

## KIRTLAND CITY COUNCIL MINUTES

November 18, 2013

The meeting of Kirtland City Council was called to order at 7:08 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 and Fire Chief Anthony Hutton. Police Sergeant Ronald Andolsek was present in the absence of Police Chief Wayne Baumgart.

### MINUTES OF THE NOVEMBER 6, 2013 WORK SESSION:

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

### MINUTES OF THE NOVEMBER 6, 2013 COUNCIL MEETING:

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

### MINUTES OF THE NOVEMBER 13, 2013 FINANCE COMMITTEE 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 7/0 (VOTING YEA: SCHULZ, SKRBIS, UMHOLTZ, WEBBE, CATANIA, KIREK AND POWELL. VOTING NAY: NONE).**

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** did not present a formal report and no questions were asked of him.

**Police Sergeant Ronald Andolsek** advised that Chief Baumgart should be back in three weeks. Sergeant Andolsek thanked Councilman Webbe for his service to the City of Kirtland.

**Service Administrator Carm Catania** did not give a formal report. Mr. Catania also thanked Councilman Webbe, noting that it has been an honor working with him.

**City Engineer Philip Kiefer** gave no formal report. Mr. Kiefer thanked Councilman Webbe for all of his work over the years.

**Finance Director Keith Martinet** advised that he has prepared the October financial statements, noting that they will be posted and distributed this week. Mr. Martinet stated that it was an honor working with Councilman Webbe.

**DEPARTMENT REPORTS (continued):**

**Law Director Daniel Richards** did not present a formal report. Mr. Richards joined with the others in expressing appreciation for the help that Councilman Webbe has provided over the years.

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Mayor Tyler advised that the ecumenical Thanksgiving service will be held at the Kirtland Temple on November 26; he noted that the lighting ceremony at Historic Kirtland will be held on November 29.

Mayor Tyler wished all of Council a happy Thanksgiving.

Mayor Tyler reiterated that it has been a privilege working with Councilman Webbe.

**STANDING COMMITTEE REPORTS:**

None.

**CORRESPONDENCE:**

Council President Umholtz reported on the following:

1. Notice from the Ohio Division of Liquor Control of a request for a C1 and C2 permit for B&B Enterprises of Kirtland LLC, dba Kirtland's Market (at 8232 Euclid-Chardon Road). Responding to Council President Umholtz, Sergeant Andolsek stated that there have been no complaints and he is not aware of any issues with this establishment in this regard. Mr. Umholtz stated that Council has the opportunity to request a hearing on the advisability of issuing a permit, noting that Council must respond by December 9. Mr. Umholtz noted that this can be addressed at the next meeting, in the event that anyone has any concerns.

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

None.

**OLD BUSINESS:**

**RESOLUTION NO. 13-R-52**  
(Mayor Tyler)

- (Third Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; TEMPLEVIEW SEWER PROJECT #300; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE DECEMBER 31, 2013 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

Read by title only. Mr. Kirek moved to adopt, with the second by Mr. Webbe. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SCHULZ, SKRBIS, UMHOLTZ, WEBBE, CATANIA, KIREK AND POWELL. VOTING NAY: NONE).**

**NEW BUSINESS:**

**ORDINANCE NO. 13-O-57** -  
(Mayor Tyler)

**AN ORDINANCE DESIGNATING FINANCIAL INSTITUTIONS AS PUBLIC DEPOSITORIES.**

Read by title only and placed on First Reading.

**ORDINANCE NO. 13-O-58** -  
(Mayor Tyler)

**AN ORDINANCE PROVIDING TEMPORARY APPROPRIATIONS FOR THE THREE MONTH PERIOD ENDING MARCH 31, 2014.**

Read by title only and placed on First Reading.

**ORDINANCE NO. 13-O-59** -  
(Council President Umholtz)

**AN ORDINANCE AMENDING §1240.07, §1242.06, §1244.035, §1244.04(b), §1244.10, §1244.14(b)(7), §1246.01, §1246.02, §1246.03, §1246.04, §1246.05(a), §1246.06, §1246.10(i), §1246.11, §1246.14(b)(4), §1248.05, §1248.08 and §1248.10(a) OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO APPROVED PRIVATE DRIVES, TO PROVIDE CONSISTENCY WITH ZONING AMENDMENTS APPROVED BY THE ELECTORATE IN NOVEMBER OF 2010.**

Read by title only and placed on First Reading.

**ORDINANCE NO. 13-O-60** -  
(Council President Umholtz)

**AN ORDINANCE AMENDING §1261.02(u), §1261.07, §1261.08(e)(1), §1268.07(b), AND §1268.15 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO APPROVED PRIVATE DRIVES, TO PROVIDE CONSISTENCY WITH ZONING AMENDMENTS APPROVED BY THE ELECTORATE IN NOVEMBER OF 2010.**

Read by title only and placed on First Reading.

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**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

With regard to the request for a liquor permit, Councilman Powell stated that the application lists previous and revised managing members, noting that an owner has sold out. Mr. Powell noted that this permit is likely a renewal or a permit to the same owner.

**COUNCIL COMMENTS (continued):**

Councilman Kirek acknowledged Councilman Webbe for his efforts on Council, noting that it has been a privilege to work with him over the years.

Council President Umholtz also thanked Councilman Webbe. Mr. Umholtz expressed his gratitude and friendship, noting that he and Mr. Webbe served together on a number of different Council compositions and under four different mayors.

**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 7:20 p.m.

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President of Council

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Clerk of Council