

KIRTLAND CITY COUNCIL MINUTES

February 18, 2015

The meeting of Kirtland City Council was called to order at 7:02 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 Sergeant Lance Nosse and Fire Chief Anthony Hutton.

MINUTES OF THE JANUARY 26, 2015 COMBINED MEETING:

Mr. Powell moved to waive the reading of the minutes, with the second by Mr. Davidson. The motion of Council passed by unanimous vote. Mr. Powell moved to adopt the Minutes, with the second by Mr. Davidson. **ROLL CALL: MOTION CARRIED 4/0/3 (VOTING YEA: CATANIA, DAVIDSON, POWELL AND SKRBIS. VOTING NAY: NONE. ABSTAINING: KIREK, SCHULZ AND UMHOLTZ).**

MINUTES OF THE FEBRUARY 2, 2015 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 7/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Police Sergeant Lance Nosse gave no formal report and no questions were asked of him.

Service Administrator Carm Catania did not present a formal report. Responding to Councilman Davidson, Mr. Catania stated that there is currently a little more than 2,000 tons of salt on hand, and another 500 tons to be delivered tomorrow.

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. He introduced Julie Loxterman, who was present in the audience, noting that she works in the Finance Department and takes care of the day to day operation of the budget. He noted that she also does a lot of work on the budget preparation and that she does a great job for the City.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Tyler stated that the monthly pastors' luncheon was held today in Council Chambers, noting that it was very well attended. The Mayor stated his thanks to Helen Petersburg (also in the audience) for setting up the luncheon, with the assistance of other City staff.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

The Mayor stated that the Service Department has done an outstanding job clearing the roads, noting that more severe weather is expected in the next few days.

Mayor Tyler noted that there was a severe house fire on Singlefoot Trail early Tuesday morning; he noted that over the last week the Fire Department responded to five separate fires, all in very cold weather. The Mayor noted that the Police Department and Public Works also provide assistance.

Mayor Tyler noted that Ordinance No. 15-O-6 is on tonight's agenda, creating a recreation park development fund. He noted that the City can start depositing checks if Council waives the three readings and adopts the legislation tonight. The Mayor stated that the Administration will be working on getting quotes for conceptual design.

As a reminder, the Mayor noted that a Finance Committee meeting will be held following the regular Council meeting.

Mayor Tyler stated that, at the request of Council President Umholtz, he invited Dave Hart to attend tonight's meeting. The Mayor noted that Mr. Hart was CEO of D. B. Hart before joining CT Consultants. Mr. Hart addressed Council, noting that he is now Manager of Planning Services for CT Consultants. He stated that through the merger of his firm with CT, he is now responsible for the planning services that CT offers. Mr. Hart stated that his career has been in northeast Ohio, noting that he started his own firm in 1979 focusing on four areas: (1) comprehensive planning; (2) neighborhood and commercial revitalization/economic development, to foster development in areas where the market is not doing the job that the community desires; (3) zoning; and (4) working with the private sector in development.

Noting that the merger with CT occurred last April, Mr. Hart stated that they have now expanded the service division by 100 percent by hiring Kristen Hopkins, who has 26 years of experience (16 of those years were with D. B. Hart).

Councilman Davidson inquired whether the services Mr. Hart provides are similar to those provided by Ron Traub, Director of Economic Development in Mentor. Noting that he has known Mr. Traub for approximately 30 years, Mr. Hart stated that the services he provides are similar. Answering Mr. Davidson regarding some top accomplishments, Mr. Hart stated that in the mid-1980's he facilitated the re-development of the Shaker Town Center; he noted that he is now involved in a similar project in Berea, in a commercial area where they are working to achieve economic development and re-investment.

Councilman Skrbis inquired whether Mr. Hart was involved in any large scale recreation designs. Mr. Hart advised that D. B. Hart prepared two park plans for the City of Wadsworth, an initial plan with an update ten years later. He noted that they also developed an overall park plan concept and conducted the community participation process in Copley Township. Mr. Hart stated that with the merger of his firm with CT Consultants, he now has the resources that are complementary to the services he has provided, such as landscape architects, who have a variety of expertise in park planning, trail planning, natural resource protection, etc.

Council President Umholtz noted that although residential development has grown and Kirtland is not as rural as in the past, the City still has a rural feel. He noted that the focus has been on the downtown historic district and bringing in some professional businesses and restaurants that would develop the downtown area but not negatively impact the rural residential feel. Now that the downtown area has sewers, Mr. Umholtz inquired about the potential in the near future, given the current economic climate, to attract businesses that would generate tax revenue and alleviate some of the tax burden on the residents. Mr. Hart stated that the market is not doing what the City would like in this location, so the strengths and obstacles must be determined in order to figure out the next steps to achieving the City's objectives.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

Noting that he works for ODOT and recently became involved with a project in Shaker Heights, Councilman Schulz stated that the City of Shaker Heights received a grant to help with the revitalization of a business and residential district. Mr. Schulz inquired whether Mr. Hart is involved with the facet of grant writing. Mr. Hart stated that this is a big component of the services added by his merger with CT Consultants; he noted that current CT employees have that experience in grant writing, and it would maximize the possibility of receiving a grant.

