

KIRTLAND CITY COUNCIL MINUTES

November 17, 2014

The meeting of Kirtland City Council was called to order at 7:04 p.m. by Council President R. Robert Umholtz. Mr. Skrbis led the prayer which followed the Pledge of Allegiance. The members of Council present were: William Catania, Douglas Davidson, David Kirek, Robert Skrbis and R. Robert Umholtz. Matthew Schulz arrived shortly after the meeting commenced.

Administrative personnel present were: Mayor Mark A. Tyler, Law Director Daniel Richards, Finance Director Keith Martinet, City Engineer Philip Kiefer and Fire Chief Anthony Hutton.

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

MINUTES OF THE NOVEMBER 5, 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: SKRBIS, UMHOLTZ, CATANIA, DAVIDSON AND KIREK. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton did not present a formal report and no questions were asked of him.

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

Finance Director Keith Martinet did not present a formal report and no questions were asked of him.

Law Director Daniel Richards did not present a formal report. Councilman Davidson inquired whether a boat is considered a motor vehicle, noting that if it is a motor vehicle, it should not be permitted to be placed in someone's front yard for sale for weeks on end. Mr. Richards advised that the definition of motor vehicle does not include a boat; however the applicable section of the code prohibits outdoor storage of a boat in the front yard setback. Mr. Davidson noted that the boat is sitting on property near the Farm Park, and it is an eyesore. Mayor Tyler stated that the Administration is aware of the situation and he has discussed this with Carm Catania, who is following up with the owner.

MAYOR'S REPORT/ANNOUNCEMENTS:

Noting that there has been a change in the weather, Mayor Tyler stated that the Public Works Department has kept up with the roads as much as possible. The Mayor noted that, fortunately, the City has a full bin of salt.

Mayor Tyler advised that work on the budget has begun and budget hearings are already scheduled.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

The Mayor advised that there are two community events scheduled next week - the ecumenical church service at the Kirtland Temple on November 25, and lighting of Historic Kirtland on Friday, November 28.

Councilman Davidson stated that next to the recreation property on Route 6, there is a property with two dump trucks, tractors and huge "for sale" signs. Mayor Tyler stated that he will follow up with Zoning Inspector Catania in this regard.

Council President Umholtz noted that there is a residence on the west side of Sperry Road, just south of Euclid-Chardon Road, with six or seven vehicles parked in the front yard, only one of which is on the driveway. Mayor Tyler stated that he will follow up with Mr. Catania.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

OLD BUSINESS:**RESOLUTION NO. 14-R-57
(Mayor Tyler)**

- (Third 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 DECEMBER 31, 2014 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

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

**ORDINANCE NO. 14-O-58
(Council President Umholtz)**

- (Third Reading) - AN ORDINANCE AMENDING SECTION 1262.04(a) OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO HEIGHT OF MAIN OR AUXILIARY BUILDINGS OR STRUCTURES.

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

OLD BUSINESS (continued):

- ORDINANCE NO. 14-O-59** - (Third Reading) - AN ORDINANCE AMENDING SECTION 1268.07(c) OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO HEIGHT OF NON-RESIDENTIAL AUXILIARY BUILDINGS OR ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS.
(Council President Umholtz)

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

NEW BUSINESS:

- ORDINANCE NO. 14-O-62** - AN ORDINANCE PROVIDING TEMPORARY APPROPRIATIONS FOR THE THREE MONTH PERIOD ENDING MARCH 31, 2015.
(Mayor Tyler)

Read by title only and placed on First Reading.

- ORDINANCE NO. 14-O-63** - AN ORDINANCE DESIGNATING FINANCIAL INSTITUTIONS AS PUBLIC DEPOSITORIES.
(Mayor Tyler)

Read by title only and placed on First Reading.

- RESOLUTION NO. 14-R-64** - A RESOLUTION APPOINTING TIMOTHY K. POWELL AS A MEMBER OF THE KIRTLAND CITY COUNCIL TO FILL THE UNEXPIRED TERM OF TIMOTHY K. POWELL, AND DECLARING AN EMERGENCY.
(Council as a Whole)

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Davidson. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SKRBIS, UMHOLTZ, CATANIA, DAVIDSON AND KIREK. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Davidson. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: SCHULZ, SKRBIS, UMHOLTZ, CATANIA, DAVIDSON AND KIREK. VOTING NAY: NONE).**

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

With regard to the future recreation property on Euclid-Chardon Road, Councilman Davidson thanked Councilman Skrbis and Councilman Schulz, as members of the Recreation Standing Committee, for meeting and getting input from stakeholders and constituents in the community. Noting that the property was purchased nine years ago, Mr. Davidson stated that he is hopeful that Council and the Administration can work together to get the plan for the park completed. Council President Umholtz noted that the Recreation Standing Committee will meet tonight following the regular meeting.

Upon the request of Councilman Schulz, a meeting of the Public Relations Standing Committee was scheduled immediately following the next Council meeting on December 1, with regard to the request for placement of a memorial sign.

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 7:17 p.m.

President of Council

Clerk of Council