

KIRTLAND CITY COUNCIL MINUTES

November 19, 2012

The meeting of Kirtland City Council was called to order at 7:08 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, 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 NOVEMBER 7, 2012 WORK SESSION:

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 5/0/2 (VOTING YEA: SKRBIS, WEBBE, CATANIA, KIREK AND SCHULZ. VOTING NAY: NONE. ABSTAINING: UMHOLTZ AND POWELL).**

MINUTES OF THE NOVEMBER 7, 2012 COUNCIL MEETING:

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

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton did not present a formal report and no questions were asked of him.

Police Chief Wayne Baumgart gave no formal report and no questions were asked of him.

Service Administrator Carm Catania did not present a formal report. Councilman Skrbis noted that a resident has inquired about the condition of the roads in Kirtland Lakes Estates. Mayor Tyler noted that he will discuss this with Mr. Skrbis following the meeting.

Councilman Skrbis noted that the road is always wet on Route 306 near the top of the hill near the Kirtland Road intersection. Service Administrator Catania advised that it is ground water, noting that it has been tested by Aqua Ohio; he noted that the Service Department installed a drain, but the water still comes through the ground. Mr. Catania noted that the Service Department takes extra care to address this area during the winter.

City Engineer Philip Kiefer did not present a formal report and no questions were asked of him.

Finance Director Keith Martinet requested that the meeting of the Board of Tax Review be changed from tonight to December 3, 2012; Council was in agreement with the request.

DEPARTMENT REPORTS (continued):

Noting that a commendation for Susan Vernon is on tonight's agenda, Mr. Martinet stated that she has worked for his firm for many years. Mr. Martinet publicly thanked her for the work she has done for his company as well as for the City, noting that she has done a nice job.

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

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Tyler advised that the annual ecumenical church service will be held at the Kirtland Temple tomorrow at 7:00 p.m., with Chief Baumgart giving the keynote address. The Mayor noted that the annual lighting ceremony in Historic Kirtland will be held on Friday evening.

Mayor Tyler noted that breakfast with Santa will be held on Saturday, December 1 at the Community Center from 9:00 a.m. until 11:00 a.m.; and that the Senior Center Christmas party will be held on Thursday, December 13 at Pine Ridge Country Club. He noted that the Kirtland Firefighters' annual Christmas party will be held on December 8.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

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

- (Third 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. Mr. Webbe moved to declare an emergency and adopt, with the second by Mr. Kirek.
ROLL CALL: ADOPTED 7/0 (VOTING YEA: SKRBIS, UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE).

OLD BUSINESS (continued):**ORDINANCE NO. 12-O-51**
(Mayor Tyler)

- (Third 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. Mr. Webbe moved to declare an emergency and adopt, with the second by Mr. Skrbis. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SKRBIS, UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE).**

RESOLUTION NO. 12-R-52
(Mayor Tyler)

- (Third 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. Mr. Skrbis moved to adopt, with the second by Mr. Kirek. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SKRBIS, UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE).**

NEW BUSINESS:**RESOLUTION NO. 12-R-55**
(Council and Mayor)

- A RESOLUTION COMMENDING SUSAN B. VERNON FOR HER SERVICE TO THE CITY OF KIRTLAND ON THE PLANNING AND ZONING COMMISSION AND ON THE BOARD OF ZONING APPEALS.

The commendation was read in its entirety by Council President Umholtz. Mr. Webbe moved to waive the three readings, with the second by Mr. Skrbis. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SKRBIS, UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE).** Mr. Webbe moved to adopt, with the second by Mr. Skrbis. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SKRBIS, UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE).**

The commendation was presented to Susan Vernon, and she received the applause of all those present. Ms. Vernon thanked the Mayor and Council for the opportunity to serve the City, and she thanked Mr. Martinet for introducing her to the City officials. Mayor Tyler stated his appreciation to Ms. Vernon for her service. Members of the Planning and Zoning Commission were also present to show their appreciation.

ORDINANCE NO. 12-O-56
(Council President Umholtz)

- AN ORDINANCE ADOPTING A COMPREHENSIVE PLAN UPDATE FOR THE CITY OF KIRTLAND, OHIO.

Read by title only and placed on First Reading.

NEW BUSINESS (continued):

ORDINANCE NO. 12-O-57 - **AN ORDINANCE DESIGNATING FINANCIAL INSTITUTIONS AS PUBLIC DEPOSITORIES.**
(Mayor Tyler)

Read by title only and placed on First Reading.

ORDINANCE NO. 12-O-58 - **AN ORDINANCE PROVIDING TEMPORARY APPROPRIATIONS FOR THE THREE MONTH PERIOD ENDING MARCH 31, 2013.**
(Mayor Tyler)

Read by title only and placed on First Reading. Finance Director Martinet advised that this will receive three readings.

RESOLUTION NO. 12-R-59 - **A RESOLUTION SUPPORTING THE STATE OF OHIO AUDITOR'S PUBLIC WORKS NON-EMERGENCY AND EMERGENCY SHARED SERVICES AGREEMENT.**
(Mayor Tyler)

Read by title only and placed on First Reading. Mayor Tyler advised that this legislation should receive three readings.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Kirek extended his wishes to all for a happy Thanksgiving.

Council President Umholtz recognized Kevin Eilerman in attendance at tonight's meeting, noting that he is the father of Scott Eilerman, the Kirtland Football Team quarterback.

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 7:23 p.m.

President of Council

Clerk of Council