

KIRTLAND CITY COUNCIL MINUTES

July 14, 2014

The meeting of Kirtland City Council was called to order at 7:14 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. Absent: Timothy Powell.

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 Police Chief Wayne Baumgart.

MINUTES OF THE JULY 7, 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 5/0/1 (VOTING YEA: CATANIA, DAVIDSON, KIREK, SCHULZ AND UMHOLTZ. VOTING NAY: NONE. ABSTAINING: SKRBIS).**

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

DEPARTMENT REPORTS:

Police Chief Wayne Baumgart did not present a formal report and no questions were asked of him.

Service Administrator Carm Catania did not present a formal report. With regard to legislation on the agenda relating to a road levy, Councilman Davidson inquired about the advantages of doing the road work internally with the City's employees. Mr. Catania stated that it saves the City approximately 35 percent of the cost of having the work done. He noted that the Service Department already has the equipment and the capability to do the work; he stated that it saves the cost of mobilization of the contractor, along with extra costs above and beyond the cost of the project, such as landscaping, berm work and driveway extensions. Mr. Catania stated that having the work done by the City employees also provides a more personal touch, and additional issues can be addressed if necessary. Mr. Catania noted that the greatest cost to the City is the cost of the asphalt, which is \$130/cubic yard, delivered to the job.

City Engineer Philip Kiefer gave no formal report and no questions were asked of him.

Finance Director Keith Martinet advised that he prepared, posted and distributed the financial statements for April and May. Councilman Davidson publicly thanked Mr. Martinet, along with Chris Speece and Julie Loxterman of the Finance Department, for their work involved in the recent audit, and he commended them for the audit grades that the City has received. He stated that their professionalism is appreciated and is a credit to the administration.

DEPARTMENT REPORTS (continued):

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

MAYOR’S REPORT/ANNOUNCEMENTS:

Noting that it bears repeating, Mayor Tyler stated that the City of Kirtland was ranked third safest city in northeast Ohio by Cleveland Magazine; he noted that Kirtland has consistently ranked in the top seven cities for the past seven years, which has been accomplished by all departments working together to keep the residents and streets safe. The Mayor expressed his appreciation to the Department Heads and all those involved in achieving this ranking.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

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

Read by title only. Mr. Kirek moved to adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).**

ORDINANCE NO. 14-O-45 - (Second Reading) - AN ORDINANCE AMENDING
(Mayor Tyler) CHAPTER 236 OF 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. Councilman Davidson questioned whether the third reading should be waived to consider this legislation at tonight’s meeting. No motion was made, and the legislation was placed on Second Reading.

OLD BUSINESS (continued):

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

- (Second Reading) - 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. Council President Umholtz stated that this legislation is a significant step, and he noted that tonight’s meeting is the last scheduled Council meeting prior to the deadline for submittal to the Board of Elections. Mr. Umholtz stated that since this is on Second Reading, he would propose that a special meeting be scheduled, with a one-hour work session beforehand to discuss this legislation and allow the Mayor and Finance Director sufficient time to present their plan for presenting the levy as well as the purpose of the levy. Mr. Umholtz noted that this will give Council the opportunity to ask questions and provide input and suggestions. Councilman Skrbis suggested that Ordinance No. 14-O-45 also be considered at the special meeting.

Upon discussion, Mr. Skrbis moved to schedule a special Council meeting on Monday, July 28, 2014 at 7:00 p.m., with a 6:00 p.m. work session, for Third Reading and consideration of Ordinance No. 14-O-45 and Resolution No. 14-R-49. Mr. Schulz provided the second. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).**

The legislation was placed on Second Reading.

NEW BUSINESS:

None.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

With regard to zoning in the Templeview area, Councilman Davidson stated that the Board of Zoning Appeals and the Planning and Zoning Commission are looking into finding a way to allow for the sale and development of vacant lots that will need variances. Mr. Davidson stated that he hopes the procedure can be made as convenient as possible.

COUNCIL COMMENTS (continued):

Council President Umholtz noted that in the past Council has authorized the City Engineer to approve zoning permits for new houses on undedicated streets during Council's summer recess. Mr. Umholtz inquired whether Council wishes to follow that same procedure. Mr. Kirek moved to grant authorization to City Engineer Philip Kiefer to issue zoning permits during Council's summer recess for new residences in subdivisions not yet approved for maintenance. Mr. Schulz provided the second. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).**

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 7:30 p.m.

President of Council

Clerk of Council