

KIRTLAND CITY COUNCIL MINUTES

November 7, 2012

The meeting of Kirtland City Council was called to order at 7:07 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, R. Robert Umholtz and Donald Webbe. Timothy Powell arrived after the meeting commenced.

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

MINUTES OF THE OCTOBER 15, 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 5/0/1 (VOTING YEA: SKRBIS, WEBBE, CATANIA, KIREK AND SCHULZ. VOTING NAY: NONE. ABSTAINING: UMHOLTZ).**

MINUTES OF THE OCTOBER 15, 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 5/0/1 (VOTING YEA: SKRBIS, WEBBE, CATANIA, KIREK AND SCHULZ. VOTING NAY: NONE. ABSTAINING: UMHOLTZ).**

DEPARTMENT REPORTS:

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

Police Chief Wayne Baumgart advised that the monthly report for October has been distributed.

Service Administrator Carm Catania did not present a formal report. Councilman Schulz noted that he received a call from a resident regarding a pothole on Booth Road between Kirtland-Chardon Road and Martin Road. Mayor Tyler advised that the City is already aware of this and talked to the residents about it.

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

Finance Director Keith Martinet requested a meeting of the City's Board of Tax Review (Council President, Finance Committee Chair and the Mayor). It was agreed that the Board of Tax Review will meet following the conclusion of the next regular Council meeting on Monday, November 19, 2012.

Assistant Law Director Michael Germano did not present a formal report and no questions were asked of him.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Tyler wished Council a Happy Thanksgiving and advised that the annual ecumenical church service will be held at the Kirtland Temple on Tuesday, November 20. He noted that the annual lighting ceremony in Historic Kirtland will be held on Friday evening, after Thanksgiving.

The Mayor noted that there was discussion at the work session regarding various items of legislation that will soon come before Council.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

Council President Umholtz reported on the following:

1. Correspondence from Kirtland resident Dennis Rash requesting that Council consider some options he has suggested with regard to property at 8804 Garfield Road (Mike's Salvage Company); Mr. Rash believes the property has potential to be a pristine park for the City of Kirtland, and he notes that the Western Reserve Conservancy has shown an interest in the property. Mayor Tyler noted that he recently had a lengthy discussion with this resident in this regard.
2. Referring to information submitted by Kirtland resident Kevin Potter at the last Council meeting with regard to a resolution concerning fracking, Mr. Umholtz stated that he is not sure that he would be in favor of passing a resolution at this time, unless Council wishes to pursue this. Councilman Schulz stated that he recently heard an informational presentation presented from both sides of the issue; he stated that he will provide a copy of the material to Council members and the Mayor.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

RESOLUTION NO. 12-R-50
(Mayor Tyler)

- **(Second Reading) - A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE LAKE COUNTY BOARD OF COMMISSIONERS FOR THE TEMPORARY OPERATION AND MAINTENANCE OF THE TEMPLE VIEW AREA SANITARY SEWER SYSTEM, AND DECLARING AN EMERGENCY.**

Read by title only and placed on Second Reading.

OLD BUSINESS (continued):

ORDINANCE NO. 12-O-51
(Mayor Tyler)

- **(Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,060,000 FOR THE PURPOSE OF REFUNDING AT A LOWER INTEREST COST CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE REFUNDING BONDS (SERIES 1998) DATED AS OF MAY 1, 1998, AND DECLARING AN EMERGENCY.**

Read by title only and placed on Second Reading.

RESOLUTION NO. 12-R-52
(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 DECEMBER 31, 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-54
(Mayor Tyler)

- **A RESOLUTION CONFIRMING THE APPOINTMENT OF RICHARD L. BLUM TO THE PLANNING AND ZONING COMMISSION, AND DECLARING AN EMERGENCY.**

Read by title only. Mr. Webbe moved to waive the three readings, with the second by Mr. Schulz. Mayor Tyler stated that he shared Mr. Blum's resume during the work session, noting that he gives his recommendation for the appointment. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SKRBIS, UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE).** Mr. Webbe moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SKRBIS, UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE).** Council President Umholtz offered his congratulations to Mr. Blum, who was present at tonight's meeting.

* * * * *

CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Powell apologized to Council and the Administration for being late to tonight's meeting.

Council President Umholtz stated his appreciation for the expression of get well wishes following his recent surgery.

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 7:22 p.m.

President of Council

Clerk of Council