

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
March 8, 2011

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, March 8, 2011 at 6:30 P.M.

Councilmembers present: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.

Councilmembers absent: Nemastil.

Mayor White presided.

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

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.
Nays: None.
Motion carried.

Mayor White announced the appointment of Matthew Dunn as part-time Patrolman.

It was moved by Councilmember Reynolds, seconded by Councilmember Welsh, that the Mayor's appointment be approved and confirmed.

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.
Nays: None.
Motion carried.

The Mayor presented her appointments for the following committees: Animal Welfare, Arboretum, Cemetery, Chagrin River Watershed, Council of Councils, Council Representatives to Gates Mills Land Conservancy, Emergency Management, Finance and Budget, Insurance, Wage & Benefits, Income Tax Appeals Board, and Records. It was moved by Councilmember Schneider, seconded by Councilmember Reynolds, that the appointments be approved and confirmed.

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.
Nays: None.
Motion carried.

The minutes of the meeting of February 8, 2011 were presented by the Clerk. It was moved by Councilmember Riley, seconded by Councilmember Barnes, that the minutes be approved.

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider.
Nays: None.
Abstain: Welsh.

Motion carried.

Pay Ordinance #1127 in the amount of \$375,947.20 was presented by the Clerk. Councilmember Reynolds inquired about the status of the salt expense budget. It was explained that of the \$78,000 budgeted, \$57,836 has been spent so far. It was moved by Councilmember Riley, seconded by Councilmember Welsh, that Pay Ordinance #1127 be approved.

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.
Nays: None.
Motion carried.

The financial statement for the period ending February 28, 2011 was presented by the Clerk. Councilmember Barnes reported that the Finance Committee had met to discuss a five-year forecast. They are recommending that the Village pay off rather than amortizing the Street Construction loan for \$1,000,000. An unexpected \$1,100,000 Inheritance tax will be distributed to Gates Mills within the next two weeks.

Chief Szeredy presented a written report for the Police Department for the preceding period. He reported there was a break-in at the Gates Mills Elementary School. Councilmember Riley explained that before the Council meeting started, he received materials on the dispatch center research done by Chief Szeredy; he will present it next month.

Service Director Biggert presented a written report for his department for the preceding period. He said the state will not allow the Village to rebuild the dam. He also reported that the Federal Highway Administration (FHWA) is mandating that all street signs, stop signs, and warning signs be reflective signs. An inventory and replacement plan must be completed by January 2012, stop and warning signs must be replaced by January 2015, and street name signs must be converted by January 18. Service Director Biggert is recommending that instead of taking an inventory of the stop and warning signs to be replaced in 2012, we skip the inventory and replace them this year. That would save money and time. Councilmember Reynolds felt there should be an exception for Historic signs. She will follow up on this issue. Councilmember Bletcher feels the Village should question this mandate along with the EPA's Stormwater mandates since they cost money that will not be reimbursed.

Chief Robinson was absent from the meeting but left a written report for the Fire Department for the preceding period.

Councilmember Schneider reported on the renewal lease for N.A.S.T. Incorporated. The current lease provides a five-year extension but Russ Lincoln, representing N.A.S.T., Incorporated, requested an annual renewal ending each December 31. The first year of the lease will be from September 1, 2011 through December 31, 2012. Councilmember Schneider also reported on a lease with Gavi's River, LLC. for a small office. The Mills Building is now completely leased.

Councilmember Riley presented a proposed agreement among Nicholas P. Glynos, the Village of Gates Mills, and the Gates Mills Land Conservancy. The Village would exchange 5 acres for

1.3 acres owned by Glynos. The advantage is that Metro Parks and the Village would own contiguous property on the west side of Chagrin River Road and no gas well could be installed on that side of Chagrin River Road. There is already a house on the east side of Chagrin River Road; possibly 2-3 more could be built if Nick Glynos continued to own the property being offered for exchange. Councilmember Reynolds said the idea of only 3 houses was based on conversation between Tom Quintrell and Nick Glynos. Law Director Riehl stated there would have to be a formal agreement if Council agreed to this exchange. Councilmember Bletcher asked Law Director Riehl if a deed restriction would stop mandatory pooling which would be needed to install a gas well. Riehl will research this issue. Councilmember Bletcher said that five acres of property is potentially valuable; Glynos has the greater advantage since he could combine the parcels and build multiple homes. Councilmember Reynolds recommended the Gates Mills Conservancy be asked how important this exchange is to them. Before proceeding to obtain more information Councilmember Riley requested the pulse of council; do they have enough interest in pursuing the proposal. Councilmember Riley made the motion that evaluation of the Agreement with Glynos and the Gates Mills Land Conservancy be continued.

