

KIRTLAND CITY COUNCIL MINUTES

May 7, 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, Robert Skrbis and R. Robert Umholtz.

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 APRIL 21, 2014 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 6/0/1 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE. ABSTAINING: SKRBIS).**

DEPARTMENT REPORTS:

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

Police Chief Wayne Baumgart advised that the monthly report has been distributed. Councilman Powell noted that he received a complaint from Mr. Mills, who lives next to the power line on Billings Road, regarding 4-wheelers running up and down the property under the power lines; it is happening day and night, and on weekends. Chief Baumgart stated that he will look into this matter.

Service Administrator Carm Catania advised that drainage construction (Issue 2 project) has started on Route 6, and that work will continue for approximately one month. Mr. Catania stated that some trees had to be cleared on the City's property on Route 6 for the delivery of the stone; he noted that it is being used as a staging area.

Noting that the weather has been a setback for the contractor, Mr. Catania advised that road striping should begin within a couple weeks.

Responding to Councilman Schulz regarding a complaint about a car carrier on Joseph Street, Mr. Catania advised that the property owner has been cited. Noting that the hearing date was yesterday, Mr. Catania stated that he will follow up with the Prosecutor regarding the outcome of the hearing. Mr. Catania stated that the property owner will be cited again if the violation continues.

Referring to the septic system in the front yard of the Community Center, Councilman Schulz inquired whether landscaping could be used to hide some of the apparatus. Mr. Catania advised that the City can plant some evergreens near the electrical box. Mr. Catania stated that the contractor that installed the septic system advised that the soil needs to settle and that the mounds should not be mowed this year.

Councilman Davidson inquired about the status of the two homes that are to be demolished under the grant program. Mr. Catania advised that the contractor is in the process of applying for the demolition permit through the County for 7272 Euclid-Chardon. He noted that the house at 8995 Chillicothe has been assigned to a different contractor.

DEPARTMENT REPORTS (continued):

City Engineer Philip Kiefer advised that his monthly report has been distributed. Mr. Kiefer stated that he drove by Alpenrose Subdivision and that it is substantially complete; he noted that he is pleased with the outcome.

Finance Director Keith Martinet advised that he will start issuing the monthly financial statements beginning this month.

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

MAYOR'S REPORT/ANNOUNCEMENTS:

With regard to the two homes scheduled for demolition, Mayor Tyler stated that progress is being made.

Mayor Tyler advised that the Memorial Day parade and ceremony is scheduled for May 26.

Mayor Tyler advised that legislation is on tonight's agenda relating to redistricting of the wards, noting that this was discussed with Council-at-Large members. Mayor Tyler stated that the purpose of the ward changes is to balance the number of voters in each of the wards; he noted that the changes will be minimal, affecting few residents. The Mayor noted that the legislation can receive three readings. Responding to Councilman Davidson, Mayor Tyler stated that he will provide Council with the map indicating the proposed adjustments. The Mayor advised that the Ward 1 boundary will extend south on Route 306 to Route 6, then west on Route 6 to Hobart, continuing on to the Waite Hill border.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

Council President Umholtz reported on the following:

1. Zoning Permit Request: **Peter Osenar and David Osenar of Planinka LLC** were present to request Council approval for the issuance of a zoning permit for Sublot 6 in Alpenrose Subdivision. City Engineer Philip Kiefer advised that the subdivision is substantially complete and he recommended that Council authorize the issuance of a zoning permit for the new residence as soon as the Law Director files the plat. Mr. Powell moved to grant approval of the issuance of a zoning permit for the new house subject to filing of the plat by the Law Director. Mr. Davidson provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SKRBIS, UMHOLTZ, CATANIA, DAVIDSON, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE).** Law Director Richards advised that the Guarantee of the Letter of Credit will be signed this evening by Mr. Osenar; Mr. Richards will then sign the plat and it will be filed tomorrow.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

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

- (Third 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. Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Davidson. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SKRBIS, UMHOLTZ, CATANIA, DAVIDSON, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE).**

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

- (Third 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. Mr. Kirek moved to adopt, with the second by Mr. Catania. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SKRBIS, UMHOLTZ, CATANIA, DAVIDSON, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE).**

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

- (Second 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 JUNE 30, 2014 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:

ORDINANCE NO. 14-O-28
(Mayor Tyler and
Council-at-Large Members:
Davidson, Schulz, Umholtz)

- AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 206.01 DIVIDING THE CITY OF KIRTLAND INTO WARDS RELATING TO THE ELECTION OF COUNCIL, AND ESTABLISHING THE BOUNDARIES THEREOF.

Read by title only and placed on First Reading.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Noting that Council has previously discussed an anti-dumping Ordinance, Councilman Davidson suggested that it might be a good time to revisit this. Mr. Davidson stated that he provided Mr. Catania with a couple of addresses that may have exterior maintenance violations, noting a situation where a resident is dumping their household garbage in the back yard rather than having it picked up by Waste Management. It was agreed that a work session be scheduled at 6:30 p.m. on May 19, preceding the next meeting, to discuss this matter.

Councilman Powell noted that it came to his attention that a senior resident, Mr. Armstrong, was not receiving the senior discount from Waste Management. Mr. Powell noted that he contacted Mr. Crawford from Waste Management, who in turn contacted Mr. Armstrong. Mr. Powell stated that Mr. Crawford is a good liaison for the community, noting that this was a clerical error in the system and it has been corrected.

Noting that Kirtland resident John Armstrong has been an active marine, Councilman Powell related that Mr. Armstrong had the opportunity to travel to North Carolina for a large ceremony for veterans. After learning that Mr. Armstrong had just celebrated his 92nd birthday, Rolling Thunder, a motorcycle organization of military veterans, drove Mr. Armstrong to Columbus and put him on a flight with other marines for the weekend, all expenses paid. He was then flown to New York, where he was met by the Port Authority Police Department and given a police escort to downtown New York City and made an honorary Port Authority Police Officer. Mr. Powell also noted that Mr. Armstrong was a corpsman in the Battle of Tarawa, and that he and Mr. Umholtz will meet with him to document this information.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Kirek moved to adjourn, with the second by Mr. Schulz. The motion of Council passed by unanimous vote and the meeting adjourned at 7:28 p.m.

President of Council

Clerk of Council