

KIRTLAND CITY COUNCIL MINUTES

October 7, 2013

The 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, 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.

MINUTES OF THE SEPTEMBER 16, 2013 WORK SESSION:

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 7/0 (VOTING YEA: POWELL, SCHULZ, SKRBIS, UMHOLTZ, WEBBE, CATANIA AND KIREK. VOTING NAY: NONE).**

MINUTES OF THE SEPTEMBER 16, 2013 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: POWELL, SCHULZ, SKRBIS, UMHOLTZ, WEBBE, CATANIA AND KIREK. VOTING NAY: NONE).**

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; he noted that the monthly report will be placed in Council members' mailboxes later this week.

Service Administrator Carm Catania did not present a formal report. Councilman Schulz inquired about the pump station on Eagle Road, noting that he had mentioned at the last meeting that a resident had contacted him stating that the noise from the pump has increased. Mr. Catania stated that he spoke with Steve Piscopo, who takes care of the treatment plants. Mr. Piscopo said that he has not noticed any increase in noise. Mr. Catania noted that there were some issues from the recent flooding, and the pump may have been louder at that time; but the pump station has been cleaned up and is now operating normally.

Councilman Schulz noted that a Loreto Ridge resident contacted him regarding the condition of Billings Road; Mr. Schulz inquired if there are plans to do any patching. Mr. Catania stated that it will be taken care of shortly.

Councilman Skrbis thanked Mr. Catania for his prompt follow-up regarding an issue on Kimberly Drive, and he inquired about other issues. Mr. Catania stated that the resident is waiting for the company that supplied the oil to pick up the oil tank that was part of a boiler heating system. Mr. Catania noted that the resident pulled a swimming pool out and has been filling it in; he stated that there are no violations.

DEPARTMENT REPORTS (continued):

Councilman Kirek stated that there are still resident concerns with regard to the condition of the house on Glenstone that has been a recent issue; he noted that it is getting out of control again. Mr. Catania stated that he will follow-up on this matter.

Councilman Powell inquired about signage for South Cemetery. Mr. Catania requested that Mr. Powell discuss this with him following the meeting.

Councilman Schulz stated that Jim Penza expressed his thanks to the Road Department for the patching that was done on Prelog.

City Engineer Philip Kiefer stated that the monthly report for September has been distributed. Mr. Kiefer stated that the contractor plans to begin work on the Kirtland Road sanitary sewer the day after Columbus Day.

Mr. Kiefer stated that the Route 306 paving is underway at the top of the hill, noting that work has been done mostly at night. Mr. Kiefer stated that weather permitting, final paving will be done next week; he noted that it may be done during the day due to colder temperatures at night.

Mr. Kiefer stated that last Thursday he visited a property on Lakebrook; he noted that the resident was not home, but he left his card for the resident to call him regarding the drainage.

Noting that he has had some conversations with Mr. Chamberlin, Councilman Powell requested that Mr. Kiefer discuss this matter with him after the meeting.

Responding to an inquiry from Councilman Powell regarding open cutting on main thoroughfares, Mr. Kiefer stated that although it is usually avoided, it was necessary on Route 306 at the location of the new development because of the utilities. With regard to the Kirtland Road sanitary sewer project, Mr. Kiefer stated that utilities are also an issue, and it was discovered that the boring under Route 306 was one of the reasons there were no bidders the first time the project was advertised. He stated that the City decided to allow open cutting for those utility installations since ODOT is planning on resurfacing within the next couple years.

Finance Director Keith Martinet stated that he prepared the September financial statements, noting that they will be distributed this week. Mr. Martinet advised that the budgeting process has begun; he noted that information will be provided to the Department Heads so they can begin working on their budgets.

Noting that there was an article in the July/August 2013 edition of "Cities & Villages" regarding the new GASB rules, Councilman Schulz advised that he contacted the Executive Director of OPERS and will request that she help the City with the process involving the new reporting standards.

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 community shred day was held Saturday; he noted that it was a well-attended and successful event.

The Mayor noted that the Kirtland magazine was sent last week to all residents.

Mayor Tyler stated that the Kirtland Senior Center participated in a walk for Alzheimer's on Sunday at the Holden Arboretum; he noted that their goal was to raise \$500, and they raised \$1349.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

The Mayor advised that a notice was received from First Energy regarding tree cutting around the power lines between now and the end of the year.

With regard to the Route 306 resurfacing, Mayor Tyler stated that the contractor took advantage of the weather and put down a course on Saturday.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

1. Zoning Permit Request: **Robert Ormston** was present to request Council approval for the issuance of a zoning permit for Sublot 8 in Lazio's Ridge Subdivision. City Engineer Philip Kiefer advised that the subdivision has been approved. He noted that the applicant submitted the site plan, and the house had to be moved to meet the setback requirements. Mr. Kiefer stated that the application is now approvable, and he recommended that Council authorize the issuance of a zoning permit for a new residence. Mr. Kirek moved to grant the approval, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: POWELL, SCHULZ, SKRBIS, UMHOLTZ, WEBBE, CATANIA AND KIREK. VOTING NAY: NONE).**

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Doug Davidson, 10290 Chillicothe Road, inquired about the cost of the package plant at the Community Center, and he inquired why it was not necessary to bid the contract. Mr. Kiefer stated that the cost was \$38,000; he advised that the project was put out for bid, and there was only one bidder.

