

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
April 10, 2012

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, April 10, 2012 at 6:30 P.M. in the Village Hall.

Councilmembers present: Bletcher, Reynolds, Schneider, Sogg, Turner, Welsh.

Councilmembers absent: Barnes.

Mayor Riley presided.

It was moved by Councilmember Sogg, seconded by Councilmember Bletcher, that Councilmember Barnes be excused from the meeting.

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

Mayor Riley presented his appointments to Beautification Committee.

MaryAnn Kish Mary Reynolds
Paul Neundorfer Nancy Sogg
Connie White

It was moved by Councilmember Bletcher, seconded by Councilmember Turner, that the Mayor's appointments be approved and confirmed.

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

Mayor Riley presented his appointments to the legal Committee. He explained this committee will work with the Law Director.

Debbie Moss Batt Nancy Sogg
David Hooker Will Sogg
Robert S. Reitman Tom Wagner

It was moved by Councilmember Turner, seconded by Councilmember Bletcher, that the Mayor's appointments be approved and confirmed.

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

The minutes of the meeting of March 13, 2012 were presented by the Clerk. Councilmember Turner pointed out that on page 3, fourth line of the fifth paragraph "communities" should be "residents as income tax reduction and some will go into infrastructure to improve safety", the

next line “legislatures” should be “legislators”, and on page 4, seventh line of the business from the audience “to camouflage the tanks” be corrected to “to be camouflaged”. It was moved by Councilmember Schneider, seconded by Councilmember Bletcher, that the minutes as amended be approved.

Roll call: Ayes: Bletcher, Schneider, Sogg, Turner.
 Nays: None.
 Abstain: Reynolds, Welsh.
 Motion carried.

Pay Ordinance #1140 in the amount of \$411,361.63 was presented by the Clerk. Councilmember Schneider questioned check #5126 payable to Ciuni & Panichi. She asked if the audit was bid and how far along they were. Finance Administrator Lechman said it was bid and the bill was for 63% of the audit. It was moved by Councilmember Bletcher, seconded by Councilmember Turner, that Pay Ordinance #1140 be approved.

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

The financial statement for the period ending March 31, 2012 was presented by the Clerk. She pointed out the departments are operating within budget; a little higher than last year due to the wage increases. Finance Administrator Lechman pointed out that the transfers are higher this year because we will pay the County about \$50,000 to maintain the wastewater plant. Councilmember Turner asked about the ambulance income. Finance Administrator Lechman said that Mayfield Village set the parameters on the billing. We receive only what the insurance companies pay less 7% collection fees. Councilmember Bletcher said it is not predictable but the income is about 20% of the ambulance expense.

Mayor Riley reported that at 7:00 p.m. on May 17, 2012 the Gates Mills School is holding an event and they would like the Mayor and Councilmembers to attend. He is going to be out of town, but President pro tem Schneider will attend for him. He will circulate additional information. Later in the meeting the anti-poaching protocol will be presented and the trash removal issue will be discussed. The Chagrin River Watershed Partners is conducting a survey to determine how they can assist communities with respect to water quality. Engineer Courtney said there will be a meeting with Hunting Valley and Gates Mills next week to discuss the topic. Councilmember Bletcher asked if Hunting Valley had any responsibilities with EPA like Gates Mills has. Engineer Courtney said they do not.

The Clerk did not have a report.

Police Chief Szeredy presented a written report for the Police Department for the preceding period. There were 18 suspicious calls.

Service Director Biggert submitted a written report for his department for the preceding period. He said the second phase of the Old Mill bridge will begin about May 1 and it will be closed until the last week of June. Councilmember Sogg asked about the effect the closure of Fairmount Boulevard from April 16 through September will have on the Village. Engineer

Courtney said Hunting Valley's contractor will communicate with Gates Mills' contractor about road closure. The closure of Old Mill Road Bridge will affect the Gates Mills Land Conservancy's race for the green. Service Director Biggert has contacted Karen Johns, the Land Conservancy's secretary.

