

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
October 7, 2013

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Monday, October 7, 2013 at 6:30 p.m. in the Village Hall.

Councilmembers present: Barnes, Frankel, Reynolds, Schneider, Sogg, Welsh.

Councilmembers absent: Turner.

It was moved by Councilmember Schneider, seconded by Councilmember Frankel, that Councilmember Turner be excused from the meeting.

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

Mayor Riley presided.

Mayor Riley announced the appointment of several new residents to various Committees: Hadley Kline and Antoinette Bacon to the Safety Committee; Terry Baller to the Storm Water Committee; Mark Prusinski and Sally Brown to the Real Estate Committee.

It was moved by Councilmember Welsh, seconded by Councilmember Reynolds, that the appointments to respective Committees are approved.

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

The minutes of the September 9, 2013 Council meeting were presented by the Clerk. It was moved by Councilmember Sogg, seconded by Councilmember Welsh, that the minutes be approved.

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

Pay Ordinance #1158 in the amount of \$373,016.17 was presented by the Clerk. Councilmember Schneider asked why the prices vary with respect to American Security. Finance Administrator Lechman explained that the amounts are prorated based on usage and that she combined the amounts with the same invoice date. Councilmember Frankel asked if the Village went out for bids with respect to electric rates. Councilmember Frankel suggested the option be investigated further and would share with Council contact information he has regarding the same. Mayor Riley agreed that exploring rate options was a good idea. Councilmember Schneider remarked on the new "smart" meters offered by CEI and explained

the same allows CEI to know exactly when power is out, isolate the issue, and respond accordingly. Councilmember Barnes stated several transformers have gone down and suggested that any inquiry into lower electric rates also focus on service and repair.

It was moved by Councilmember Welsh, seconded by Councilmember Sogg, that Pay Ordinance #1158 be approved.

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

The financial statement for the period ending September 30, 2013 was presented by the Clerk. Councilmember Barnes reviewed certain YTD results, highlighting as follows:

- Revenue YTD is approximately \$120,000 below last year. This amount is attributed mostly to lower municipal income tax.
- Operating expenses YTD is \$120,000 to the positive as a result of the EMS contract. The net surplus/deficit is just about where it was the year prior.
- Inheritance taxes YTD are approximately \$160,000.
- \$5.8 Million for Cash and Investments.

Mayor Riley began his report by extending his appreciation for all of the cards he received with the recent passing of his mother. He stated that he had participated in the Gates Mills Elementary School's reading event and commented it was a great experience. Mayor Riley shared that Councilmember Frankel along with a group of Village residents recently raised money for a Menorah to be used as a display for Hanukah in the Village and asked Council for consideration of where the Menorah should be placed. Councilmember Frankel said that other communities such as the Cleveland and Mayfield have participated in displays for Hanukah. The display in the Village would begin the Wednesday before Thanksgiving. He extended his appreciation for the support. A discussion among Council highlighted display location options, including near a group of evergreens close to Sara's Place and in the front yard of the Community House. Mayor Riley said the Law Director had raised the concern of First Amendment issues and whether the Village would be violating constitutional law by supporting a religion. Mayor Riley suggested displaying the Menorah this year and waiting to see if the Village then receives additional requests from different groups and, based on the same, Council would then revisit the issue of religious displays in the Village. Councilmember Sogg asked if the Village participates in the Christmas tree event. Service Director Biggert said the Service Department sets it up. During this conversation, Co-Law Director Todd Hunt, entered the meeting and Mayor Riley introduced him. Councilmember Welsh questioned how long the Menorah would be displayed. The answer of eight days was given. Councilmember Schneider inquired as to the size of the Menorah. Finance Administrator Lechman responded approximately six feet in height. Further points exchanged among Council included legal issues associated with putting the display on public property, whether the Village aids in paying for the maintenance or installation of the same and the potential precedent set. Ultimately, it was decided that the location would be determined by the Mayor and the Service Director based on aesthetics.

The Clerk had nothing to report.

Councilmember Welsh stated the Cemetery Committee had nothing new to report.

Councilmember Schneider stated that the website is under construction and distributed to Council a sample of what the new website would be like.

Councilmember Reynolds indicated there was not a report from the Safety Committee. She confirmed the addition of new members to the Safety Committee.

Police Chief Whitmer provided a written report and indicated to Council that there were 448 billable calls for service. He added that the preceding month had 622 billable calls. He advised that the department is refining how it records calls for service and eventually anticipates lower costs. Chief Whitmer reported that 264 (out of 387) residents have their alarms with American Security. He further reported that the new dispatch operating center is on schedule. An open house is expected to be held in December and the center would go “live” in January. Chief Whitmer explained that the one report of theft was a moot issue as the Claimant’s property reported stolen was subsequently located in the Claimant’s barn. Councilmember Frankel asked if Solon and Twinsburg were joining Chagrin Valley Dispatch. Chief Whitmer responded that a meeting is being held this week and a decision is expected soon. Mayor Riley added that there are issues being considered with the possible addition of these communities that include call volume as well as concerns regarding union and non-union employees working together at the dispatch center. Councilmember Frankel asked if those communities joined whether there would be cost savings to the Village. Both Chief Whitmer and Mayor Riley responded to the affirmative. Chief Whitmer added that Highland Hills is scheduled to sign on in January which will reduce the Village’s costs. Councilmember Welsh asked if the Village police vehicles have been equipped with GPS. Chief Whitmer responded no but that they will be evaluating GPS once Chagrin Valley Dispatch is located at the permanent facility. Councilmember Frankel asked if Bluetooth could be made available in the police vehicles to avoid officers using cell phones. Chief Whitmer said he would look into it. He confirmed that there is no official Police Department policy regarding cell phones. He stated officers use cell phones but do not text as texting is illegal. He added that given their training, officers are very adept at using multiple pieces of equipment while inside the vehicle.

A written report was provided by Service Director Biggert. Councilmember Welsh had questions regarding power failures and specifically shared his concern for the Post Office with respect to power failures. He questioned whether accommodation could be made via the Village’s generator and using extension cords to service the Post Office during an outage. Service Director Biggert indicated it would probably be better for them to have their own generator. He said that the Village has a portable generator that has been used previously to assist the Post Office and based on any future long-term outages, could be used again. He also indicated that he hasn’t received any complaints from the Post Office. When questioned on cost for a generator for the Post Office, Service Director Biggert responded if it operated at 100%, it would cost an estimated \$10,000 to \$12,000. Councilmember Reynolds stated that the cost benefit should be considered. Councilmember Sogg added that even with the power outage, residents still had access to their respective post office boxes. Councilmember Welsh inquired if, during a power outage, residents should be allowed inside due to safety concerns and possible

laws regarding the same. Service Director Biggert added that emergency lighting (operated by battery) is in place.

Chief Robinson provided the Fire Department report.

Resolution #2013-27 entitled "A Resolution Accepting the Bid of Morton Salt, Inc. for Purchase of Road Salt for the 2013-2014 Winter Season" was introduced by Councilmember Barnes and read by the Clerk.

It was moved by Councilmember Barnes, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2013-27 be placed upon its final passage due to the application deadline.

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

It was then moved by Councilmember Barnes, seconded by Councilmember Frankel, that Resolution #2013-27 be approved.

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

Resolution #2013-26 entitled "A Resolution Extending the Contract with Rumpke of Northern Ohio, Inc. for the year 2014" was introduced by Councilmember Barnes and given its second reading by the Clerk.

Business from the audience: Sue Thorpe reported that Darhl Foreman is at Judson.

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

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

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Shawn M. Riley, Mayor