

## KIRTLAND CITY COUNCIL MINUTES

April 7, 2014

The meeting of Kirtland City Council was called to order at 7:02 p.m. by Council President R. Robert Umholtz. Mr. Schulz led the prayer which followed the Pledge of Allegiance. The members of Council present were: William Catania, Douglas Davidson, David Kirek, Matthew Schulz, Robert Skrbis and R. Robert Umholtz. Timothy Powell arrived shortly after the meeting commenced.

Administrative personnel present were: Mayor Mark A. Tyler, Law Director Daniel Richards, City Engineer Philip Kiefer, Service Administrator Carm Catania, Police Chief Wayne Baumgart and Fire Chief Anthony Hutton.

### MINUTES OF THE MARCH 17, 2014 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 4/0/2 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON AND KIREK. VOTING NAY: NONE. ABSTAINING: SCHULZ AND SKRBIS).**

### MINUTES OF THE MARCH 17, 2014 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 4/0/2 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON AND KIREK. VOTING NAY: NONE. ABSTAINING: SCHULZ AND SKRBIS).**

### MINUTES OF THE MARCH 31, 2014 WORK SESSION:

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 5/0/1 (VOTING YEA: SCHULZ, SKRBIS, UMHOLTZ, CATANIA AND DAVIDSON. VOTING NAY: NONE. ABSTAINING: KIREK).**

### MINUTES OF THE MARCH 31, 2014 SPECIAL 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 6/0 (VOTING YEA: SCHULZ, SKRBIS, UMHOLTZ, CATANIA, DAVIDSON AND KIREK. VOTING NAY: NONE).**

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** advised that the monthly report has been distributed.

**Police Chief Wayne Baumgart** advised that the formal report for Police and Fire has been distributed.

**Service Administrator Carm Catania** did not present a formal report. Noting that there are a couple elderly residents that have requested help in getting their brush to the curb, Mr. Catania requested that Council members contact him if they know of any groups that could assist in this regard. Councilman Catania suggested that Kiwanis may be able to provide some assistance. Chief Hutton noted that the need could be brought to the attention of the ministers' group. Responding to Councilman Kirek, Mr. Catania advised that brush collection started today.

**DEPARTMENT REPORTS (continued):**

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

**Law Director Daniel Richards** did not present a formal report and no questions were asked of him.

**MAYOR'S REPORT/ANNOUNCEMENTS:**

With regard to legislation on tonight's agenda under New Business, Mayor Tyler requested that Council waive the three readings and adopt as an emergency Resolution No. 14-R-22, accepting the bid of Osborne Concrete & Stone Company for road materials. With regard to transfer of funds legislation, Mayor Tyler noted that Resolution No. 14-R-23 can receive three readings but will need to be adopted as an emergency to be effective prior to May 31; Resolution No. 14-R-24 can also receive three readings but requires a 2/3 vote of Council due to the nature of the legislation (transfer from funds other than the General Fund).

Mayor Tyler noted that the Easter Egg Hunt is scheduled for April 12 at 10:00 a.m. at the Community Center.

**STANDING COMMITTEE REPORTS:**

As Chairman of the Recreation Standing Committee, Councilman Skrbis stated that another meeting will soon be scheduled.

**CORRESPONDENCE:**

Council President Umholtz reported on the following:

1. From the Ohio Division of Liquor Control, the notice of request for a new C1, C2 permit for 9100 Chillicothe LLC, dba Kirtland Sunoco (at 9100 Chillicothe Road). It was noted in discussion that this is adjacent to the school property and in close proximity to the school playground and building. Council President Umholtz inquired whether there is a specified distance from a school that is required for issuance of a liquor permit. Law Director Richards advised that he will look into this and provide a response to Council tomorrow.

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

**Dennis Budnick, 10837 Lakebrook Drive,** inquired when the City will be putting a road levy back on the ballot. Mayor Tyler advised that City Council passed the budget last Monday night and that there will be discussion in the next few weeks with regard to eventual levies.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**RESOLUTION NO. 14-R-22**  
(Mayor Tyler)

- A RESOLUTION ACCEPTING THE BID OF OSBORNE CONCRETE & STONE COMPANY FOR ROAD MATERIALS, AND DECLARING AN EMERGENCY.

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Skrbis. In discussion, Councilman Schulz inquired if this is for road repairs or for the Sperry Road project. Service Administrator Catania advised that this is for the usual road materials and would also include materials purchased for Sperry Road. Councilman Davidson advised that he will abstain from voting on this legislation, since he works with Osborne materials on a weekly basis. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: SCHULZ, SKRBIS, UMHOLTZ, CATANIA, KIREK AND POWELL. VOTING NAY: NONE. ABSTAINING: DAVIDSON).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 6/0/1 (VOTING YEA: SCHULZ, SKRBIS, UMHOLTZ, CATANIA, KIREK AND POWELL; VOTING NAY: NONE. ABSTAINING: DAVIDSON).**

**RESOLUTION NO. 14-R-23**  
(Mayor Tyler)

- A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE MAY 31, 2014 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED, AND DECLARING AN EMERGENCY.

Read by title only and placed on First Reading.

**RESOLUTION NO. 14-R-24**  
(Mayor Tyler)

- A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; US 6 & SPERRY; CAPITAL PROJECT #308; GENERAL OBLIGATION BOND FUND #600; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE JUNE 15, 2014 TO GENERAL OBLIGATION BOND FUND #600; CAPITAL PROJECT #302 TIBBETTS; CAPITAL PROJECT #309 LAKELAND; GENERAL FUND #100; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

Read by title only and placed on First Reading.

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**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

Councilman Davidson noted that the Public Works Department and the Kirtland Kiwanis worked together on a project at the Recreation Park. Mr. Davidson acknowledged the following people for their contributions to the project: Jim Alfieri provided block; Larry Spence and Public Works for the concrete; Mike Russ Construction & Design; Dale Grinstead as mason; French's Inc. for lumber; from Kiwanis – Stan Krulc, Kevin Eilerman, Rick Blum, Scott Haymer, Tom Dice, Dr. Jim Porter, Frank Lyon, Fran Raishart, Kent Packer and Ed Jurrus; from the baseball league – Ron Fenstermaker, Dave Torok and Karl Hauber. Mr. Davidson stated that they did a tremendous job on the girls' dugouts, noting that except for some paint and steel roofing, the work is complete. Mr. Davidson also thanked Service Administrator Catania for his part in the project. Mayor Tyler noted that the biggest challenge was coordinating and reaching agreement on the plan; he stated that he appreciates all the efforts of everyone involved.

Responding to Council President Umholtz, Mayor Tyler agreed to arrange for thank-you letters to be sent to those acknowledged by Mr. Davidson.

**PUBLIC COMMENTS:**

None.

**ADJOURNMENT:**

Mr. Kirek moved to adjourn, with the second by Mr. Catania. The motion of Council passed by unanimous vote and the meeting adjourned at 7:21 p.m.

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President of Council

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Clerk of Council