

## KIRTLAND CITY COUNCIL MINUTES

April 21, 2014

The meeting of Kirtland City Council was called to order at 7:07 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, Timothy Powell, Matthew Schulz and R. Robert Umholtz. Absent: Robert Skrbis.

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 Lieutenant Ronald Andolsek was present in the absence of Police Chief Wayne Baumgart.

### Kirtland School District Levy Presentation

Steve Barrett, Superintendent

Mr. Barrett addressed Council with regard to the emergency renewal levy on the May 6 ballot; he noted that it will generate approximately 1.4 million dollars for operating expenses. Mr. Barrett distributed copies of the school newsletter outlining what is being done academically and to contain costs. Mr. Barrett stated that the Finance Committee has looked at everything from assessments for sewer bills to sharing services with other districts. He noted that the school district currently shares the transportation supervisor with the Chardon schools; Perry is still fixing Kirtland's buses; and Kirtland has a part-time treasurer that works full-time in Euclid. Mr. Barrett stated that Kirtland is looking to share the food service program and improve the quality of the food served to increase the participation rate. Mr. Barrett humbly requested that the City support the renewal levy on the May 6 ballot.

Councilman Davidson stated that beyond the excellent education provided, the efficiencies and shared services are impressive; he stated his hope that the same can be done on the municipal side, maintaining high quality and being a good steward of the taxpayers' money.

Mr. Barrett stated his appreciation for the support he receives from the Mayor, Council and the Service Administrator. He thanked Council for the opportunity to speak at tonight's meeting regarding the levy.

Mr. Davidson made a motion to show Council's support of Kirtland Local Schools Levy Renewal Issue #2. Mr. Schulz provided the second. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, UMHOLTZ, CATANIA, DAVIDSON, KIREK AND POWELL. VOTING NAY: NONE).**

### MINUTES OF THE APRIL 7, 2014 COUNCIL MEETING:

Mr. Kirek moved to waive the reading of the minutes, with the second by Mr. Davidson. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, with the second by Mr. Davidson. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, UMHOLTZ, CATANIA, DAVIDSON, 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 Lieutenant Ronald Andolsek gave no formal report and no questions were asked of him.

**DEPARTMENT REPORTS (continued):**

**Service Administrator Carm Catania** did not present a formal report. In the event that Council receives any calls from residents with regard to the brush pick-up, Mr. Catania advised that the Service Department plans to go back around the City in case some residents were unable to get their brush to the curb in time due to the weather.

Mr. Catania advised that more improvements are being done at the Recreation Park, including the playground area and more parking.

Noting that the asphalt plant opens this week, Mr. Catania stated that as soon as he can free up some of the employees from chipping, the Department will start doing some significant patching. He requested that Council members contact him if they are aware of areas of high priority.

Councilman Davidson stated that Ray Halsey was very appreciative of the work done on Heath Road. Mr. Davidson noted that the softball players, parents and fans are watching the evolution of progress at the Recreation Park, and it is very impressive.

Mr. Davidson inquired whether drainage work is scheduled in the area from Parkwood to Route 6. Mr. Catania stated that Lake County Stormwater has committed to help with the cost of rental equipment, and he noted that he is waiting for one more property owner to grant written authorization. Mr. Catania stated that work will begin in July or August.

With regard to the sewer work that was done at the bottom of the hill, Councilman Schulz inquired about the seeding. Mr. Catania advised that rehab work will be done by the contractor. Mr. Kiefer noted that the contract completion date is the end of May.

**City Engineer Philip Kiefer** did not present a formal report. Noting that two capital improvement projects are scheduled this year, Councilman Powell inquired about the criteria for determining which projects will be pursued. Mr. Kiefer replied that it is determined by how well the project will score in order to obtain funding. Mr. Kiefer stated that the Route 6 drainage project will solve flooding problems. Mr. Kiefer noted that homes were being flooded on Gaitside Trail and on Crary Lane, and that water was coming over the road on Gaitside, creating an impasse for emergency vehicles. Mr. Powell noted that another area on Route 6 has similar flooding problems. In that regard, Mr. Catania stated that the water goes behind Bertha's Gallery and comes back down Route 306; he noted that he will be meeting with the property owners soon. Mr. Powell stated that this area is most visible, noting that there are surely other areas that are flooding, and he stated concern about trouble areas that are not prioritized because they do not score points for funding.