Fire Chief Robinson presented a written report for the Fire Department for the preceding period. The Fire Department responded to a gas leak in Lyndhurst; the fire fighters did a good job.

Councilmember Schneider reported on the Positively Gates Mills' committee. The booklet is going to the printers tomorrow. Resident/realtor Mitzi Seith said she had an opportunity to use the booklet. She thinks it will help in the sale of a house. Councilmember Schneider said there will be a wine-and-cheese event on April 24 at Howard Hanna Gates Mills' office from 4:00 to 6:00 p.m. to present the booklet. Later there will be another event with "power brokers" from other real estate offices. The purpose is to help realtor sell Gates Mills. The booklet will also be on the website and on CD's. Councilmember Bletcher asked who was bearing the cost. Councilmember Schneider said that the Gates Mills Improvement Society and the Village are supporting it. There will probably be a charge for the booklet, also. Councilmember Bletcher asked who was paying for the wine-and-cheese event. Councilmember Schneider said that Howard Hanna was.

Councilmember Turner reported on the Gas Well Safety Committee. They sent out a letter. She said the original thought was to send it out by email but the Village had very few email addresses. Dr. Kramer discovered a way to have the letter distributed by the Post Office for 14 cents each. She asked if they could use the Police Department's email list. Police Chief Szeredy said his list is for urgent situations only. They got their list by telling the residents that it would be used only for urgent situations. Councilmember Bletcher asked if we had to get the residents' permission to use the Police Department's list for official Village information. Law Director Riehl said yes. Finance Administrator explained if she had an email list it would be public information. Law Director Riehl agreed. He will take a look at the issue before the next meeting.

Councilmember Turner reported the Mayfield School System Liaison Committee met with Dr. Price last week in an effort to restore/improve our relationship with the school and to ask some questions. She felt the meeting was productive. She said Dr. Price encourages the use of the school for community functions like classes and pick-up sport games. Secondly, they are willing to explore with the Village a pre-k pilot. The idea would be to encourage children to become friends and thereby stay in the system. Councilmember Sogg said she heard some residents were pulling their children out of the school system because of some issues. Councilmember Turner said there was one family who moved their children to West Geauga because of an issue. The issue was resolved quickly. Dr. Price was aware of the situation. Councilmember Schneider suggested that organizations be told about the availability of the school. Councilmember Bletcher asked what percentage of the enrollment was Gates Mills' residents. Councilmember Turner said about 43 out of 115. Dr. Price told them that the Gates Mills School gets the highest scores of all the elementary schools.

Resolution #2012-07 entitled "A Resolution Accepting The Bid Of Statewide Ford Lincoln Mercury For The Purchase Of A 2012 Ford Expedition Police Vehicle," was introduced by Councilmember Bletcher and read by the Clerk. Councilmember Reynolds asked if this vehicle was replacing another Expedition. Police Chief Szeredy said it was replacing a Dodge Durango.

It was moved by Councilmember Bletcher, seconded by Councilmember Reynolds, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2012-07 be placed upon its final passage.

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

It was then moved by Councilmember Bletcher, seconded by Councilmember Reynolds, that Ordinance #2012-07 be approved.

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

Resolution #2012-08 entitled "A Resolution Accepting The Bids Of Ontario Stone Corporation For Sale To The Village Of #8 Slag," was introduced by Councilmember Turner and read by the Clerk. It was moved by Councilmember Turner, seconded by Councilmember Bletcher, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2012-08 be placed upon its final passage.

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

It was then moved by Councilmember Sogg, seconded by Councilmember Turner, that Ordinance #2012-08 be approved.