Mr. Davidson commented that the paving at the top of the hill is a big improvement, even with just the base coat done.

Jerry Allchin, 8125 Eagle Road, stated that he attended the zoning meeting a couple months ago regarding the new development off of Route 306. He stated that there is a ditch along the back of his property line, and it was his understanding that the developer was going to clean out the ditch to improve the drainage into the ravine, and the work was going to be done by hand rather than with heavy equipment. Mr. Allchin stated that he had talked to the developer about a possible easement for a future driveway. Mr. Allchin stated that another zoning meeting was held a month later, and he found out that an Eagle Road resident complained about having the ditch cleaned; as a result, it was decided that the ditch would not be cleaned out. Mr. Kiefer stated that the ditch generally follows the property line, but it wanders a bit, so permission would be needed from the property owners on Eagle Road in order to go onto their properties and clean out the ditch. Noting that this resident refused to give permission, Mr. Kiefer stated that the Planning and Zoning Commission decided not to have it cleaned out, but to remove the easement that would allow future cleaning of that ditch. Mr. Kiefer confirmed that part of the ditch is on the property of the resident who refused to give permission.

Mr. Allchin stated that he owns approximately 80 percent of the property along the ditch, and he inquired whether anything can be done. Mr. Kiefer stated that he will contact the developer to determine whether it would be feasible to clean a portion of the ditch.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA (continued):

Bob Linkous, 8971 Billings Road, addressed Council with regard to the number of deer in the area; he noted that it is his understanding that the Holden Arboretum is proposing something to keep deer out of the Arboretum. Mr. Linkous inquired whether a license was needed to hunt deer. Police Chief Baumgart advised that a permit from the City is required. Councilman Powell advised Mr. Linkous that, because he is a landowner, he would not need an Ohio hunting license; but he needs to obtain a City permit and follow the City's requirements. Mr. Powell stated that a minimum of ten acres is required for hunting, noting that three adjoining parcels can be combined. Mr. Powell advised that he can pick up a packet from the Police Department.

Service Administrator Catania advised that the proposal by the Holden Arboretum is not to keep deer out of the entire Arboretum, but it is for a specific section.

Jerry Allchin inquired about the traffic light at Route 306 and Eagle Road, noting that it is a real problem when traveling west on Eagle Road. He stated that there is a long wait at the light, and sometimes only one car can get through before the light changes. Mr. Catania stated that he will follow-up on this.

OLD BUSINESS:

RESOLUTION NO. 13-R-48
(Mayor Tyler)

- (Second Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE NOVEMBER 30, 2013 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

Read by title only and placed on Second Reading.

NEW BUSINESS:

None.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Council President Umholtz thanked Council members and the Department Heads for their prayers and support over the last couple weeks, and for the gift card.

COUNCIL COMMENTS (continued):

Councilman Schulz commented on the 211 service offered by Lake County; he noted that he spoke with Kirtland resident Linda Grimshaw, who works for the 211 service. Mr. Schulz stated that the program helps the elderly and others in the community who need food, clothing and utility assistance; he noted that he can get some brochures regarding the program.

Councilman Schulz noted that he distributed information regarding "Show Me the Money", a funding and resources workshop through LTAP (Ohio's Local Technical Assistance Program). Mr. Schulz stated that the workshop is free and will be held in Columbus, and that learning about the funding programs may be helpful to the City in the future.

PUBLIC COMMENTS:

None.

ADJOURN INTO EXECUTIVE SESSION:

Mr. Kirek moved to adjourn into executive session to confer with legal counsel regarding potential legal matters, pursuant to Article I, Section 7(c) of the City Charter. Mr. Powell provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: POWELL, SCHULZ, SKRBIS, UMHOLTZ, WEBBE, CATANIA AND KIREK. VOTING NAY: NONE).** The time was 7:39 p.m.

The executive session convened at 7:41 p.m., with all members of Council present.

RETURN TO REGULAR MEETING:

Mr. Webbe moved to adjourn the executive session and reconvene the regular meeting, with the second by Mr. Skrbis. The motion of Council passed 7-0, and the executive session adjourned and the regular meeting reconvened at 8:09 p.m.

ADJOURNMENT:

Mr. Webbe moved to adjourn, with the second by Mr. Kirek. The motion of Council passed by unanimous vote and the meeting adjourned at 8:10 p.m.

President of Council

Clerk of Council