

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
November 19, 2013

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, November 19, 2013 at 6:30 p.m. in the Village Hall.

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

Councilmembers absent: Barnes.

It was moved by Councilmember Reynolds, seconded by Councilmember Schneider, that Councilmember Barnes be excused from the meeting.

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

Mayor Riley presided.

Mayor Riley announced the appointment of Dylan Hustosky as Part-time Patrolman.

It was moved by Councilmember Schneider, seconded by Councilmember Frankel, that the appointment of Dylan Hustosky to Part-time Patrolman be approved.

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

Mayor Riley administered the Oath of Office to Patrolman Hustosky.

Mayor Riley announced the appointment of Bill Mangelluzzi to Real Estate Committee.

It was moved by Councilmember Schneider, seconded by Councilmember Sogg, that Bill Mangelluzzi be appointed to the Real Estate Committee.

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

Mayor Riley explained that the Gates Mills Land Conservancy has certain positions appointed by the Mayor. Tom Morley has served for several years as a mayoral appointment and is up for reappointment. Mayor Riley described Mr. Morley's service as being positive and recommended that Tom Morley be reappointed to the Land Conservancy Board.

It was moved by Councilmember Welsh, seconded by Councilmember Sogg, that Tom Morley be reappointed to the Land Conservancy Board.

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

The minutes of the October 7, 2013 Council meeting were presented by the Clerk. It was moved by Councilmember Reynolds, seconded by Councilmember Welsh, that the minutes be approved.

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

Pay Ordinance #1159 in the amount of \$368,807.91 was presented by the Clerk.

It was moved by Councilmember Welsh, seconded by Councilmember Sogg, that Pay Ordinance #1159 be approved.

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

The financial statement for the period ending October 31, 2013 was presented by the Clerk. In Councilmember Barnes' absence, Finance Administrator Lechman provided an overview. With regard to the Village's investments a treasury note had recently matured. She advised that the Village would continue to invest in Star Plus Ohio since its interest rate is higher than other allowed investments. She stated that the current monthly expenses as far as payroll and fringe benefits associated with the same are higher this month due to there being three (3) pays this month. Additionally, Finance Administrator Lechman indicated that she anticipates by the end of the year there will be a \$100,000 surplus in Operating Expenses as well as Capital Improvement being \$100,000 under budget. Next, she reported that a check for inheritance tax was recently received in the amount of \$27,710 – for a total inheritance tax income this year of \$396,280. Finance Administrator Lechman added that she expects an additional \$147,036 in inheritance tax will be received in March or April 2014. In response to Councilmember Frankel's inquiry of what Star Plus was, she explained the investment program is supported by the State of Ohio with the money being spread out equally among various banks with no more than \$250,000 in each bank due to the FDIC limit being lowered.

Mayor Riley began his report by informing Council that auditors would be coming in next week with most of their work being done off-site. Mayor Riley stated that the following activities are scheduled for Friday, December 20th: the Service Department Annual Lunch at noon; the Police Department awards its employee of the year at 2:30 p.m.; and the Improvement Society will be distributing bonuses at 3:00 p.m. He continued his report by indicating that the

number of complaints regarding power outages are up considerably and discussed the possibility of asking for volunteers (particularly those homeowners frequently affected by power outages) to work with First Energy to identify problem areas such as limbs, old equipment, etc. Councilmember Sogg suggested that Chief Robinson address transformer fires in his *Pink Sheet* article.

The Clerk had nothing to report.

On behalf of the Safety Committee, Councilmember Reynolds stated that in late summer, Mayor Riley asked the Safety Committee to review options for the Fire Department to improve services and cost savings. As part of the process, Chief Robinson completed a report which was considered by the Committee. The Safety Committee does not recommend any cost reduction explaining that the current budget is \$177,000 (excluding EMS). Of that amount, \$127,000 represents wages which leaves a remaining budget of \$50,000 for equipment, training, etc. Councilmember Reynolds reported that the Fire Department has 25 personnel – eight (8) of which are also members of the Service Department. Therefore, after 4:00 p.m. and on weekends when Service Employees go home, the Fire Department is compromised. She added that Chief Robinson does endorse mid- to long-term plans involving a district-wide fire department service covering multiple neighborhoods; however, the Safety Committee looked to identify items in the short term. Chief Robinson identified four (4) areas of focus: response time improvement; retention; recruitment and prevention. Chief Robinson believes shortage of personnel has had an impact on response time. He presented cost projections for the possibility of hiring 2 – 3 recruits in 2014-15. The estimated cost for hiring/training/equipment is estimated to be \$3,000 – \$5,525. Chief Robinson believes numerous grant sources are available to help with the costs related to training and equipment. Councilmember Reynolds noted that the Committee is not looking for a full-time Fire Department or full-time staff nor looking to increase the equipment. The opinion was shared that an increase of personnel would increase the odds of improving response time. She advised that the Safety Committee is in support of Chief Robinson increasing his 2014 budget request by \$6,000-\$8,000 for the purpose of recruiting new cadets for the Fire Department.