**Finance Director Keith Martinet** gave no formal report and no questions were asked of him.

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

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Mayor Tyler stated that the annual Easter Egg Hunt was held on April 12 at the Community Center and was likely the most well attended since its inception; he noted that the weather was sunny and warm.

The Mayor advised that the exams for sergeant have begun and that he will keep Council apprised of the progress.

Mayor Tyler reported on a water main break that occurred yesterday.

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Mayor Tyler advised that Vince Crawford, the City's representative from Waste Management, is present at tonight's meeting to provide an update on the program. The Mayor noted that the City is in the second five-year contract.

Mr. Crawford stated his appreciation for the second contract with the City, noting that he is here tonight to provide some statistics and answer any questions that may have arisen. Mr. Crawford stated that the new service rate is \$13.51 per month for trash and recycling combined, noting that the majority of residents have signed up for this service. He noted that the rate is \$16.01 for residents that have a second cart for trash. Mr. Crawford stated that there are some residents taking advantage of the orange bag program, noting that the rate is \$3.25 per bag. Mr. Crawford stated that currently there are 1589 customers on full service accounts (regular trash can and recycling bin); 162 residents have the smaller trash can; and 112 residents utilize the orange bag program. He noted that 255 seniors are signed up for the senior discount program.

Mr. Crawford noted that the City of Kirtland was one of the first to implement the curbside recycling program with the cart. He noted that 89 tons of recyclables were collected in Kirtland during the first quarter (approximately 13.2 lbs. per home). Mr. Crawford noted that it is down somewhat from last year, likely due to the severe winter, but statistically Kirtland leads the way in northeast Ohio.

Mr. Crawford stated that residents are using the trash carts, with a handful of exemptions for some elderly residents or those with very long driveways. He noted that the trucks are fully automated and the trash carts can be picked up without the driver getting out of the truck.

Mr. Crawford stated that everything seems to be going very well, and he would be happy to answer any questions that Council may have.

Councilman Schulz inquired whether there is any plan of taking the fleet to natural gas. Mr. Crawford advised that nationwide, one of Waste Management's sustainability goals by 2020 is to have over 50 percent of their fleet as CNG; he noted that they are looking at costs and benefits. Mr. Crawford noted that a CNG fleet was recently implemented in Dayton, Ohio; it was implemented in Columbus last year. He advised that Cleveland is slated for this year. He noted that the implementation areas are related to the size of the facility and the ability to bring the CNG truck into their yard where trucks are parked. Mr. Crawford noted that CNG vehicles cannot run the same distance in one day as diesel trucks, so locally this would be further on the "back burner".

Councilman Powell thanked Mr. Crawford for the manner in which an issue on Rockwood Drive was addressed, noting that it was taken care of promptly.

Councilman Schulz inquired at what age the senior discount begins. Mr. Crawford stated that he believes it is age 62, but he would need to verify that; he noted that it is indicated on Waste Management's website.

**Sterling Coleman, 7636 Markell Road,** commented on the every other week pick-up of recycling; he noted that he puts only a handful of trash in the trash cart, but the recycling cart is not large enough for two weeks worth of recycling materials. Mr. Crawford advised that with the new contract, a resident can request a second recycling bin at a charge of \$2.00. Mr. Crawford stated that although people believe recyclables are worth a lot of money, they have no value until they are run through the plant, which is a costly infrastructure, and a market is found for the sale. Mr. Crawford stated that it is a misnomer that recyclables are worth a lot of money; he noted that a lot of money is put into them to make them marketable. Responding to Mayor Tyler regarding the cost breakdown, Mr. Crawford stated that the recycling charge is \$2.15 per month.

