

## KIRTLAND CITY COUNCIL MINUTES

January 7, 2013

The meeting of Kirtland City Council was called to order at 7:10 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, Timothy Powell, Matthew Schulz, R. Robert Umholtz and Donald Webbe. Absent: Robert Skrbis.

Administrative personnel present were: Mayor Mark A. Tyler, Law Director Daniel Richards, Finance Director Keith Martinet, City Engineer Philip Kiefer, Police Chief Wayne Baumgart and Fire Chief Anthony Hutton.

### PUBLIC HEARING:

#### **Ordinance No. 12-O-70 – Relating to Connection to Sanitary Sewer Systems**

Council President Umholtz opened the public hearing in regard to the above-noted proposed ordinance. There were no public comments or questions, and the public hearing was concluded with the consent of Council.

### MINUTES OF THE DECEMBER 17, 2012 WORK SESSION:

Mr. Schulz moved to waive the reading of the Minutes, with the second by Mr. Webbe. The motion of Council passed by unanimous vote. Mr. Schulz moved to adopt the Minutes, with the second by Mr. Webbe. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

### MINUTES OF THE DECEMBER 17, 2012 COUNCIL MEETING:

Mr. Schulz moved to waive the reading of the Minutes, with the second by Mr. Catania. The motion of Council passed by unanimous vote. Mr. Schulz moved to adopt the Minutes, with the second by Mr. Catania. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** noted that the formal report has been distributed. Chief Hutton advised that the Fire Department received an Assistance to Firefighters Grant from FEMA in the amount of \$150,000 for breathing apparatus, to replace 25 current units. Chief Hutton publicly thanked Captain Ponzani for his work in applying for the grant. On behalf of City Council, Council President Umholtz publicly expressed appreciation to Captain Ponzani and recommended that he be recognized in an appropriate fashion.

**Police Chief Wayne Baumgart** stated that the annual report has been distributed. Chief Baumgart advised that the information management system has been upgraded, noting that some of the Department's equipment will need to be upgraded this year.

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

**Finance Director Keith Martinet** stated that he and the Mayor are working on the budget and expect to submit it to Council in early February, for adoption by the end of March.

**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 he and the Finance Director are making progress on the budget.

As discussed in the work session, Mayor Tyler stated that the legislation for the road levy has been placed on the agenda. Mayor Tyler requested that Council waive the three readings and adopt as an emergency Resolution No. 13-R-4, declaring necessity.

**STANDING COMMITTEE REPORTS:**

None.

**CORRESPONDENCE:**

None.

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

None.

**OLD BUSINESS:**

<b><u>ORDINANCE NO. 12-O-70</u></b> <b>(Mayor Tyler)</b>	-	<b>(Second Reading) - AN ORDINANCE REPEALING SECTION 1042.047 AND ENACTING SECTION 1042.08 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO CONNECTION TO SANITARY SEWER SYSTEMS.</b>
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Read by title only and placed on Second Reading.

**NEW BUSINESS:**

<b><u>RESOLUTION NO. 13-R-1</u></b> <b>(Mayor Tyler)</b>	-	<b>A RESOLUTION DECLARING INTENT TO CONDUCT AN INTERNET AUCTION FOR THE SALE OF UNNEEDED, OBSOLETE OR UNFIT PERSONAL PROPERTY OF THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.</b>
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Read by title only and placed on First Reading.

<b><u>RESOLUTION NO. 13-R-2</u></b> <b>(Mayor Tyler)</b>	-	<b>A RESOLUTION CONFIRMING THE REAPPOINTMENT OF DR. JAMES H. PORTER TO THE VOLUNTEER FIRE FIGHTERS’ DEPENDENTS BOARD, AND DECLARING AN EMERGENCY.</b>
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Read by title only. Mr. Webbe moved to waive the three readings, with the second by Mr. Powell. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).** Mr. Webbe moved to declare an emergency and adopt, with the second by Mr. Catania. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

**NEW BUSINESS (continued):**

**RESOLUTION NO. 13-R-3**  
**(Mayor Tyler)**

- **A RESOLUTION CONFIRMING THE REAPPOINTMENT OF WENDY C. HUTTON TO THE VOLUNTEER FIRE FIGHTERS' DEPENDENTS BOARD, AND DECLARING AN EMERGENCY.**

Read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Webbe. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Powell. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

**RESOLUTION NO. 13-R-4**  
**(Mayor Tyler)**

- **A RESOLUTION DECLARING IT NECESSARY TO PROVIDE FOR AN ADDITIONAL LEVY OF TWO (2) MILLS FOR FIVE (5) YEARS FOR THE PURPOSE OF GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES IN THE CITY; AND REQUESTING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE LEVY, AND DECLARING AN EMERGENCY.**

Read by title only. Mr. Webbe moved to waive the three readings, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).** Mr. Webbe moved to declare an emergency and adopt, with the second by Mr. Schulz. In discussion, Councilman Powell inquired if the legislation for the road levy is identical to the legislation adopted to place the road levy on the November ballot. Mayor Tyler replied affirmatively. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

**RESOLUTION NO. 13-R-5**  
**(Mayor Tyler)**

- **A RESOLUTION PURSUANT TO SECTIONS 5705.19 AND 5705.191 OF THE OHIO REVISED CODE SUBMITTING TO THE ELECTORS OF THE CITY OF KIRTLAND A QUESTION OF PROVIDING FOR AN ADDITIONAL LEVY OF TWO (2) MILLS, IN EXCESS OF THE TEN MILL LIMITATION, FOR FIVE (5) YEARS FOR THE PURPOSE OF GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES, AND DECLARING AN EMERGENCY.**

Read by title only and placed on First Reading.

**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

Councilman Schulz reminded Council members to return their information sheets to him with regard to the City website.

**PUBLIC COMMENTS:**

The Clerk of Council reminded Council members that the combined meeting with the Planning and Zoning Commission and the Board of Zoning Appeals is scheduled for Wednesday, January 16, 2013 at 7:00 p.m.

**ADJOURNMENT:**

Mr. Webbe moved to adjourn, with the second by Mr. Powell. The motion of Council passed by unanimous vote and the meeting adjourned at 7:23 p.m.

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President of Council

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Clerk of Council