

KIRTLAND CITY COUNCIL MINUTES

December 5, 2011

The meeting of Kirtland City Council was called to order at 7:11 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: William Catania, David Kirek, Matthew Schulz, Robert Skrbis, Timothy Powell, 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 NOVEMBER 21, 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: CATANIA, 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 noted that the formal report for Police and Fire has been distributed.

Service Administrator Carm Catania did not give a formal report. With regard to the property on Euclid-Chardon Road owned by Mr. Excavator, Councilman Skrbis stated that he was contacted by a resident who advised that there is equipment parked on the other side of the compressor station. Mr. Skrbis noted that this location is beyond the commercial zoning on the property. Mr. Catania stated that he will look into this matter.

City Engineer Philip Kiefer distributed his monthly report for November.

Finance Director Keith Martinet stated that he prepared, posted and distributed the October financial statements.

Law Director Daniel Richards gave no formal report and no questions were asked of him.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Mark Tyler noted that the Community of Christ held their annual ecumenical service on Tuesday, November 22. He noted that Historic Kirtland held their tree lighting ceremony on November 25, and their annual nativity exhibit is on display.

Mayor Tyler noted that on Monday, November 28, a meeting was held with the Temple View property owners with regard to the sewer project.

The Mayor stated that on Wednesday, November 30, the Kirtland Garden Club decorated City Hall, in time for the inauguration ceremony on December 1. He noted that a letter of thanks has been sent to the Garden Club.

MAYOR’S REPORT/ANNOUNCEMENTS (continued):

Mayor Tyler noted that “Breakfast with Santa” was held on Saturday morning at the Community Center. He noted that it was well attended, and despite a power outage, the event was a success.

The Mayor noted that the Kirtland Firefighters Association held their annual Christmas party on Saturday evening.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

John Burke, 9115 Martin Road, stated that he attended a meeting approximately two months ago to complain about the road conditions on Martin Road; and to date only a small repair was made to the road. He stated that there is a hole in the road, and there are sections of the road that have completely washed out and are down to bare dirt. He stated that he would like some assurance that repairs will be made to Martin Road in the upcoming year. Service Administrator Catania stated that in preparing the budget for next year for road repairs, Martin Road is high on the priority list. Mr. Catania stated that, budget permitting, he would like to move the ditches, and widen and resurface the road. Noting that the asphalt plants are now closed, Mr. Catania advised that at this time of year, the best that can be done is to provide cold patch and gravel.

OLD BUSINESS:

ORDINANCE NO. 11-O-58 - (Second Reading) - **AN ORDINANCE APPROVING THE REVISED RATES FOR SANITARY SEWER SYSTEM CHARGES FOR HICKORY HILL, ROCKWOOD LEDGES AND SHENANDOAH SUBDIVISIONS AS DETERMINED BY THE PUBLIC UTILITIES COMMISSION OF THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.**
(Mayor Tyler)

Read by title only and placed on Second Reading.

RESOLUTION NO. 11-R-59 - (Second Reading) - **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HUMANICS, LLC.**
(Mayor Tyler)

Read by title only and placed on Second Reading.

OLD BUSINESS (continued):

RESOLUTION NO. 11-R-60 - (Second Reading) - **A RESOLUTION DESIGNATING FINANCIAL INSTITUTIONS AS PUBLIC DEPOSITORIES.**
(Mayor Tyler)

Read by title only. Law Director Richards advised that this legislation should be an Ordinance, rather than a Resolution, in accordance with Article II-A, Section 4, of the City Charter. Mr. Webbe moved to amend Resolution No. 11-R-60 to change the title and status of the Resolution to Ordinance No. 11-O-60. Mr. Kirek provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: CATANIA, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).**

NEW BUSINESS:

RESOLUTION NO. 11-R-65 - **A RESOLUTION APPOINTING MAYOR MARK A. TYLER AS PUBLIC SAFETY DIRECTOR, AND DECLARING AN EMERGENCY.**
(Council as a Whole)

Read by title only. Mr. Webbe moved to waive the three readings, with the second by Mr. Skrbis. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: CATANIA, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).** Mr. Skrbis moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: CATANIA, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).**

RESOLUTION NO. 11-R-66 - **A RESOLUTION APPOINTING MAYOR MARK A. TYLER AS PUBLIC SERVICE DIRECTOR, AND DECLARING AN EMERGENCY.**
(Council as a Whole)

Read by title only. Mr. Skrbis moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: CATANIA, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).** Mr. Webbe moved to declare an emergency and adopt, with the second by Mr. Kirek. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: CATANIA, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).**

RESOLUTION NO. 11-R-67 - **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE LAKE COUNTY BOARD OF COMMISSIONERS FOR USE OF AN 800/700 MHz RADIO SYSTEM, AND DECLARING AN EMERGENCY.**
(Mayor Tyler)

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: CATANIA, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Powell. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: CATANIA, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).**

RESOLUTION NO. 11-R-68 - **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE LAKE COUNTY BOARD OF COMMISSIONERS FOR THE PURCHASE OF BACKBONE EQUIPMENT FOR USE IN LAKE COUNTY 800/700 MHz RADIO SYSTEM, AND DECLARING AN EMERGENCY.**
(Mayor Tyler)

NEW BUSINESS – RESOLUTION NO. 11-R-68 (continued):

Read by title only. Mr. Skrbis moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: CATANIA, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).** Mr. Skrbis moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: CATANIA, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).**

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

None.

PUBLIC COMMENTS:

Sterling Coleman, 7636 Markell Rd., inquired as an owner of a street licensed electric motor vehicle whether there are any plans to install electric charging stations for motor vehicles within the City limits. Mayor Tyler advised that there are no such plans at this time.

Councilman Skrbis commended the Kirtland Varsity Football Team on their incredible accomplishments, and he offered congratulations to the team and the Kirtland community. Councilman Webbe thanked the Police Department and the Fire Department for their participation in the community support of the team. Mayor Tyler thanked Chief Hutton and Chief Baumgart for setting up the parade route on Thursday evening and for providing the team with a Police and Fire escort into town on Friday after the game. Mayor Tyler commended the team on their 15-0 record, noting that Kirtland is the first public school in Lake County to win a football state championship.

Noting that there was discussion during the work session concerning presentation of a commending Resolution, Council President Umholtz noted that there likely would not be sufficient space in Council Chambers for the public that would wish to attend. Mr. Umholtz suggested that consideration be given to changing the location of the Council meeting to a larger venue when the Resolution is presented.

ADJOURNMENT:

Mr. Webbe moved to adjourn, with the second by Mr. Kirek. The motion of Council passed by unanimous vote and the meeting adjourned at 7:34 p.m.

President of Council

Clerk of Council