Mayor Tyler thanked Mr. Crawford for attending the meeting.

**STANDING COMMITTEE REPORTS:**

In the absence of Recreation Standing Committee Chairman Robert Skrbis, Councilman Davidson (committee member) reported on the meeting held on April 16. Mr. Davidson noted that the entire Recreation Standing Committee was present, along with Councilman Tim Powell; Rick DeMarco and Kevin Eilerman from the Planning and Zoning Commission; Dave Torok of the Baseball League; Stan Krulc from Kiwanis; Keith McCrory of the Soccer League; and Tom Neibecker for Boosters and Youth Football. Mr. Davidson noted that each of the youth leagues were able to contribute their thoughts on the perceived facility needs for their activities; and discussion continued with consideration of how the three parks would be incorporated into a comprehensive plan for the near term and the long term. He noted that some critical design features were discussed, and that it was a very productive meeting.

Councilman Powell stated that it was a good roundtable discussion, and it was brought to the attention of everyone in attendance that the City has funding issues at this time, along with multiple road issues; but that the planning can continue until the City gets to a point where something can be done. Mr. Powell noted that it was made clear that this will not be a quick process.

**CORRESPONDENCE:**

None.

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

None.

**OLD BUSINESS:****RESOLUTION NO. 14-R-23  
(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 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 Second Reading.

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

- (Second Reading) - 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 Second Reading.

**NEW BUSINESS:**

**RESOLUTION NO. 14-R-25**  
(Mayor Tyler)

- A RESOLUTION URGING OHIO VOTERS TO SUPPORT STATE ISSUE 1, RENEWAL OF THE STATE CAPITAL IMPROVEMENT PROGRAM, ON THE MAY 6, 2014 BALLOT, AND DECLARING AN EMERGENCY.

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 6/1 (VOTING YEA: SCHULZ, UMHOLTZ, CATANIA, DAVIDSON, KIREK AND POWELL. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Schulz. Councilman Schulz questioned whether the \$1.875 billion capital improvement bond figure has been adjusted since the last time this was brought before the voters; he suggested that this be looked into. **ROLL CALL: ADOPTED 6/1 (VOTING YEA: SCHULZ, UMHOLTZ, CATANIA, DAVIDSON, KIREK AND POWELL. VOTING NAY: NONE).**

**RESOLUTION NO. 14-R-26**  
(Mayor Tyler)

- 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 JUNE 30, 2014 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

Read by title only and placed on First Reading.

**RESOLUTION NO. 14-R-27**  
(Council President Umholtz)

- A RESOLUTION ENTERING OBJECTION TO ISSUANCE OF PERMIT AND REQUESTING A HEARING ON THE ADVISABILITY OF ISSUING A C1, C2 PERMIT BY THE OHIO DIVISION OF LIQUOR CONTROL TO 9100 CHILLICOTHE LLC, DBA KIRTLAND SUNOCO, AND DECLARING AN EMERGENCY.

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Davidson. **ROLL CALL: MOTION CARRIED 6/1 (VOTING YEA: SCHULZ, UMHOLTZ, CATANIA, DAVIDSON, KIREK AND POWELL. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Davidson. Council President Umholtz advised that he spoke with Superintendent Barrett regarding this matter, and it is Mr. Barrett's understanding that if the School Board has not already objected, they also intend to object to this permit issuance. **ROLL CALL: ADOPTED 6/1 (VOTING YEA: SCHULZ, UMHOLTZ, CATANIA, DAVIDSON, KIREK AND POWELL. VOTING NAY: NONE).**

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**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

None.

**PUBLIC COMMENTS:**

None.

**ADJOURNMENT:**

Mr. Kirek moved to adjourn, with the second by Mr. Powell. The motion of Council passed by unanimous vote and the meeting adjourned at 7:42 p.m.

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President of Council

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Clerk of Council