

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
October 12, 2010

The Mayor opened the meeting with a moment of silence for the loss of 52 year old Mike Hackett who served our Village for the past 20 years as both a Gates Mills Fireman and Service Department member.

A regular meeting of the Council of the Village of Gates Mills, Ohio was held on Tuesday, October 12, 2010 at 6:30 P.M.

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

Councilmembers absent: Riley.

Mayor White presided.

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

Roll call: Ayes: Barnes, Bletcher, Nemastil, Reynolds, Schneider, Welsh.

Nays: None.

Motion carried.

The minutes of the meeting of September 14, 2010 were presented by the Clerk. It was moved by Councilmember Schneider, seconded by Councilmember Nemastil, that the minutes be approved.

Roll call: Ayes: Barnes, Bletcher, Nemastil, Reynolds, Schneider.

Nays: None.

Abstain: Welsh

Motion carried.

Pay Ordinance #1122 in the amount of \$567,072.50 was presented by the Clerk. It was moved by Councilmember Nemastil, seconded by Councilmember Reynolds, that Pay Ordinance #1122 be approved.

Roll call: Ayes: Barnes, Bletcher, Nemastil, Reynolds, Schneider, Welsh.

Nays: None.

Motion carried.

The financial statement for the period ending September 30, 2010 was presented by the Clerk. Councilmember Barnes, Finance Chairman, pointed out that the department heads are stay on budget.

Chief Szeredy presented a written report for the Police Department for the preceding period. President Obama will be at the residence at Cedar and SOM Center Roads in Hunting Valley Sunday, October 17, 2010.

Service Director Biggert presented a written report for his department for the preceding period. He reported that the September 23 residential hazardous waste material drop off at the Service garage was successful.

Chief Robinson presented a written report for the Fire Department for the preceding period.

Resolution #2010-30 entitled "An Ordinance Enacting Section 352.031 Of Title Nine Of The Traffic Code, "Parking," Restricting The Time And Purpose For Certain Designated Parking Spaces," was introduced by Councilmember Schneider and given its third reading by the Clerk. There was discussion about the time limit for the parking spaces, and when it would apply. Councilmember Schneider explained the purpose of the resolution was to give police officers the ability to issue parking tickets. Councilmember Bletcher felt the 15 minute, 24/7 regulation at the Post Office seemed restrictive. It was decided to change the resolution to limit the parking spaces for the Post Office to 15 minutes between 6:00 a.m. and 6:00 p.m. and the Library parking to 15 minutes 24/7. It was moved by Councilmember Schneider, seconded by Councilmember Reynolds that Resolution #2010-30 be amended to clarify the hours. The amended resolution will be presented at the November Council meeting.

Resolution #2010-35 entitled "An Ordinance Amending Sections 1157.03(K) And 1157.031(K) Of The Planning And Zoning Code To Provide Further Protection For Adjoining Property Owners From Private Tennis Court And Sport Courts," was introduced by Councilmember Schneider and given its first reading by the Clerk. Law Director Riehl said courts currently with lighting in operation will be grandfathered. A public hearing will be held at 6:15 November 9, before the Council meeting.

Resolution #2010-32 entitled "A Resolution Authorizing The Mayor And The Clerk To Enter Into A Lease With Cynthia Hart For Rental Of The 7520 Glenwood Road Property," was introduced by Councilmember Schneider and read by the Clerk. Councilmember Bletcher suggested the resolution be amended so it could apply to any tenant at Glenwood. 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 #2010-32 as amended be placed upon its final passage.

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

It was then moved by Councilmember Schneider, seconded by Councilmember Welsh, that amended Resolution #2010-32 entitled "A Resolution Authorizing The Mayor And The Clerk To Enter Into A Lease For Rental Of The 7520 Glenwood Road Property," be approved.

Roll call: Ayes: Barnes, Bletcher, Nemastil, Reynolds, Schneider, Welsh.

Nays: None.
Motion carried.

Resolution #2010-33 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 Barnes and read by the Clerk. It was moved by Councilmember Barnes, seconded by Councilmember Welsh, that the rules requiring resolutions to be read on three different days be suspended and that Resolution #2010-33 be placed upon its final passage.

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

It was then moved by Councilmember Barnes, seconded by Councilmember Welsh, that Resolution #2010-33 be approved.

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

Resolution #2010-34 entitled "A Resolution Requesting The County Auditor To Advance Taxes From The Proceeds Of Tax Levies Pursuant To Ohio Revised Code Section 321.34," was introduced by Councilmember Barnes and read by Clerk. It was moved by Councilmember Barnes, seconded by Councilmember Reynolds, that the rules requiring resolutions to be read on three different days be suspended and that Resolution #2010-34 be placed upon its final passage.

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

It was then moved by Councilmember Barnes, seconded by Councilmember Reynolds, that Resolution #2010-34 be approved.

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

There was discussion of an appeal from resident Sujata Khosla. Law Director Riehl explained the Architectural Board denied Khosla's plans to remodel their house. The Khosla's want to appeal the decision to Council. At least 10 days before the hearing the Service Director Biggert will notify the property owners within 500 feet of the property. At the hearing the Architectural Board and the Khosla's will present their evidence. The hearing was set for after the November 9, 2010 council meeting.

Business from the audience:

Katherine Malmquist from the Gates Mills Library reported that programs are being well attended.

Walter Schaffer asked Council what the back-up plan is if the 3.5 mill levy on the November ballot fails. Councilmember Barnes explained there was no plan at this time and that the effect of \$728,000 less revenue will occur in 2011. Treasurer Reitman explained the Village has been secure for a long time. The budget process takes a harsh look at expenses. He can comfortably say Gates Mills runs a tight ship. The Administration is fiscally responsible. A cut of \$728,000 would disrupt the Village. He also feels that passage of the levy will be affirmation of what the Administration has been doing. He further reported that about 30 letters have been sent to residents who owe money for their city income tax. Seven have responded. A purchase order system will be started January 1, 2011. *Councilmember Bletcher said that he believes we have an opportunity to reduce expenses by several hundred thousand dollars.(Sentence added at 11/09/10 Council Meeting.)*

Katherine Malmquist asked when Chagrin River Road will be open to traffic. Service Director said it would be the end of October or beginning of November. Jan Carlisle said she hasn't seen any work being done in the area.

At 7:20 p.m. there being no further business, it was moved by Councilmember Reynolds, seconded by Councilmember Schneider, and unanimously carried, that the meeting be adjourned.

Respectfully submitted,

Beth DeCapite, Clerk

Approved:

Connie White, Mayor