

KIRTLAND CITY COUNCIL MINUTES

July 7, 2014

The meeting of Kirtland City Council was called to order at 7:10 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.

PUBLIC HEARING – TAX BUDGET FOR FISCAL YEAR 2015:

Council President Umholtz opened the public hearing in this regard. Finance Director Keith Martinet advised that, pursuant to State law, the City of Kirtland is required to hold a public hearing regarding the 2015 tax budget that is submitted to the County. Mr. Martinet stated that the purpose of the tax budget is to demonstrate to the County Auditor the City's need for the funds that have been voted on by the citizens. Mr. Martinet noted that a copy of the budget has been available for review in the Finance Department; he noted further that the public hearing has been duly advertised as required.

Sterling Coleman, 7636 Markell Road, inquired whether this is an increase in the budget or if it provides more money to work with. Finance Director Martinet replied that the tax budget is not an increase in the budget and does not provide additional funds, but the purpose is to demonstrate the City's need to collect the funds from levies and real estate taxes.

There were no further comments or questions from City Council or the public. Mr. Kirek moved to close the public hearing, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

MINUTES OF THE JUNE 16, 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 4/0/1 (VOTING YEA: CATANIA, DAVIDSON, KIREK AND UMHOLTZ. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

MINUTES OF THE JUNE 16, 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 5/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

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

DEPARTMENT REPORTS (continued):

Police Chief Wayne Baumgart stated that the formal report for Police and Fire has been distributed. Chief Baumgart stated that Jose Carrillo will be sworn-in tonight as a full-time police officer. He noted that Officer Carrillo has worked for Kirtland as a part-time officer for over one year. Chief Baumgart spoke highly of Officer Carrillo, noting that he has been doing a good job and is well liked. Mayor Tyler administered the Oath of Office to Police Officer Jose Carrillo. Chief Baumgart presented Officer Carrillo with his badge, and he received the applause and congratulations of all those present.

Service Administrator Carm Catania did not present a formal report. Noting that some water issues were solved at Matt Ridgeway's house on Bridlehurst Trail, Councilman Davidson stated that he looked at the ditch and noticed that concrete is falling apart towards the road. Mr. Catania stated that he will take a look at this.

City Engineer Philip Kiefer stated that his monthly report has been distributed. Mr. Kiefer stated that the drainage project on Route 6 is substantially complete. Councilman Davidson noted that he is hopeful this will have a big impact on the drainage issues for the Rocking Horse Farms properties; he noted that he is thankful this was able to be done in-house. Mr. Catania stated that this should also help the residents on Cray Lane.

Finance Director Keith Martinet advised that the State audit for 2012 and 2013 has been completed; he noted that the City received an "unqualified opinion", which is the best opinion that can be given. Mr. Martinet noted that any Council members that would like a copy of the report should contact him.

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 Route 6 drainage project, Mayor Tyler stated that the current project was Phase II; he noted that Phase I alleviated a lot of drainage issues in Rocking Horse, and Phase II will additionally help the residents in Rocking Horse as well as the residents on Cray Lane and Far Bar Lane. Mayor Tyler stated that Carm Catania and Phil Kiefer did an outstanding job getting this project done, and it was completed expeditiously. The Mayor stated that the next project is Sperry Road, noting that OPWC will soon release funding for the project.

Noting that legislation is on tonight's agenda for a 2 mill, five-year road levy, Mayor Tyler requested that Council adopt the resolution of necessity this evening in order to submit the resolution to the Auditor's office in a timely manner.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

RESOLUTION NO. 14-R-43 - (Second Reading) - **A RESOLUTION ADOPTING
(Mayor Tyler) A TAX BUDGET FOR FISCAL YEAR 2015.**

Read by title only and placed on Second Reading.

NEW BUSINESS:

RESOLUTION NO. 14-R-44 - **A RESOLUTION AUTHORIZING THE MAYOR TO
(Mayor Tyler) PURCHASE ONE (1) NEW 2014 CHEVROLET
TAHOE SPORT UTILITY VEHICLE FOR USE BY
THE 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: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. 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: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-45 - **AN ORDINANCE AMENDING CHAPTER 236 OF
(Mayor Tyler) THE CODIFIED ORDINANCES OF THE CITY OF
KIRTLAND, OHIO, REGULATING THE
DEPARTMENT OF FINANCE, BY ADDING
SECTION 236.10, TO ESTABLISH THE
PRACTICES FOR DISPOSITION OF SURPLUS
MUNICIPAL PERSONAL PROPERTY, AND
DECLARING AN EMERGENCY.**

Read by title only and placed on First Reading.

RESOLUTION NO. 14-R-46 - **A RESOLUTION AUTHORIZING THE MAYOR TO
(Mayor Tyler) PURCHASE ONE (1) NEW 2015 INTERNATIONAL
MODEL 7400 SFA 4X2 (SA525) PLOW TRUCK
CHASSIS FOR USE BY THE 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: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. 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: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

NEW BUSINESS (continued):

RESOLUTION NO. 14-R-47
(Mayor Tyler)

- **A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW SNOW AND ICE CONTROL TRUCK EQUIPMENT PACKAGE, TO BE INSTALLED ON NEW INTERNATIONAL PLOW TRUCK CHASSIS, FOR USE BY THE 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: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. 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: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

RESOLUTION NO. 14-R-48
(Mayor Tyler)

- **A RESOLUTION DECLARING IT NECESSARY TO PROVIDE FOR AN ADDITIONAL LEVY OF TWO (2) MILLS FOR FIVE (5) YEARS FOR THE PURPOSE OF GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES IN THE CITY; AND REQUESTING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE LEVY, 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: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. 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: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).** Mayor Tyler thanked Council for passing the Resolution this evening.

RESOLUTION NO. 14-R-49
(Mayor Tyler)

- **A RESOLUTION PURSUANT TO SECTIONS 5705.19 AND 5705.191 OF THE OHIO REVISED CODE SUBMITTING TO THE ELECTORS OF THE CITY OF KIRTLAND A QUESTION OF PROVIDING FOR AN ADDITIONAL LEVY OF TWO (2) MILLS, IN EXCESS OF THE TEN MILL LIMITATION, FOR FIVE (5) YEARS FOR THE PURPOSE OF GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES, AND DECLARING AN EMERGENCY.**

Read by title only and placed on First Reading.

CONTINUING CONCERNS:

None.

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 7:37 p.m.

President of Council

Clerk of Council