Roll call: Ayes: Riley, Schneider.
Nays: Barnes, Bletcher, Reynolds, Welsh.
Motion failed.

Resolution #2011-05 entitled "A Resolution Authorizing The Purchase Of A Police Vehicle Through The State Of Ohio, Department Of Administrative Services Purchasing Program," was introduced by Councilmember Riley and read by the Clerk. It was moved by Councilmember Riley, seconded by Councilmember Reynolds, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2011-05 be placed upon its final passage.

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.
Nays: None.
Motion carried.

It was then moved by Councilmember Riley, seconded by Councilmember Reynolds, that Ordinance #2011-05 be approved.

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.
Nays: None.
Motion carried.

Councilmember Bletcher asked if the "oxford white" color of the vehicle being purchased is the same as the color of the existing patrol cars. Police Chief Szeredy said it was.

Resolution #2011-06 entitled "A Resolution Approving The Assignment Of The Village Of Gates Mills' Agreement With Landmark Disposal To Rumpke Of Northern Ohio, Inc. And Declaring An Emergency," was introduced by Councilmember Barnes and read by the Clerk. 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 #2011-06 be placed upon its final passage.

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.
 Nays: None.
 Motion carried.

It was then moved by Councilmember Barnes, seconded by Councilmember Schneider, that Ordinance #2011-06 be approved.

Resolution #2011-07 entitled "A Resolution Authorizing The Finance Administrator To Prepare And Submit An Application To Participate In The Cuyahoga County Municipal Energy Program (Mep) And Authorizing The Mayor To Execute Contracts As Required," was introduced by Councilmember Barnes and read by the Clerk. 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 #2011-07 be placed upon its final passage.

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.
 Nays: None.
 Motion carried.

It was then moved by Councilmember Barnes, seconded by Councilmember Schneider, that Ordinance #2011-07 be approved.

Resolution #2011-08 entitled "An Ordinance To Provide Certain Positions To Carry Out The Recreation Program Of The Village Of Gates Mills During 2011," was introduced by Councilmember Welsh and read by the Clerk. It was moved by Councilmember Welsh, seconded by Councilmember Reynolds, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2011-08 be placed upon its final passage.

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.
 Nays: None.
 Motion carried.

It was then moved by Councilmember Welsh, seconded by Councilmember Reynolds, that Ordinance #2011-08 be approved.

It was moved by Councilmember Barnes, seconded by Councilmember Welsh, that the Clerk be authorized to advertise for bids for asphalt and aggregates.

Roll call: Ayes: Barnes, Bletcher, Reynolds, Riley, Schneider, Welsh.
 Nays: None.
 Motion carried.

Business from the audience:

- MaryAnn Kish stated that under the prior administration there was a sign replacement program that cost a lot of money. She would like something be done to keep from having to replace the signs. Councilmember Bletcher said the State passes mandates for training, signs, and other things without funding them. He suggested Council convene a special

meeting to evaluate what possible actions Council can take with regard to unfunded mandates that may not be practical for Gates Mills, such as new rules regarding street signs, a possible requirement to replace a fire truck that may be in excellent operating order, a request by the EPA to divert certain stormwater from the service garages, etc. Councilmember Barnes agreed with the suggestion.

- Pam Blossom said she was happy there will no longer be a mill stream at the Hunt Club. She also introduced her nephew, Alex Bercheck, who works for Avery, a company in northeast Ohio that sells reflective signs.
- Katherine Malmquist from the Gates Mills Library reported that the Library has many great programs scheduled.
- Law Director Riehl reported that there was a favorable court decision on the Silverblatt law suit.
- Finance Administrator, Jo Ann Lechman, reported that Ohio Valley Energy issued a reimbursement check to the Village for what was paid to Dominion when the Town Hall well was not operating.

There being no further business, at 7:35 p.m. it was moved by Councilmember Reynolds, seconded by Councilmember Riley, and unanimously carried, that the council meeting be adjourned.

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Connie White, Mayor