

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
April 13, 2010

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, April 13, 2010 at 6:30 P.M. in the Village Hall.

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

Councilmembers absent: Reynolds.

Mayor White presided.

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

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

The minutes of the meeting of March 9, 2010 were presented by the Clerk. It was moved by Councilmember Schneider, seconded by Councilmember Barnes, that the minutes be approved.

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

Pay Ordinance #1116 in the amount of \$430,779.02 was presented by the Clerk. Councilmember Bletcher stated "I recently requested information that would document details of various services for which the Village has paid, or is about to pay. An initial response said that these documents will NOT be released. I believe that no members of council can properly discharge our duty if we cannot get information we need to properly verify the accuracy of invoices tendered by our service providers. Therefore, until this matter is resolved, and I fully expect it will be, I must vote NO, and I ask any other council members to vote NO, on any pay ordinance containing invoices for which we feel the accuracy needs to be verified, unless we can obtain the information needed to accomplish that." Councilmember Welsh said that the invoices should be paid then disputed later. He also said if we have to generate information, it should be paid for by the requester. Law Director Riehl said council can determine if generated information should be paid for. Councilmember Riley requested that Chris Courtney be asked how much the charge would be for the requested information. It was moved by Councilmember Riley, seconded by Councilmember Barnes, that Pay Ordinance #1116 be approved.

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

The financial statement for the period ending March 31, 2010 was presented by the Clerk. Councilmember Barnes, Finance Chairman, pointed out various income and expense items.

Chief Szeredy presented a written report for the Police Department for the preceding period. He reported on the traffic fatality and pointed out that when waiting to make a turn, do not turn the wheels; keep them straight so if hit from behind you will not be pushed into the line of traffic. There have been more than 40 burglaries in 60 days. Three males have been caught. Councilmember Nemastil asked if the Village should have a "texting" law. Councilmember Riley said the Safety Committee decided to wait for the Federal law to be passed.

Service Director Biggert presented a written report for his department for the preceding period.

Chief Robinson presented a written report for the Fire Department for the preceding period. The Village received a \$2033 training grant.

Beth DeCapite, Clerk, presented the signed Fiscal Officer's Certificate in connection with the proposed issue of \$1,000,000 in notes. A copy of the Certificate is attached to and becomes a part of these minutes.

Ordinance #2010-10 entitled "An Ordinance Providing For The Issuance And Sale Of \$1,000,000 Notes, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Improving Streets By Resurfacing Such Streets As Designated In Plans Approved by Council, And By Constructing Culverts In Old Mill Road And Certain Other Streets In Certain Designated Locations, All Together With The Necessary Appurtenances Thereto, 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 #2010-10 be placed upon its final passage.

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

It was then moved by Councilmember Barnes, seconded by Councilmember Bletcher, that Ordinance #2010-10 be approved.

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

Beth DeCapite, Clerk, presented the signed Fiscal Officer's Certificate in connection with the proposed issue of \$485,000 in notes. A copy of the Certificate is attached to and becomes a part of these minutes.

Ordinance #2010-11 entitled "An Ordinance Providing For The Issuance And Sale Of \$485,000 Notes, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Constructing, Furnishing, Equipping, Improving The Site Of And Access To, And Otherwise Improving A Building To House A Free Public Library And A Community Activity Area, And Declaring An

Emergency,” was introduced by Councilmember Barnes and read by the Clerk. It was moved by Councilmember Barnes seconded by Councilmember Riley, that the rules requiring ordinances to be read on three different days be suspended and that Ordinance #2010-11 be placed upon its final passage.

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

It was then moved by Councilmember Barnes, seconded by Councilmember Welsh, that Ordinance #2010-11 be approved.

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

It was moved by Councilmember Nemastil, seconded by Councilmember Schneider, that the Clerk be authorized to advertise for bids for the 2010 Road Program.

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

It was moved by Councilmember Nemastil, seconded by Councilmember Schneider, that the Clerk be authorized to advertise for bids for Storm Sewer repair on Mayfield Road. The project was not budgeted since the problem occurred after the budget was prepared.

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

It was moved by Councilmember Nemastil, seconded by Councilmember Schneider, that the Clerk be authorized to advertise for bids for the miscellaneous store sewer and culvert repairs.

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

It was moved by Councilmember Nemastil, seconded by Councilmember Riley, that the Clerk be authorized to advertise for bids for Storm Sewer repair on Old Mill Road (east).

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

Business from the audience:

Katherine Malmquist from the Gates Mills Library reported that the recent presentations at the Library have been well attended. There will be a book sale this month.

Sandra Turner voiced her disappointment that the chairman of the Gas Well Safety Committee has not called a meeting. Councilmember Riley encouraged the Mayor to find a chairman who would become active.

Larry Frankel stated that gas wells are allowed to be 150 feet from a school.

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

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Connie White, Mayor