

KIRTLAND CITY COUNCIL MINUTES

September 7, 2011

The meeting of Kirtland City Council was called to order at 7:12 p.m. by Council President R. Robert Umholtz. Mr. Webbe led the prayer which followed the Pledge of Allegiance. The members of Council present were: Douglas Davidson, David Kirek, Timothy Powell, Matthew Schulz, Robert Skrbis, R. Robert Umholtz and Donald Webbe.

Administrative personnel present were: Mayor Mark A. Tyler, Law Director Daniel Richards, Finance Director Keith Martinet, City Engineer Philip Kiefer, Service Administrator Carm Catania, Police Chief Wayne Baumgart and Fire Chief Anthony Hutton.

MINUTES OF THE AUGUST 22, 2011 COUNCIL MEETING:

Mr. Kirek moved to waive the reading of the Minutes, with the second by Mr. Schulz. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised that the monthly report has been distributed.

Police Chief Wayne Baumgart stated that the monthly report for Police and Fire has been distributed.

Service Administrator Carm Catania advised that preliminary work is being done on Tibbetts Road; the chip and seal will be done tomorrow, weather permitting, or on Friday, and the leveling course will be started on Monday. Mr. Catania stated that the drainage work will follow, noting that the plan is to complete the paving before the weather changes. Responding to Councilman Powell, Mr. Catania stated that the City Engineer's drawing shows over 2500 ft. of piping, which will be done after the paving. Responding to Councilman Schulz, Mr. Catania advised that the full length of the street will be surfaced.

With regard to the sidewalk that the City is installing on Route 306, Councilman Schulz commented that some signs were down. Mr. Catania advised that they will be put back up.

Noting that the speed limit on Route 306 near the trailer park is 40 mph, and then drops to 35 mph, Councilman Webbe stated that residents have inquired if the speed limit at the top of the hill can be reduced from 40 mph to 35 mph, to slow the traffic and make it easier for them to get out of their driveway. Noting that the speed limit on Route 306 is regulated by the State, Mr. Catania stated that he will check with the Police Chief to see if it can be changed.

Councilman Davidson inquired about the possibility of removal of a tree near Charlesderry, noting that it may be in the right-of-way. Mr. Catania stated that he will look into it.

Councilman Skrbis inquired if there was any update on the tank at New Promise Church, noting that the tank was changed and the old one is still sitting on the property. Mr. Umholtz stated that he talked to the pastor, and the church does not have any control over the situation. Mr. Catania stated that he will contact the company that installed the well.

Responding to Councilman Powell, Mr. Catania stated that the new apron at a property on Route 6 is temporary; he noted that an 8 inch pipe was installed to address the drainage issues. Mr. Catania stated that the driveway apron will be eliminated when the property owner completes his landscaping work. Mr. Powell stated concern about the manner in which this situation was addressed.

DEPARTMENT REPORTS (continued):

Responding to Councilman Skrbis with regard to restoration of the area in front of the shopping plaza on Route 306, Mr. Catania stated that there are some issues between the property owner and the County. Mayor Tyler stated that the property owner would like to renegotiate the terms of the contract between the County and the property owner; he noted that the restoration will be addressed.

Councilman Schulz commented on the temporary business signs along Route 306. Mr. Catania stated that he needs to address these with the business owners, noting that the required permits have not been obtained and the signs need to be removed. Councilman Davidson noted that the business owners are struggling to get traffic into their businesses, noting that they are affected by the issues with the parking lot.

City Engineer Philip Kiefer advised that his monthly report has been distributed.

Finance Director Keith Martinet gave no formal report and no questions were asked of him.

Law Director Daniel Richards did not present a formal report and no questions were asked of him.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Mark Tyler advised that he has met several times over the last couple weeks with Mr. Kiefer and Mr. Catania with regard to several issues. With regard to flooding issues on Route 6 east of Route 306 near the Farm Park and Rocking Horse Subdivision, Mayor Tyler noted that a meeting was held yesterday with representatives of Lake Farm Park.

Mayor Tyler advised that he has heard from some of the residents on Prelog Lane, and they are very happy with the results of the work that was done at the Route 6 and Sperry Road intersection.

Referring to the legislation on tonight's agenda for the purchase of the new police vehicle, Mayor Tyler requested that Council waive the three readings and adopt the legislation as an emergency at tonight's meeting.

Responding to Councilman Powell with regard to an accident last night at Route 6 and Sperry Road, Mayor Tyler confirmed that it could not have been caused by line of sight issues.

Councilman Schulz inquired about the status of the census tracts investigation. Mayor Tyler advised that work is ongoing and should be complete soon.

Councilman Schulz stated that he received a call from Mr. Panzarello, a resident of Eagle Road, who stated that he would welcome a police cruiser to sit in his driveway to take radar. Mr. Schulz stated that he will pass along the resident's contact information.

Responding to Councilman Skrbis, Mr. Catania confirmed that a basketball hoop has been installed at the City Recreation Park, noting that it was requested by residents. Mr. Skrbis stated that he was approached by some children who asked about a skate park, and he agreed to bring up their request. Mr. Skrbis stated that Mayfield Village filled in a swimming pool and installed a splash park; he noted that it is very nice. Mr. Catania noted that approximately five or six years ago, this type of use was investigated for Kirtland. Law Director Richards commented that he was involved in litigation relating to injuries, noting that with this type of use, there are issues with injuries to children.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

RESOLUTION NO. 11-R-43 - (Second Reading) - A RESOLUTION
(Council President Umholtz) INCREASING THE COMPENSATION PAID TO THE MAYOR.

Read by title only and placed on Second Reading.

RESOLUTION NO. 11-R-44 - (Second Reading) - A RESOLUTION SETTING
(Council President Umholtz) THE SALARY FOR THE PUBLIC SAFETY DIRECTOR.

Read by title only and placed on Second Reading.

RESOLUTION NO. 11-R-45 - (Second Reading) - A RESOLUTION SETTING
(Council President Umholtz) THE SALARY FOR THE PUBLIC SERVICE DIRECTOR.

Read by title only and placed on Second Reading.

ORDINANCE NO. 11-O-47 - (Second Reading) - AN ORDINANCE AMENDING
(Mayor Tyler) SECTION 210.01 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO EXAMINATION OF REGISTRATION RECORDS OF CANDIDATES; WRITTEN PROTESTS AGAINST UNQUALIFIED CANDIDATES.

Read by title only and placed on Second Reading.

NEW BUSINESS:

RESOLUTION NO. 11-R-48 - A RESOLUTION AUTHORIZING THE MAYOR TO
(Mayor Tyler) PURCHASE ONE (1) NEW 2011 CHEVROLET TAHOE FOR USE BY THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

NEW BUSINESS – RESOLUTION NO. 11-R-48 (continued):

Read by title only. Mr. Webbe moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).** Mr. Webbe moved to declare an emergency and adopt, with the second by Mr. Skrbis. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).** Mayor Tyler thanked Council for passing the Resolution tonight as an emergency.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Powell inquired if Council members would like to further discuss the compensation legislation on the agenda. It was agreed that a work session be held before the next regular Council meeting in order to discuss this matter.

Referring to the City Engineer’s report, Councilman Powell requested a list of the drainage complaints. Mr. Kiefer indicated that he will provide that information.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Kirek moved to adjourn, with the second by Mr. Powell. The motion of Council passed by unanimous vote. The time was 7:38 p.m.

President of Council

Clerk of Council