

KIRTLAND CITY COUNCIL MINUTES

June 2, 2014

The meeting of Kirtland City Council was called to order at 7:09 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 and R. Robert Umholtz. Absent: Timothy Powell and 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, Police Chief Wayne Baumgart and Fire Chief Anthony Hutton.

MINUTES OF THE MAY 19, 2014 WORK SESSION:

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 4/0/1 (VOTING YEA: CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE. ABSTAINING: UMHOLTZ).**

MINUTES OF THE MAY 19, 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 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. 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 has been distributed. Chief Baumgart stated that while the number of reported traffic stops has increased for the month, the number of offenses/arrests is about the same; he noted that the younger officers are a little more aggressive in making traffic stops.

Service Administrator Carm Catania advised that the demolition is complete on the two condemned houses, noting that the contractors did a nice job cleaning up afterwards. Mr. Catania stated his thanks to everyone involved.

Mr. Catania advised that the Department is working on the storm sewer in front of Lake Farmpark.

With regard to the demolitions, Councilman Davidson noted that it was a job well done on the part of all that were involved.

City Engineer Philip Kiefer did not present a formal report and no questions were asked of him.

Finance Director Keith Martinet did not present a formal report. Responding to Councilman Davidson, Mr. Martinet stated that City income taxes are still lagging, at approximately \$50,000 behind the budget.

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 Memorial Day parade and ceremony were held last Monday, and he noted that Brigadier General Collins gave an outstanding speech.

Mayor Tyler noted that the third graders visited City Hall last Friday for Government Day. The Mayor stated that Pat Willis, the principal of the elementary school is retiring at the end of the year, after 18 years; he noted that the City presented him with a Proclamation.

The Mayor noted that the Strawberry Festival will be held in a few weeks. He advised that a Kirtland Community Night will be held at the Lake County Captains game on Tuesday, July 8 at 7:00 p.m. He noted that anyone interested in attending can see him after the meeting for an information sheet or contact the Music Boosters.

Mayor Tyler stated that he is pleased that the two houses have been demolished, noting that it involved a large effort from many people, including most of the Administration, with the collaboration of the County.

Councilman Davidson inquired about the status of a potential economic development person, and whether or not any candidates have been identified. Mayor Tyler stated that he has had some discussions with Kevin Eilerman, Chairman of the Planning and Zoning Commission, and that they are working toward that end for both economic development and a city planner. Responding to Council President Umholtz, Mayor Tyler stated that he plans to meet with Phil King to discuss any opportunities for partnering with Chardon.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

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

- (Third Reading) - 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. Mr. Kirek moved to adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

OLD BUSINESS (continued):**ORDINANCE NO. 14-O-29**
(Mayor Tyler)

- (Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$85,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING THE INTERSECTION OF CHILLICOTHE ROAD (SR 306) AND CHARDON ROAD (US 6) BY WIDENING, GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING TURN LANES, STORM SEWERS AND STORM WATER FACILITIES AND INSTALLING SIGNAGE AND TRAFFIC SIGNALIZATION, AND DECLARING AN EMERGENCY.

Read by title only. With regard to Ordinance No. 14-O-29 through Ordinance No. 14-O-42, Finance Director Martinet requested that Council adopt the legislation at tonight's meeting. Mr. Davidson moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Davidson moved to declare an emergency and adopt, with the second by Mr. Catania. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-30
(Mayor Tyler)

- (Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$160,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY A PORTION OF THE COSTS OF IMPROVING, IN COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION, CHARDON ROAD (US 6) BY RESURFACING, 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 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Catania. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-31
(Mayor Tyler)

- (Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$150,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY A PORTION OF THE COSTS OF IMPROVING SR 306 AT LAKELAND COMMUNITY COLLEGE BY RECONSTRUCTING AND IMPROVING TURN LANES IN COOPERATION WITH THE CITY OF WILLOUGHBY, 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 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Catania. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

OLD BUSINESS (continued):**ORDINANCE NO. 14-O-32**
(Mayor Tyler)

- (Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$70,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING AN AMBULANCE, INCLUDING RELATED EQUIPMENT AND APPARATUS, 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 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-33
(Mayor Tyler)

- (Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$100,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING THE INTERSECTION OF CHARDON ROAD (US 6) AND SPERRY ROAD BY GRADING, DRAINING, PAVING, CONSTRUCTING STORM SEWERS AND STORM WATER FACILITIES AND INSTALLING SIGNAGE, AND DECLARING AN EMERGENCY.