Mayor Tyler stated that he, the Service Administrator, City Engineer and Planning and Zoning Commission Chairman had an opportunity to meet with Mr. Hart; and they discussed many issues, including the historic town center area. Mayor Tyler stated that he believes Mr. Hart is a good fit for the City. Responding to Council President Umholtz, the Mayor stated that once the budget is passed the City can move forward in working with Mr. Hart.

STANDING COMMITTEE REPORTS:

Councilman Skrbis stated that he has had discussion with the Mayor regarding the legislation on the agenda for the recreation park development fund and the next steps to be taken. Councilman Davidson stated that a couple weeks ago a check for \$500 was received from the Baseball League, and the Kirtland Kiwanis donated \$500; he noted that the account can now be established and fund raising can be done toward park planning and development. Mr. Davidson stated appreciation to the Kiwanis and the Baseball League.

Since Fire Chief Anthony Hutton had to leave on a call during the work session and just returned, Council President Umholtz inquired whether he had a report. Chief Hutton stated that the Fire Department has responded to six structure fires in the last week. With regard to the recent fire in Kirtland, Chief Hutton noted that it was a very cold night, 14 degrees below zero. He thanked the Police Department and the Road Department for their assistance, noting that police officers from Kirtland and Waite Hill assisted with the hydrant lines. He stated that the Road Department assisted with picking up the hoses and returning them to the Fire Department on flatbed vehicles; he noted that the hoses were frozen and could not be rolled up. Chief Hutton noted that several departments responded, and due to temperatures, it was a three-alarm fire; he noted that they were able to rotate crews to keep everyone safe. Chief Hutton noted that the recent fires have been a great example of how well the Fire Departments already work together. He noted that results of the feasibility study should be available soon.

Chief Hutton stated his thanks to the Road Department with regard to a recent situation on a private drive; he noted that the private drive was very icy and the Road Department came out and salted so the Fire Department could get their vehicles down the drive.

Law Director Daniel Richards stated that he did not have a report, but he commented that Mr. Hart has done a superb job in the field of planning and zoning, and he looks forward to Mr. Hart having the opportunity to look at some of the material before the Planning and Zoning Commission and the Board of Zoning Appeals. He noted that Mr. Hart will be a formidable witness on behalf of the City in the event of a future contest of the code or decisions by the Commission, the Board of Zoning Appeals or City Council. Mr. Richards noted that Mr. Hart has a lot of experience in code preparation.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Joe Smolik, 7295 Ledgewood Drive, inquired whether big changes are planned for the downtown area. Mayor Tyler advised that the zoning referendum that was passed a few years ago provides for proper restrictions in the downtown area to prevent a change in the character of Kirtland. The Mayor stated that he is confident that the City will attract the right businesses, with the an atmosphere that will be beneficial to the residents of Kirtland.

OLD BUSINESS:

None.

NEW BUSINESS:

ORDINANCE NO. 15-O-6 - **AN ORDINANCE AMENDING CHAPTER 236 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO THE DEPARTMENT OF FINANCE AND ENACTING SECTION 236.10, CREATING A RECREATION PARK DEVELOPMENT FUND AND DECLARING AN EMERGENCY.**
(Council President Umholtz)

Read by title only. Mr. Skrbis moved to waive the three readings, with the second by Mr. Davidson. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).** Mr. Skrbis moved to declare an emergency and adopt, with the second by Mr. Davidson. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).**

ORDINANCE NO. 15-O-7 - **AN ORDINANCE SETTING THE APPROPRIATION FOR THE YEAR 2015.**
(Mayor Tyler)

Read by title only and placed on First Reading.

RESOLUTION NO. 15-R-8 - **A RESOLUTION AUTHORIZING THE MAYOR TO LEASE-PURCHASE ONE (1) NEW CATERPILLAR MODEL 308E SERIES 2 CR SB MINI HYDRAULIC EXCAVATOR FOR USE BY THE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.**
(Mayor Tyler)

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Catania. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).**

ORDINANCE NO. 15-O-9 - **AN ORDINANCE AUTHORIZING THE MAYOR TO LEASE-PURCHASE ONE (1) NEW BOMAG MODEL BW161AD-5 TANDEM-DRUM VIBRATORY ROLLER FOR USE BY THE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.**
(Mayor Tyler)

NEW BUSINESS - ORDINANCE NO. 15-O-9 (continued):

Read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Davidson. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS AND UMHOLTZ. VOTING NAY: NONE).**

With regard to the two pieces of legislation just adopted, Councilman Davidson noted that Mr. Catania was able to get last year's pricing; he stated that he appreciates Mr. Catania's efforts.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Powell noted that he spoke with the Mayor, and the Mayor will contact Time Warner to set up a public meeting in the future.

Councilman Davidson congratulated Coach Scott Francis and the Kirtland wrestling team as Regional Champions for Northeast Ohio Division III; they won four dual meets in a row against Rootstown and then went to St. John's Arena at Ohio State University and made a good showing competing against the best Division III teams in Ohio.

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 7:38 p.m.

President of Council

Clerk of Council