

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
July 12, 2011

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, July 12, 2011 at 6:30 P.M. in the Village Hall.

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

Councilmembers absent: Nemastil, Reynolds.

Mayor White presided.

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

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

The minutes of the meeting of June 14, 2011 were presented by the Clerk. It was moved by Councilmember Welsh, seconded by Councilmember Bletcher, that the minutes be approved.

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

Pay Ordinance #1131 in the amount of \$547,653.93 was presented by the Clerk. Councilmember Bletcher inquired about the check written to Aero-Mark. He asked if the job was bid. Service Director said he did not go out for bids, but got multiple prices. He said the highest price was around \$15,000 and another price was about \$13,000. Councilmember Bletcher also asked how the number of miles to be stripped is determined. Service Director said that Chief Szeredy and he drove around evaluating the condition of the markings. Councilmember Bletcher requested information about the number of miles that were stripped and if the center line or side line was marked. It was moved by Councilmember Welsh, seconded by Councilmember Bletcher, that Pay Ordinance #1131 be approved.

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

The financial statement for the period ending June 30, 2011 was presented by the Clerk. Councilmember Barnes announced that the financial information on the Village's website has been updated. Councilmember Bletcher asked what expenses made up the \$1,072,570 in the Capital Improvement Fund. Finance Administrator Lechman said most of the total was the loan payment. She would report what other expenses were included before the next council meeting.

Councilmember Bletcher asked where the engineer expenses were reported. Councilmember Barnes said there were several places where engineer expenses are reported, but the main account charged is Capital Improvement. Finance Administrator explained they go with the project. If the charge is small, one-time, or not related to a project, the Administration Department is charged.

Chief Szeredy presented a written report for the Police Department for the preceding period. He said the new vehicle is almost ready to go into service. Next month he will request to sell the used police vehicle. He explained that in response to the comments made in the June 14, 2011 Council meeting, the dispatchers now have a form to record property in disrepair. This report will be given to the Service Director. Councilmember Barnes asked about patrol patterns while the bridge is closed. Chief Szeredy explained that one patrolman works north of the Town Hall and another works south of the Town Hall. He has requested Hunting Valley and Mayfield Heights to provide assistance if needed. Carpenter Road is being used as a cut through since the bridge is closed. The problem is that it is a one way road and exiting from Carpenter Road onto Mayfield Road is dangerous. Therefore, the exit at Mayfield Road may be cut off allowing only emergency vehicles.

Service Director Biggert presented a written report for his department for the preceding period. The County Board of Health treated the area around the pool on the property on Gates Mills Boulevard. Councilmember Barnes said a decision needs to be made about the maintenance of the tennis courts. Councilmember Schneider said the Gates Mills Improvement Society is willing to contribute toward the project. She feels that some prices need to be available before proceeding. Village Engineer Courtney said he has access to some numbers on court rehab. Councilmember Bletcher said he didn't think spending money to repair the tennis court was a high priority in light of income and expenses now and in the future. People may be willing to contribute to it. Some communities have done some creative things to raise funds. There could potentially be naming rights for the courts. Service Director Biggert said he will get prices and will try to see how many tennis players would use the courts if they were in good condition. He will send an email or call the tennis players and will put an article in the Pink Sheet. The responses will then be given to Council to consider when making the decision about the future of the tennis courts.

Chief Robinson presented a written report for the Fire Department for the preceding period. Mayfield Heights will back up the Village's Fire Department, mainly on Old Mill, while the bridge is closed.

Councilmember Reynolds entered the meeting at this point.

Councilmember Riley presented an Easement Agreement and drawing for the Old Livery Tavern easement request. The Old Livery Tavern is going to connect to the Village's wastewater system and to the waterline. This easement allowing them to go through Gates Mills' property will provide the most efficient and effective way to connect. Councilmember Bletcher questioned the Village's charge for connecting to its wastewater system. He was told there was no charge. He then asked how much income is received and what the expenses are for the wastewater plant. He feels the charge for usage is too low; the formula should be reviewed. Finance Administrator Lechman said the expenses will increase dramatically when the County starts charging for maintenance. Councilmember Bletcher requested that at the August Council meeting council be

told what the cost of operating the plant are, the potential cost, and how much is being recouped. Councilmember Reynolds also requested that options be presented. It was moved by Councilmember Riley, seconded by Councilmember Bletcher, that the Mayor be authorized to enter into an agreement granting Old Livery Tavern LLC an easement for the purposes of constructing, reconstructing, maintaining, operating, and repairing the Sanitary Sewer System and Waterline.

