

## KIRTLAND CITY COUNCIL MINUTES

July 8, 2013

The meeting of Kirtland City Council was called to order at 7:07 p.m. by Council President Pro Tempore Timothy Powell. 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 and Donald Webbe. Absent: R. Robert Umholtz.

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

### MINUTES OF THE JULY 1, 2013 COUNCIL MEETING:

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 3/0/3 (VOTING YEA: WEBBE, CATANIA AND POWELL. VOTING NAY: NONE. ABSTAINING: KIREK, SCHULZ AND SKRBIS).**

### DEPARTMENT REPORTS:

Police Chief Wayne Baumgart reported on a police chase that took place last week.

Responding to an inquiry from Councilman Powell regarding a Monterey Drive resident, Chief Baumgart advised that he has not yet contacted the individual and that he will follow up on this.

City Engineer Philip Kiefer advised that the monthly report has been distributed. Mr. Kiefer advised that a bid opening was scheduled last Wednesday with regard to the Kirtland Road sewer extension; however, no bids were submitted. Mr. Kiefer stated that in following up with the contractors, it was noted that many are busy; some were interested but did not have time to bid due to the holiday. Mr. Kiefer noted that the project will be re-bid. Responding to an inquiry from Councilman Schulz, Mr. Kiefer stated that it is generally the City's policy to reject bids that are more than 10 percent over the engineer's estimate; he noted that as a Charter community, he does not believe the City is required to reject such bids.

Council President Pro Tempore Powell noted that it has been Council procedure to authorize Mr. Kiefer to approve zoning permits during the Council recess. Mr. Kirek moved to grant authorization to City Engineer Kiefer to issue zoning permits during Council's summer recess for new residences in subdivisions not yet approved for maintenance. Mr. Catania seconded. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: WEBBE, CATANIA, KIREK, POWELL, SCHULZ AND SKRBIS. VOTING NAY: NONE).**

Law Director Daniel Richards did not present a formal report and no questions were asked of him. Councilman Powell thanked Mr. Richards for forwarding the information relating to House Bill 5.

### MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Tyler stated that the City is trying to address issues that have arisen as a result of a heavy downpour this evening, especially at the south end of the City.

Mayor Tyler noted that the proposed Kirtland Road sewer extension project will be re-bid. He advised that easement legislation is being prepared in this regard and will be submitted to Council at the next meeting.

The Mayor noted that the 2014 tax budget is on third reading at tonight's meeting.

**STANDING COMMITTEE REPORTS:**

With regard to the fracking issue, Councilman Powell stated that he sent e-mails to all of the communities that were listed in the information provided, and he is still waiting for responses.

**CORRESPONDENCE:**

None.

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

None.

**OLD BUSINESS:**

**RESOLUTION NO. 13-R-36**  
**(Mayor Tyler)**

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**(Third Reading) - A RESOLUTION ADOPTING A  
TAX BUDGET FOR FISCAL YEAR 2014.**

Read by title only. Mr. Skrbis moved to adopt, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: WEBBE, CATANIA, KIREK, POWELL, SCHULZ AND SKRBIS. VOTING NAY: NONE).**

**NEW BUSINESS:**

None.

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**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

Mayor Tyler advised that he received notification that the bonds have been sold.

Mayor Tyler also noted that the water line project on Glenstone is moving forward.

**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 7:18 p.m.

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President of Council

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Clerk of Council