

KIRTLAND CITY COUNCIL MINUTES

SPECIAL MEETING

July 24, 2013

The special meeting of Kirtland City Council was called to order at 7:02 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, Robert Skrbis, R. Robert Umholtz and Donald Webbe. Absent: David Kirek.

Administrative personnel present were: Mayor Mark A. Tyler, Assistant Law Director Nicholas Laudato, City Engineer Philip Kiefer and Service Administrator Carm Catania.

NEW BUSINESS:

ORDINANCE NO. 13-O-37
(Mayor Tyler)

- **AN ORDINANCE AMENDING SECTION 236.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO EXPENDITURES AND COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY.**

Read by title only. Mr. Powell moved to waive the three readings, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Webbe.

Councilman Webbe initiated discussion with regard to the proposed amendments. Mayor Tyler advised that the legislation increases the amount that can be expended without formal bidding from \$25,000 to \$50,000; he noted that this legislation will bring the City up to date with the changes made by the State. The Mayor noted that the legislation also increases the amount that can be expended by the Mayor's office without Council approval from \$15,000 to \$25,000.

Mayor Tyler advised that the City did not proceed with formal bidding for the Community Center treatment plant upgrade, but the informal bid received exceeded \$25,000. The Mayor stated that the emergency legislation is needed because of the EPA deadline. Mayor Tyler noted that the project was discussed during the budgetary proceedings.

Service Administrator Catania stated that a mound system has been approved, but it was not anticipated that the cost would exceed \$25,000. He noted that if the formal bidding process is followed, the City will not be able to meet the deadline.

Discussion ensued in this regard. In summary, Councilman Skrbis noted that the amendment provides that any expenditure over \$25,000 must be approved by Council, and that any expenditure over \$50,000 must follow the formal bidding process. Councilman Schulz noted that the Mayor's authority to expend funds will increase by \$10,000.

Voting began on the motion to adopt. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).**

Ray Strumbly, 7625 Strumbly Glen, Waite Hill, stated that he is the President of the Chapin Ledges Homeowners' Association. He stated that there was a fire in the development recently due to improper actions by contractors. Mr. Strumbly suggested that the City give serious consideration to increasing the fines associated with improper burning.

Louis Monaco, 8382 North Locust, commented on a safety issue as a result of a bush or large tree blocking the line of sight when exiting South Locust. Councilman Webbe stated that it was his understanding that this has been addressed. Service Administrator Catania advised that the Service Department just recently cut it back to the telephone pole, which is at the right-of-way line. Mr. Catania requested that Mr. Monaco take another look at this and contact his office tomorrow if he still believes it is a concern.

Councilman Schulz stated that he received a complaint about a pothole at 9195 Prelog, and he requested that the Service Administrator look into this.

Councilman Skrbis stated that the resident at 10901 Lakebrook is getting a lot of mud because of a neighbor's grading work. Mr. Catania stated that he will look into this.

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Mayor Tyler noted that in order for the project at the Community Center to move forward, the City Engineer has indicated that Council needs to approve the expenditure, which exceeds \$25,000. Assistant Law Director Laudato conferred by telephone with Law Director Richards, and advised that once the legislation adopted at tonight's meeting is fully executed, it will be in effect; then Council can proceed to authorize the Mayor to expend the funds. The legislation was duly executed by the President of Council, the Mayor and the Clerk of Council.

Upon discussion, Mr. Webbe moved to grant the Mayor the authority to enter into a contract with DeGreen Construction Services of Painesville, Ohio, for the Community Center waste water treatment plant upgrade, in an amount not to exceed \$40,000. Mr. Schulz provided the second. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: WEBBE, CATANIA, POWELL, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).**

ADJOURNMENT:

Mr. Webbe moved to adjourn, with the second by Mr. Skrbis. The motion of Council passed by unanimous vote and the meeting adjourned at 7:31 p.m.

President of Council

Clerk of Council