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

Councilmember Barnes requested to have the Clerk advertise to bid for the Sherman Road repairs. He pointed out that at the June 14, 2011 council meeting Sandra Turner voiced her concern about the dip in Sherman Road. When he drove down Sherman Road he received quite a jolt. Mayor White agreed saying she thought she was going to go into the ravine when she drove down the road. Councilmember Bletcher asked what kind of repair is being requested. Councilmember Barnes said \$170,000 has been budgeted. Councilmember asked how much has been spent on repairs over the last ten years. Service Director said \$6,100 was spent last year. Village Engineer Courtney said there is movement about 14 to 18 feet deep. Water, soil conditions, and weight of added asphalt contribute to the movement. It will continue to move. Councilmember Bletcher asked how many feet long the proposed repair will be compared to how long the 2010 repair was. Engineer Courtney said slightly longer. It will extend about 20' beyond the failure; it will be about 140 feet long. Councilmember Schneider asked if the specs already exist and was told they were. Councilmember Reynolds asked how long the repair would last. Village Engineer Courtney said it is a permanent type of approach. Councilmember Bletcher asked if this process was new on roads within 20 miles of this area where weather and road conditions are similar, and if it was done more than 10 years ago. Engineer Courtney said this process has been around for a long time and is the most permanent type of repair in this type of situation. Councilmember Bletcher felt the \$6,100 cost of patching versus the proposed repair is significant. He suggested to patch the area again this year. Engineer Courtney said it would require a much different repair. Councilmember Barnes pointed out that if there is an accident we are vulnerable since we have known about the road's condition for years. This is a safety issue. Councilmember Welsh feels not repairing the road earlier since Councilmember Bletcher called it a "pot hole" has caused it to be more expensive now. Also, we are vulnerable. Councilmember Bletcher said he didn't like that a patch had not already been made this year. Councilmember Barnes said we pay experts to advise Council and the advice is to repair, not patch, the road. We should repair it the right way. It was moved by Councilmember Barnes, seconded by Councilmember Welsh, that the Clerk be authorized to advertise for bids to repair Sherman Road.

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

Councilmember Barnes requested to have the Clerk advertise to bid for the 2011 Road Program. Engineer Courtney recommended the contractor who performed in 2010 be asked to extend their bid price to the 2011 Road Program. The roads involved are Beverly, Fox Hill, Fox

Hill East, and Glenwood. Reclamation process would be done on Woodstock and Chelsa. The cost will be about \$103,000. Councilmember Bletcher asked if the \$103,000 included engineering. Engineer Courtney said the plans have already been developed. There will be field supervision inspection charges. It was moved by Councilmember Riley, seconded by Councilmember Schneider, that the Clerk advertise for bids for the 2011 Road Program.

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

It was moved by Councilmember Barnes, seconded by Councilmember Welsh, that the Clerk advertise for bids for a dump truck cab and chassis.

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

Councilmember Barnes presented to Council the grant agreement between the Village and the Cuyahoga County Planning Commission. The grant is to be used to pay for an audit of the Village's energy efficiency and conservation strategy in its buildings. Service Director Biggert explained the Village will not be obligated to address any of the deficiencies found, and there may be a grant available to help pay for any corrections made. Councilmember Reynolds asked what corrections he thought they will suggest. Service Director Biggert answered windows and light bulbs. It was moved by Councilmember Barnes, seconded by Councilmember Reynolds, that the Mayor and Clerk be authorized to enter into an agreement with the Cuyahoga County Planning Commission to accept a \$12,000 grant to reimburse the Village for an audit of the Village's energy efficiency and conservation strategy in all its buildings.

