

KIRTLAND CITY COUNCIL MINUTES

December 3, 2012

The meeting of Kirtland City Council was called to order at 7:04 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.

ORGANIZATIONAL MEETING:

RESOLUTION NO. 12-R-60
(Council as a Whole)

- A RESOLUTION RECORDING THE ELECTION OF THE PRESIDENT OF COUNCIL FOR THE TERM ENDING NOVEMBER 30, 2013, AND DECLARING AN EMERGENCY.

Mr. Umholtz announced that nominations were open for the Office of President of Council. Mr. Webbe nominated Mr. Umholtz, with the second by Mr. Powell. There being no further nominations, Mr. Powell moved to close the nominations, with the second by Mr. Webbe. The motion passed by unanimous vote of Council.

The legislation was read by title only. Mr. Webbe moved to waive the three readings, with the second by Mr. Skrbis. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: WEBBE, CATANIA, KIREK, POWELL, SCHULZ AND SKRBIS. VOTING NAY: NONE. ABSTAINING: UMHOLTZ).** Mr. Webbe moved to declare an emergency and adopt the legislation recording Mr. Umholtz as President of Council. Mr. Skrbis provided the second. **ROLL CALL: ADOPTED 6/0/1 (VOTING YEA: WEBBE, CATANIA, KIREK, POWELL, SCHULZ AND SKRBIS. VOTING NAY: NONE. ABSTAINING: UMHOLTZ).**

RESOLUTION NO. 12-R-61
(Council as a Whole)

- A RESOLUTION RECORDING THE ELECTION OF THE COUNCIL PRESIDENT PRO TEMPORE FOR THE TERM ENDING NOVEMBER 30, 2013, AND DECLARING AN EMERGENCY.

Mr. Umholtz announced that nominations were open for the Office of Council President Pro Tempore. Mr. Skrbis nominated Mr. Powell, with the second by Mr. Schulz. There being no further nominations, Mr. Kirek moved to close the nominations, with the second by Mr. Schulz. The motion passed by unanimous vote of Council.

The legislation was read by title only. Mr. Skrbis moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: UMHOLTZ, WEBBE, CATANIA, KIREK, SCHULZ AND SKRBIS. VOTING NAY: NONE. ABSTAINING: POWELL).** Mr. Skrbis moved to declare an emergency and adopt the legislation recording Mr. Powell as Council President Pro Tempore. Mr. Kirek provided the second. **ROLL CALL: ADOPTED 6/0/1 (VOTING YEA: UMHOLTZ, WEBBE, CATANIA, KIREK, SCHULZ AND SKRBIS. VOTING NAY: NONE. ABSTAINING: POWELL).**

ORGANIZATIONAL MEETING (continued):**RESOLUTION NO. 12-R-62
(Council as a Whole)**

- A RESOLUTION APPOINTING DENISE A. ROELLE AS CLERK OF COUNCIL AND ESTABLISHING WAGE AND DUTIES, AND DECLARING AN EMERGENCY.

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

**RESOLUTION NO. 12-R-63
(Council as a Whole)**

- A RESOLUTION RELATING TO ESTABLISHING RULES, TIME AND PLACE OF COUNCIL MEETINGS FOR THE PERIOD FROM DECEMBER 1, 2012, THROUGH NOVEMBER 30, 2013, AND DECLARING AN EMERGENCY.

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

REGULAR MEETING:**PUBLIC HEARING****Ordinance No. 12-O-56 – Comprehensive Plan Update**

Planning and Zoning Commission Chairman Michael Denk and Commission members Kevin Eilerman and Richard Blum were present, along with Planning Consultant Kenneth Crandall, to address any questions from Council.

Councilman Powell thanked the Planning and Zoning Commission members and Mr. Crandall for their diligence, noting that it is an outstanding plan.

Mr. Crandall stated that the planning effort over the last several years has been successful because the Planning and Zoning Commission, the administration and the City Council have cooperated and worked together, noting that compromises were made when necessary. Mr. Crandall thanked Council for the support that has been given to the Planning and Zoning Commission, and he stated that it has been a pleasure working with the Commission and Council.

Council President Umholtz thanked Mr. Crandall for the work he has done for the City over the years, and he commended him for his dedication and professionalism.

There were no further comments or questions from Council or the public, and Council President Umholtz closed the public hearing.

MINUTES OF THE NOVEMBER 19, 2012 WORK SESSION:

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

MINUTES OF THE NOVEMBER 19, 2012 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: UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL, SCHULZ AND SKRBIS. 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 has been distributed.

Service Administrator Carm Catania did not present a formal report. Councilman Skrbis stated that he was contacted by a resident with regard to the potholes on Prelog Lane. Service Administrator Catania advised that the Service Department has been patching roads and will continue to do so as long as possible. Mayor Tyler noted that the City is aware of the condition of Prelog Lane.

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

Finance Director Keith Martinet advised that budget hearings were held and that he and the Mayor are working on the budget; he noted that the schedule is the same as last year's schedule for the budget.

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

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Tyler advised that the annual ecumenical Thanksgiving church service was held on November 20, and the Historic Kirtland lighting ceremony was held the day after Thanksgiving; he noted that both were nice events.

Mayor Tyler stated that breakfast with Santa was held last Saturday at the Community Center. He noted that it was a successful event, although it was not as well attended as in past years due to the state championship football game. The Mayor noted that the pep rally and the game were well attended.

The Mayor advised that the first round of budget hearings is complete.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

ORDINANCE NO. 12-O-56 - (Second Reading) - AN ORDINANCE ADOPTING
(Council President Umholtz) A COMPREHENSIVE PLAN UPDATE FOR THE
CITY OF KIRTLAND, OHIO.

Read by title only and placed on Second Reading.

ORDINANCE NO. 12-O-57 - (Second Reading) - AN ORDINANCE DESIG-
(Mayor Tyler) NATING FINANCIAL INSTITUTIONS AS PUBLIC
DEPOSITORIES.

Read by title only and placed on Second Reading.

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

Read by title only and placed on Second Reading.

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

Read by title only and placed on Second Reading.

NEW BUSINESS:

RESOLUTION NO. 12-R-64 - A RESOLUTION AUTHORIZING THE MAYOR TO
(Mayor Tyler) PURCHASE ONE (1) NEW 2012 CHEVROLET
TAHOE SPORT UTILITY VEHICLE FOR USE BY
THE POLICE DEPARTMENT, AND DECLARING
AN EMERGENCY.

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: UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL, SCHULZ AND SKRBIS. 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: UMHOLTZ, WEBBE, CATANIA, KIREK, POWELL, SCHULZ AND SKRBIS. VOTING NAY: NONE).**

CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

None.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Kirek moved to adjourn, with the second by Mr. Powell. The motion of Council passed by unanimous vote and the meeting adjourned at 7:21 p.m.

President of Council

Clerk of Council