

## KIRTLAND CITY COUNCIL MINUTES

May 7, 2012

The meeting of Kirtland City Council was called to order at 7:02 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, 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 APRIL 16, 2012 WORK SESSION:

Mr. Kirek moved to waive the reading of the Minutes, with the second by Mr. Webbe. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, with the second by Mr. Webbe. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL AND SKRBIS. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

### MINUTES OF THE APRIL 16, 2012 COUNCIL MEETING:

Mr. Kirek moved to waive the reading of the Minutes, with the second by Mr. Webbe. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, with the second by Mr. Webbe. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL AND SKRBIS. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** advised that the monthly report has been distributed. Councilman Schulz inquired whether there is a specific radius for mutual aid. Chief Hutton advised that mutual aid is statewide, although it is generally provided to surrounding cities, including those in Geauga County. Chief Hutton noted that Kirtland has provided mutual aid in Parkman, and recently in Lyndhurst. He noted that the brush truck was purchased with the Assistance to Firefighters Grant, and it is expected to travel further distances. The Chief noted that all 88 counties in Ohio are part of the emergency response plan within Ohio.

**Police Chief Wayne Baumgart** stated that the formal report has been distributed. Chief Baumgart read a statement of recognition and presented an award to Jake Nicholson for the 2010 Employee of the Year and to Kelly Sather for the 2011 Employee of the Year. Mr. Nicholson and Mrs. Sather each came forward and received the award and the applause of those present at the meeting.

Chief Baumgart read a statement of recognition and presented an award to Officer Joseph Megyesi for the 2010 Officer of the Year and to Officer Michael Valenti for the 2011 Officer of the Year. Officer Megyesi and Officer Valenti each came forward and received the award and the applause of those present at the meeting.

Council President Umholtz thanked Mr. Nicholson, Mrs. Sather, Officer Megyesi and Officer Valenti for their dedication and commitment to the City.

**DEPARTMENT REPORTS (continued):**

**Service Administrator Carm Catania** did not present a formal report. Responding to Councilman Schulz, Mr. Catania advised that the seeding will be complete and that the sidewalks should be complete to Florence Road before the Strawberry Festival. Councilman Schulz requested that low-hanging branches along the sidewalk be cut back and that streetlights be replaced if any bulbs are out. Mr. Catania advised that he will send someone from the Service Department to take care of the branches and that a request will be faxed to CEI for any streetlights that need to be replaced.

Councilman Skrbis inquired about a septic odor on Billings Road near the intersection of Wilbert Drive. Mr. Catania stated that he did not detect any odor in that vicinity, but that he will keep a check on this.

Responding to Councilman Powell regarding contact with Willoughby Hills pertaining to Graylock Drive, Mr. Catania advised that he spoke with the Road Superintendent; he noted that he and the City Engineer visited the property and that there is nothing that the City of Kirtland can do to alleviate the water issue. He advised that the drainage is running as it should be on the property in Kirtland. Responding to Mr. Powell, Mayor Tyler stated that he has not yet spoken with representatives of Willoughby Hills in this regard, but that he will likely have the opportunity this week. Mr. Catania stated that he will also follow-up with Willoughby Hills.

Councilman Skrbis stated that he received a call from a resident with regard to dumping on Mr. Excavator's property. Mr. Catania advised that the Police Department sent an officer there this morning, noting that City Hall and the Police Department have also been contacted by the resident. Mr. Catania noted that the City Engineer is aware of the situation, and the City will follow-up on this matter.

Councilman Schulz noted that a great deal of brush was left on the property at the southwest corner of the Route 6 and 306 intersection when trees were cut down to demolish the house. Mr. Catania stated that he will contact the property owner in this regard.

**City Engineer Philip Kiefer** advised that the monthly report for April has been distributed. Responding to Councilman Schulz regarding the delay in the resurfacing of Route 306 north from Kirtland Road, Mr. Kiefer noted that it is scheduled for the fiscal year. Mr. Catania noted that actual construction will be done in the spring of 2013.

**Finance Director Keith Martinet** did not present a formal report and no questions were asked of him.

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

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Mayor Tyler advised that he attended a meeting on April 24 at the Lake County Administration Building with regard to distribution of the Local Government Fund; he noted that the meeting was requested by the County Commissioners. The Mayor advised that a decision was made to leave the distribution of the Local Government Fund as is, noting that this pertains to the distribution of the funds from the County to the municipalities. With regard to the funds sent to the County from the State of Ohio, Mayor Tyler stated that this may be adjusted following passage of the State budget next year; he noted that the State legislators representing this area are committed to not adjusting the funds.