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

Resolution #2011-14 entitled "A Resolution Submitting The Question Of The Renewal Of A 3.5 Mill Tax Levy For The Purpose Of Current Expenses Pursuant To Ohio Revised Code Sections 5705.19(A) And 5705.191, 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 #2011-14 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 Resolution #2011-14 be approved.

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

Ordinance #2011-15 entitled “An Ordinance Providing For The Submission To The Electors Of The Village Of Gates Mills Of A Proposed Amendment To The Charter Of The Village Of Gates Mills To Renew For A Period Of Five Years The Existing One Mill Tax Levy For The Public Purpose Of Conserving, Retaining, Protecting And Preserving Land, Water, Forest, Open, Natural Or Wetland Areas In This Municipality Predominantly In Their Natural, Scenic, Open Or Wooded Condition Or As Suitable Habitat For Fish, Plants Or Wildlife, Including The Acquisition Of Such Real Property Or Interests Therein As May Be Necessary To Carry Out That Purpose, 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 Ordinance #2011-15 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 #2011-15 be approved.

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

Ordinance #2011-16 entitled “An Ordinance Designating KeyBank National Association As Public Depository For Active Funds Of The Village,” was introduced by Councilmember Schneider and given its first reading by the Clerk. Councilmember Bletcher asked how much the service charges were. Finance Administrator Lechman said they average \$300 per month. Councilmember Riley felt this was high. Councilmember Schneider wondered why there was any charge. Councilmember Bletcher said his company doesn’t pay any fees and wonders why the Village would be different from a small business. After a discussion about the bank service charges paid by the Village, it was decided that Finance Administrator Lechman should contact KeyBank to review and try to eliminate/reduce them.

Ordinance #2011-17 entitled “An Ordinance Designating Public Depositories For Interim Funds Of The Village,” was introduced by Councilmember Schneider and read by the Clerk. It was moved by Councilmember Schneider, seconded by Councilmember Riley, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2011-17 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 Schneider, seconded by Councilmember Riley, that Ordinance #2011-17 be approved.

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

Business from the audience:

- Mayor White announced that Mary Lynch who was 104 years old died.
- Tom Quintrell presented a proposal for the Village's parcel on Chagrin River Road next to the North Cemetery. Nick Glynos will buy parcel 841-34-004 from the Village for \$50,000. He will restrict all his parcels in that area to 3 single family sites and no gas or oil wells. He will also convey to the Village the 1.3 acre parcel he owns on the other side of Chagrin River Road. The neighbors bordering Glynos' property will give him \$12,250 for a deed restriction prohibiting drilling any gas and oil leases. The Gates Mills Land Conservancy will give him \$5,000 for a deed restriction against oil or gas wells and will pay the Village \$5,000 for a conservation easement on 2 parcels. The Village must pay its own expenses (legal, engineering, etc.). Councilmember Riley said the Village legal counsel recommended that the proposal be presented to the Planning and Zoning Committee. The meeting is on August 2, 2011 at 5:00 p.m. after which the members will drive to the area. Councilmembers Riley and Schneider will then present the results of the meeting at the August Council meeting. Councilmember Bletcher pointed out that a few months ago the offer for this parcel was not worth pursuing. Now since there has been a significant change in the proposal he feels Council should be open to re-hearing it.
- MaryAnn Kish said the two houses on Battles Road that she mentioned at the June 14 meeting now look more presentable.

At this point Councilmember Schneider left the meeting.

- Katherine Malmquist from the Gates Mills Library said she hopes the footbridge will stay open during the Old Mill Road bridge construction.
- Councilmember Reynolds announced that the Band Concert on the Town Hall lawn will be Sunday, July 17, 2011 at 5:30 p.m. She requested that Councilmembers Bletcher and Welsh remind the residents by sending them an email.
- Councilmember Reynolds commended the Gates Mills Improvement Society for the Feller memorial; it looks handsome and she is proud it is there.
- Mayor White showed a rendering of a clock that the Community Club would like to put in the downtown area. The Safety Committee recommended it be placed in front of Burton Court. The Community Club is soliciting donations.

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

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Connie White, Mayor