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Catania. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Catania. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-34
(Mayor Tyler)

- (Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$60,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING MOTOR VEHICLES, INCLUDING RELATED EQUIPMENT AND APPARATUS, FOR USE BY THE CITY'S SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Catania. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

OLD BUSINESS (continued):**ORDINANCE NO. 14-O-35**
(Mayor Tyler)

- **(Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$35,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY A PORTION OF THE COSTS OF IMPROVING, IN COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND THE CITIES OF MENTOR AND WILLOUGHBY, SR 306 AT LAKELAND COMMUNITY COLLEGE BY INSTALLING TRAFFIC SIGNALIZATION, AND DECLARING AN EMERGENCY.**

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Catania. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-36
(Mayor Tyler)

- **(Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$30,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING EMERGENCY RADIO EQUIPMENT FOR USE BY THE CITY'S POLICE DEPARTMENT, 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 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Davidson. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-37
(Mayor Tyler)

- **(Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$110,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING MOTOR VEHICLES, INCLUDING RELATED EQUIPMENT AND APPARATUS, FOR USE BY THE CITY'S SERVICE DEPARTMENT, 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 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

OLD BUSINESS (continued):**ORDINANCE NO. 14-O-38**
(Mayor Tyler)

- (Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$170,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING MOTOR VEHICLES, INCLUDING RELATED EQUIPMENT AND APPARATUS, FOR USE BY THE CITY'S SERVICE DEPARTMENT, 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 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Davidson. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-39
(Mayor Tyler)

- (Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$50,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING TIBBETTS ROAD BY RECONSTRUCTING, WIDENING, GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING TURN LANES, STORM SEWERS AND STORM WATER FACILITIES AND INSTALLING SIGNAGE AND TRAFFIC SIGNALIZATION, AND DECLARING AN EMERGENCY.

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Catania. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Catania. Councilman Davidson stated his thanks to Service Administrator Catania, noting that Tibbetts Road is the best road for driving in Kirtland. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-40
(Mayor Tyler)

- (Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$120,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY A PORTION OF THE COSTS OF IMPROVING SR 306 AT LAKELAND COMMUNITY COLLEGE BY RECONSTRUCTING AND IMPROVING TURN LANES IN COOPERATION WITH THE CITY OF WILLOUGHBY, 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 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Davidson. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

OLD BUSINESS (continued):

ORDINANCE NO. 14-O-41
(Mayor Tyler)

- **(Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$175,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING MOTOR VEHICLES, INCLUDING RELATED EQUIPMENT AND APPARATUS, FOR USE BY THE CITY'S SERVICE DEPARTMENT, 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 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-42
(Mayor Tyler)

- **(Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$100,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING TECHNOLOGY USED IN PROVIDING CITY SERVICES, INCLUDING TELECOMMUNICATIONS EQUIPMENT, COMPUTER EQUIPMENT AND RELATED SOFTWARE, AND DECLARING AN EMERGENCY.**

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Catania. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: UMHOLTZ, CATANIA, DAVIDSON, KIREK AND SCHULZ. VOTING NAY: NONE).**

NEW BUSINESS:

None.

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CONTINUING CONCERNS:

Councilman Davidson stated that he attended the Sunshine Law training on May 12, noting that a computer disk was provided relating to the training. Mr. Davidson stated that he also attended the Northeast Ohio Elected Officials Conference in Washington, D.C., noting that there were about 150 local people in attendance from Congressman Renacci's district and Congressman Joyce's district. Mr. Davidson noted that it was a nice event and he encouraged the other Council members to attend in the future if they have the opportunity. He noted that topics covered included economic development, consumer protection and drug abuse.

Councilman Kirek wished Councilman Schulz good luck on his upcoming certified financial planner exam.

COUNCIL COMMENTS:

None.

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 7:31 p.m.

President of Council

Clerk of Council