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

Resolution #2012-09 entitled "An Ordinance Amending Section 1511.01 Of The Codified Ordinances Of The Village Of Gates To Adopt The Most Recent Version Of The Ohio Fire Code," was introduced by Councilmember Reynolds and read by the Clerk. Councilmember Reynolds said the fire code is periodically updated; the last time was in 2007. It is important to adopt this resolution as the Village will receive fine and penalty income only if the resolution is in place. It was moved by Councilmember Reynolds, seconded by Councilmember Bletcher, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2012-09 be placed upon its final passage.

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

It was then moved by Councilmember Reynolds, seconded by Councilmember Bletcher, that Ordinance #2012-09 be approved.

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

Mayor Riley explained the County has introduced a protocol to discourage communities from poaching businesses from other communities. Gates Mills' business district is so small there would be little impact from this protocol. However, it is important to the county to have the support of the communities. Councilmember Reynolds feels it should be signed because we want to be considered "team players". Law Director Riehl suggested that Resolution #2012-10 entitled "A Resolution Authorizing The Mayor And The Clerk To Enter Into The Cuyahoga County Business Attraction And Anti-Poaching Protocol Agreement," be placed on first reading. Councilmember Welsh asked if Hunting Valley was approving this. Mayor Riley said he will find out before the next meeting. Law Director Riehl feels by signing this agreement it would help the Village score points when applying for monetary assistance.

The Village's current trash hauling contract was for three years with an option to renew for 2013 and 2014 separately. The increase will be about \$1 per month for weekly service and about 75 cents for bi-weekly service. Councilmember Welsh asked if we should review free trash hauling. Mayor Riley said the challenge is that there will quickly be decreased revenue. Councilmember Bletcher said if we receive a windfall of money he will initiate a conversation. But we need to discover how we are going to reduce our costs first. Service Director said fuel costs will be an influencing factor. Mayor Riley said Rumpke has also asked to collect 5 days a week instead of 3 days, using 1 driver instead of 2. Therefore, some people's pick-up date will change. Councilmember Schneider saw no problem with this proposal. Councilmember Schneider pointed out that the contract extension is only for one year, next year we can again consider going out for bids. Finance Administrator Lechman stated the Village does not receive a lot of bids for trash hauling because the Village requires the use small trucks to go up and down driveways. Most companies do not have the small trucks. It was decided the contract will be renewed *subject to approval of Council* for one year. (*added at the May 8, 2012 council meeting*)

Mayor Riley said the Village has been asked to sign a 5-year agreement with the Mayfield School District, including naming them as additionally insured, in connection with the PAR garden. The contract can be terminated with 6 month notification. It has all the provisions the garden group requested. Law Director will have a couple changes. Meantime Mayor Riley is asking that he be given approval to sign the agreement. Councilmember Welsh asked if this could be first reading. Mayor Riley explained the group plans to relocate this Saturday, and this agreement must be in placed when they move. Law Director has no problem with the substance of the agreement. However, he is checking the indemnity clause because several General Attorney opinions say government entities cannot indemnify. Councilmember Welsh asked PAR Garden representative Gwen Morgan how she felt about the agreement. She said it gives them what they want.

Resolution #2012-11 entitled "A Resolution Authorizing The Mayor And The Clerk To Enter Into A Facility Use And Cooperation Agreement With The Mayfield City School System For The Operation Of A Garden At The Schools' Environmental Center," was introduced by Councilmember Turner and read by the Clerk. It was moved by Councilmember Turner, seconded by Councilmember Schneider, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2012-11 be placed upon its final passage.

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

Gwen Morgan gave a site plan to Mayor Riley.

It was then moved by Councilmember Schneider, seconded by Councilmember Bletcher, that Ordinance #2012-11 be approved.

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

Business from the audience:

Katherine Malmquist from the Gates Mills Library stated this is National Library Week. They have several upcoming events. They are partnering with Sara's Place for a couple of them. The upcoming book sell raises money to help the Friends of the Library pay for the programs.

Mayor Riley reminded everyone about the upcoming Art Show.

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

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Shawn M. Riley, Mayor