Lastly, Councilmember Reynolds reported that a program is slated to begin in 2014 to aggressively campaign to install smoke alarms in homes in Gates Mills not currently protected by security systems. The Fire Department will supervise and install the alarms.

Councilmember Frankel questioned how the addition of fire department personnel would improve response time. In response, Chief Robinson explained that there is not a guarantee of increased response time, however, stated the odds increase as there are more people to respond to a call. He added that the only guarantee of reduced response time would be to have personnel staffed at the fire station.

Councilmember Frankel inquired as to the location of where new personnel would be from. Chief Robinson stated that in addition to qualifications of potential cadets, being within close proximity to the Village is also a factor considered. Councilmember Reynolds added that currently only four (4) members of the Fire Department live in Gates Mills. Councilmember

Welsh advised that not everyone responding to a call goes to station but rather goes directly to the location.

Finance Administrator Lechman inserted in the discussion that she did not feel the increase in the fire budget would have a significant impact on the budget as a whole. Councilmember Welsh also shared his positive opinion with regard to the work of the Chief and the Fire Department as a whole. Councilmember Turner suggested that ongoing consideration continue to be given by Chief Robinson for additional ways to improve response time like taking a car home.

Councilmember Sogg had nothing to report on behalf of the Real Estate Committee.

Councilmember Welsh had nothing to report on behalf of the Cemetery Committee.

On behalf of the Mayfield School System Liaison Committee, Councilmember Turner informed Council that the Old Regional Library is going to become part of a new program. She advised that the schools have applied for money from the state for the "Straight A Fund". It is called the STEM to STEM program (science, technology, engineering, and math). They hope to inaugurate this for the 2015-16 school year. The initial request is for approximately \$1 Million to renovate part of the high school and the Old Regional Library. The program will also be in collaboration with businesses in the community. The Committee will be meeting with the Superintendent at the beginning of the year. The program would be available for kindergarten students through high school. Another topic addressed by the Committee was Gates Mills Elementary. Councilmember Turner stated that there are 34 students from the Village attending Gates Mills Elementary which is the same amount as last year. The total population is around 115-119 students which is good as it results in small class size per grade. She added, however, the Committee would like to assist in recruiting new students and encouraging volunteer participation. Finally, on a matter part of the Recreation Committee and the Education Committee, the Recreational Guide for Fall for the 2013-14 year went to all communities in school district. The Village was asked to contribute \$600. That amount was decided to be divided equally between the Village and the Library. Councilmember Turner requested support of Council for the \$300 contribution. Councilmember Schneider stated that a link to the Recreation Guides could also be found on the Village's website. Councilmember Frankel expressed that Gates Mills Elementary is a great school and that it is important for the community to promote the school because that is the future of Gates Mills.

Police Chief Whitmer provided a written report and indicated to Council that there were two items he wished to address under calls for service: breaking and entering and attempted breaking and entering. He explained the breaking and entering was a result from a resident who left his keys behind and the second event was caused by recent storms. Chief Whitmer reported that the Gates Mills Police Department received the AAA Community Traffic Safety Gold Award for pedestrian/vehicle safety. He expressed his appreciation of Officer Suchetka for gathering and submitting the required application information.

A written report was provided by Service Director Biggert. Mayor Riley asked if paving was over for season. Service Director Biggert stated that it was. Councilmember Frankel asked

if it would be possible to get more breakdown with regard to service calls (similar to the report provided by the Police Department). Service Director Biggert responded that he does not categorize calls but would look into it. Mayor Riley inquired as to the types of calls received. Service Director Biggert replied that calls include those related to storms, power, snow, building inquiries, etc. In response to Councilmember Frankel's question, Service Director Biggert confirmed that not all calls are for service. Village Engineer Courtney stated that the Issue 1 application was submitted for the Gates Mills' projects and for the Cedar Road project which is a collaboration project with Hunting Valley.

Chief Robinson provided the Fire Department report. Mayor Riley requested that he provide a brief explanation of the recent fire. Chief Robinson stated that the fire took place at Hawthorne Farm & Battles wherein a 13,000 volt wire line came down on a dead tree. Damage included it creating a large hole approximately 6"-8" deep which was subsequently repaired by the Service Department. Chief Robinson explained the process of managing such type of fire – adding that it could not be put out until the power was completely out. Chief Robinson explained that it took a few hours and expressed gratitude for all that assisted. He also added that he has kept a portion of the wire for training purposes. Chief Robinson added that there were a lot of calls received during October and November. Councilmember Schneider thanked Chief Robinson for going to resident Ann Missal's house to help get her fireplace working and for also installing two (2) smoke detectors. Chief Robinson added that since the last Council meeting, he had been to seven (7) different homes to either install smoke detectors, perform a home fire survey, or both.

