a letter stating that. There can be no more grading, excavating, tree cutting, seeding, etc. The only thing outstanding on the permit would be to complete the bathroom.

Village Engineer Courtney visited the site and made sure what was seeded was taking. He gave Mr. Mangeluzzi the information he needed to close out the site related EPA permit. Any new work he needs to do would be under a different permit.

Fire Chief Robinson presented a written report for the Fire Department for the preceding period. Councilmember Reynolds asked if there were more vehicle accidents than usual. He said the fire department responds only if there is an injury. They went to 5 accidents. Councilmember Sogg said she has heard a lot of complaints about speeding down Old Mill hill. Councilmember Reynolds said the school buses fly down Old Mill and Epping. She felt someone should talk to George Hughes (member of Mayfield School Board).

Resolution #2012-37 entitled "A Resolution Authorizing The Mayor To Submit An Application On Behalf Of The Village Of Gates Mills To Participate In The Ohio Public Works Commission State Capital Improvement And/Or Local Transportation Program(S) And To Execute Contracts As Required And Declaring An Emergency," was introduced by Councilmember Barnes and read by the Clerk. Service Director explained this was authorizing an application for financial assistance for the cross-over pipe on Mayfield Road and for the large pipe that runs by the treatment plant. Engineer Courtney said it is the standard legislation required when applying for Issue 1 funding. It was moved by Councilmember Sogg, seconded by Councilmember Barnes, the rules requiring resolutions to be read on three different days be suspended and that Resolution #2012-37 be placed upon its final passage.

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

It was then moved by Councilmember Barnes, seconded by Councilmember Turner, that Resolution #2012-37 be approved.

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

Ordinance #2012-38 entitled "An Emergency Ordinance Setting Forth The Rate Of Compensation For Engineering Services For The Village," was introduced by Councilmember Barnes and read by the Clerk. Councilmember Barnes explained the structure of the Ordinance is the same as the existing Ordinance for engineering services. There are four components. Section 1 (a) through (g) covers services that are performed under the retainer. Page 2, Section 4 provides the fee schedule for sanitary sewer and street projects. There is a separate schedule for public improvement projects other than sanitary sewer and street projects. Section 4 is the same as the current contract and is basically a percentage of construction costs. Page 4 lists the supplementary services paid at hourly rates scheduled on page 5. The services listed are exactly the same as in the current contract. It was moved by Councilmember Barnes that Ordinance #2012-38 be placed upon first reading.

Councilmember Sogg asked if there had been any canvassing of other communities and what they pay for engineering services. Councilmember Barnes said information from Hunting Valley indicated the two community pay comparable rates. He said we have an excellent relationship with Chris Courtney and would like to continue business with him as long as he is competitive. Councilmember Sogg said she supports everything Councilmember Barnes said.

Councilmember Schneider passed out a worksheet showing the funding that Engineer Courtney had obtained for the Village for infrastructure projects. She emphasized that twelve million dollars is a lot of money. Mayor Riley asked if the worksheet represented only non Gates Mills funds that were used for the projects. Councilmember Schneider said it did. It also includes the Mayfield Road funding.

Business from the audience:

Mr. Shillman expressed his concern about the proposal for cluster homes on the Gorman's property. He wanted to know the status of the project as far as Council and the Village was concerned. He asked Law Director Riehl if any ordinances were on the books authorizing cluster developments. Law Director Riehl said there was no specific ordinance on the books. The Planning Commission has been working on an Ordinance. The thinking was that since there are only so many parcels within the Village that would be eligible for this type of development, the ordinance has basically been put on hold. There would have to be a specific ordinance adopted to accommodate this type of development. Mr. Shillman asked if there was a time-table for this ordinance.

Mayor Riley said Mr. Gorman, his counsel, and his architect made a presentation to Councilmember Schneider and him, and ultimately to Planning and Zoning Committee with very preliminary ideas. He feels they are months away from having anything for Planning and Zoning to look at. Councilmember Schneider said they presented a concept which did not go well. Mayor Riley said Mr. Gorman may modify his proposal. Councilmember Schneider said at this moment there is nothing before the P&Z.

Councilmember Sogg said his presentation to P&Z was very unpopular. There were a lot of villagers who attended the meeting. Mayor Riley said it was more unpopular because of the type of houses and design of the houses than by the overall concept. Some members of the community feel there is a need for that type of development but not the way he designed it.

Mr. Shillman asked how the public would be informed if the issue comes up again. Law Director Riehl said there would be public hearings before the Planning Commission and then again before any ordinance would be adopted. Mayor Riley said there will be plenty of notice.

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

Roll call: Ayes: Barnes, Reynolds, Schneider, Sogg, Turner.

Nays: None.

Motion carried.

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Shawn M. Riley, Mayor