Mayor Tyler stated that he and Service Administrator Catania have met with representatives of the soccer league and the baseball league to discuss improvements.

The Mayor stated that he participated in Arbor Day on April 27 at Holden Arboretum. He noted that he performed a wedding in the gazebo at City Hall on April 28.

**MAYOR'S REPORT/ANNOUNCEMENTS (continued):**

Noting that the Kirtland School's prom was held last Friday, with after-prom at the high school, the Mayor stated that it was a nice event and that it was a success thanks to all of the parents who participated.

Mayor Tyler stated that he was requested to give a "State of the City" address today to the Kirtland Area Service Council at the Kirtlander, noting that it was a nice event.

The Mayor offered congratulations to the employees and officers honored by the Police Chief this evening, and congratulations to Chief Baumgart for attaining 40 years in law enforcement. Chief Baumgart received the applause and congratulations of all those present.

Councilman Powell noted that Mrs. Randlett, a Kirtland resident, submitted to Council a copy of an article regarding trails and bike paths. Mayor Tyler noted that Mrs. Randlett is an avid supporter of trails in the City.

Councilman Schulz inquired whether any studies have been done with regard to placing a crosswalk on Route 306 near the schools. Mayor Tyler noted that further consideration can be given once detailed information is available from the comprehensive plan review. Upon the Mayor's recommendation, Council President Umholtz requested that this matter be reviewed by the Police & Fire Standing Committee. Councilman Skrbis requested the Police Chief's comments with regard to putting in a crosswalk, somewhere in the vicinity of the schools. Chief Baumgart noted concern that it would give pedestrians a false sense of security; he stated that he would not recommend placing a crosswalk on Route 306 unless it is well lit and there is a traffic light. Mayor Tyler stated that it is more complicated than simply painting stripes on the road, noting that Route 306 is a state route and that due diligence is required in studying the matter.

Councilman Powell suggested that it may be helpful if Councilman Schulz can obtain some information from ODOT. Noting that the church had inquired about a crossing for the Temple, Chief Baumgart stated that he has a study already put together regarding crosswalks, using ODOT's recommendations. Law Director Richards requested that the Police Chief provide him with any documentation he has relative to the current regulations, noting that if a crosswalk is not installed specifically in accordance with those rules and regulations, it could leave the City open to significant claims. There was discussion concerning the possibility of utilizing volunteer crossing guards; Law Director Richards stated that if the City is adopting any responsibility whatsoever for the crossing, only officers that are trained in the performance of traffic regulation should be placed in such a position.

Upon the request of Councilman Webbe as Chairman of the Police & Fire Standing Committee, it was agreed that this matter will be discussed further during a Council work session before the next regular meeting.

**STANDING COMMITTEE REPORTS:**

None.

**CORRESPONDENCE:**

None.

**PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:**

**Sterling Coleman, 7636 Markell Road,** inquired whether it is possible to revisit the light cycles for the traffic light at Lakeland Community College during the off-peak traffic times. He noted that early on Sunday mornings, when there is no traffic, the light goes through long light cycles. Mr. Catania stated that he will check the loop detectors.

**OLD BUSINESS:**

**RESOLUTION NO. 12-R-15**  
**(Mayor Tyler)**

- (Second Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE JUNE 30, 2012 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

Read by title only and placed on Second Reading.

**NEW BUSINESS:**

**RESOLUTION NO. 12-R-16**  
**(Mayor Tyler)**

- A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; TEMPLEVIEW PROJECT #300; GENERAL OBLIGATION BOND FUND #600; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE JULY 15, 2012 TO GENERAL OBLIGATION BOND FUND #600; GENERAL FUND #100; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

Read by title only and placed on First Reading.

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**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

Councilman Schulz inquired about the possibility of discussing improvements to the ball fields at the next work session. Mayor Tyler stated that he will bring legislation in this regard before Council in the near future.

**PUBLIC COMMENTS:**

None.

**ADJOURNMENT:**

Mr. Kirek moved to adjourn, with the second by Mr. Webbe. The motion of Council passed by unanimous vote and the meeting adjourned at 7:42 p.m.

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President of Council

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Clerk of Council