Councilmember Reynolds said she would like MaryAnn Kish to chair a group of captains who would cover the Village by streets to get smoke detectors in place. Councilmember Schneider suggested there be a Community Awareness Day next summer.

Resolution #2013-26 entitled "A Resolution Extending the Contract with Rumpke of Northern Ohio, Inc. for the year 2014" was introduced by Councilmember Schneider and given its third reading by the Clerk. Councilmember Schneider explained this was to extend the contract one more year and added that in the Spring they would start to look for new bids.

It was moved by Councilmember Schneider, seconded by Councilmember Sogg, that Resolution #2013-26 be approved.

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

Resolution #2013-30 entitled "A Resolution Authorizing the Mayor and the Clerk to Enter Into an Agreement with the City of Mayfield Heights for the Furnishing of Emergency Medical Service Protection for the Village of Gates Mills for the Year 2014 and Authorizing a Rate of Payment for Rescue Squad/Ambulance Services from the City of Mayfield Heights and Declaring an Emergency" was introduced by Councilmember Reynolds and read by the Clerk. Councilmember Reynolds explained that the primary EMS service is provided by Mayfield Village. However, in circumstances when Mayfield Village cannot assist, the backup service is

provided by Mayfield Heights. Councilmember Reynolds explained that this back-up service requires a separate contract. She added that although the price per hour was increasing by \$8, there have only been five (5) incidents in the past two (2) years of Mayfield Heights assisting and such increase should not have a significant impact on the budget. This is the first reading for this Resolution.

Ordinance #2013-28 entitled “An Ordinance to Provide for Temporary Appropriations for the First Quarter of 2014” was introduced and read by Clerk DeCapite. She indicated this is a recurring year-end item and that as the Financial and Budget Committee have not yet met due to the lack of receiving some insurance information. This Ordinance allows for \$1.6 Million in funds to be appropriated in order to pay bills during the first quarter.

It was moved by Councilmember Reynolds, seconded by Councilmember Sogg, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2013-28 be placed upon its final passage due to the county imposed deadline.

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

It was then moved by Councilmember Reynolds, seconded by Councilmember Welsh, that Ordinance #2013-28 be approved.

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

Resolution #2013-29 entitled “A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor” was introduced by Councilmember Schneider and read by the Clerk. Councilmember Schneider stated that Council approved a similar Resolution before the election but now that the levy passed, it is necessary to do so again.

It was moved by Councilmember Schneider, seconded by Councilmember Welsh, that the rules requiring ordinances to be read on three different days be suspended and that Resolution #2013-29 be placed upon its final passage due to the county’s deadline.

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

It was then moved by Councilmember Schneider, seconded by Councilmember Turner, that Resolution #2013-29 be approved.

Roll call: Ayes: Frankel, Reynolds, Schneider, Sogg, Turner, Welsh.
Nays: None.

Motion carried.

Councilmember Reynolds expressed her concerns over the amount of votes cast against passing levy. A brief discussion among Council ensued regarding the same.

Business from the audience: Katherine Malmquist stated that she had heard rumors that Burton Court would be unavailable to the Library during the months of January and February. Mayor Riley responded that such rumors were false. Katherine Malmquist announced that the Library had some upcoming programs scheduled for January, February and March. She added that the Library uses Burton Court for larger programs and provided the example of the Appalachian Trail event that approximately 50-65 people attended. Councilmember Frankel positively acknowledged that the Library had 3,760 customers in October. Katherine Malmquist expressed thanks for the community support.

MaryAnn Kish made reference to a recent *Pink Sheet* article by Mayor Riley wherein he addressed properties in the Village that are in a state of disrepair. She briefly explained the Heritage Home of Cleveland program indicating the same was recently featured in *The Cleveland Plain Dealer*. Her explanation included that to join the program there is a cost of \$2,600. She suggested such funds could come from the Improvement Society. Additionally, she explained the program is for any home 50 years or older needing repair inside or outside and would allow homeowners to take out a loan with a low interest rate of 2%. Ms. Kish agreed to provide Mayor Riley with the article from *The Cleveland Plain Dealer*.

There being no further business, and to proceed with a presentation of the Village's new website, it was moved by Councilmember Reynolds, seconded by Councilmember Welsh, and unanimously carried, that the council meeting be adjourned.

Roll call: Ayes:
 Nays: None.
 Motion carried.

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Shawn M. Riley, Mayor