

## KIRTLAND CITY COUNCIL MINUTES

June 1, 2015

The meeting of Kirtland City Council was called to order at 7:02 p.m. by Council President Pro Tempore Timothy Powell. 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 and Matthew Schulz. Absent: 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, Police Chief Wayne Baumgart and Fire Chief Anthony Hutton.

### MINUTES OF THE MAY 18, 2015 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, as presented, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 3/0/2 (VOTING YEA: SCHULZ, KIREK AND POWELL. VOTING NAY: NONE. ABSTAINING: CATANIA AND DAVIDSON).** Law Director Richards confirmed that the minutes stand approved.

### DEPARTMENT REPORTS:

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

Police Chief Wayne Baumgart advised that the formal report will be delivered to Council members' mailboxes this week.

City Engineer Philip Kiefer did not present a formal report. Councilman Schulz inquired about a large utility pole recently erected on the south side of Route 6 in the frontage of Mr. Excavator; he noted that he has seen these further east on Route 6. Fire Chief Hutton stated that he noticed the pole and that he believes it is for communications.

Finance Director Keith Martinet stated that he prepared, posted and distributed the April financial statements. Mr. Martinet advised that the tax budget will be on the next meeting agenda, noting that it will receive three readings and needs to be adopted by July 15. Mr. Martinet advised that he will not be available for the July Council meetings. Mr. Martinet stated that the amended appropriation for 2015 is on tonight's agenda for second reading, noting that the amendment relates to the approved contract for the full-time firefighters.

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 Friday, May 22 was government day at Kirtland City Hall, noting that four classes of third graders from Kirtland Elementary School visited City Hall.

The Mayor noted that the Memorial Day parade and ceremony was held on May 25; he thanked Chief Baumgart for providing the keynote address.

**MAYOR'S REPORT/ANNOUNCEMENTS (continued):**

Mayor Tyler reminded Council that the half marathon will be held on Sunday, June 7; he noted that the City has contacted the churches that may be impacted. The Mayor noted that Safety Town has been scheduled, with the graduation ceremony to be held on June 19.

Councilman Davidson noted that he has received some comments from residents, as follows: Ray Halsey of Heath Road requested a "Slow, Children" sign, noting that he has concerns about neighborhood children; Mike McDonald of Euclid-Chardon Road, who lives next to the new dog park, mentioned that the popularity of the dog park is affecting the quiet enjoyment of his property; Mr. and Mrs. Graham of Maple Street are looking for some clean-up following drainage work done by the City; and Dennis Budnick of Lakebrook Drive stated that the house across the street is in foreclosure and the grass needs to be mowed. Mr. Davidson provided a copy of the comments to the Clerk of Council to pass on to the Service Administrator. Mayor Tyler requested that Council members bring issues such as these to his attention or to Mr. Catania's attention as these issues arise.

Councilman Powell stated that he received an e-mail from Mr. Gabriel of Monterey Drive, including pictures, regarding the condition of the road. Councilman Powell also stated that he has been contacted by residents of Ledgewood Drive regarding the condition of the road. Mayor Tyler advised that some work should be done early this year, noting that the City is working on Sperry Road and Eagle Road, and taking care of some issues in Kirtland Lakes; then repairs in other areas will begin.

**STANDING COMMITTEE REPORTS:**

None.

**CORRESPONDENCE:**

Council President Pro Tempore Powell reported on the following:

1. Copy of a variance request at 9194 Prelog Lane relating to a side yard setback, which was approved by the Board of Zoning Appeals.

**PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:**

None.

**OLD BUSINESS:**

**ORDINANCE NO. 15-O-24** - **(Second Reading) - AN ORDINANCE AMENDING**  
**(Mayor Tyler)** **ORDINANCE NO. 15-O-7 RELATING TO THE**  
**APPROPRIATION FOR THE YEAR 2015.**

Read by title only. Councilman Davidson inquired whether this needs to be passed prior to fulfilling the contract approved for the Fire Department. Mr. Martinet stated that the amendment is to reflect the new spending, noting that the Fire Department employees already received retroactive pay to the first of the year. Mayor Tyler advised that he signed the contract the day after Council passed the legislation and the pay increase was reflected in the next pay period. The legislation was placed on Second Reading.

**NEW BUSINESS:**

None.

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**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

Councilman Schulz publicly congratulated the 117th graduating class in the City of Kirtland, noting that there is a fifth generation family. Councilman Davidson noted that Courtney Kutscher is the fifth generation student. Mr. Davidson noted that there were 22 graduates with high honors (4.0 or higher) out of 100 students; 2 graduates that received Associate Degrees; and many students who participated in the post-secondary education option at Lakeland Community College. Mr. Davidson noted that Hannah Schulz graduated this year, as well as his son Clayton.

With regard to the Memorial Day ceremony, Councilman Davidson thanked the Kiwanis and the speakers; he credited Keith McCrory, the Commander of Post 609, Jim Yarborough and Walt Clark. Mr. Davidson noted that there were enough participants for the rifle salute.

**PUBLIC COMMENTS:**

None.

**ADJOURNMENT:**

Mr. Catania moved to adjourn, with the second by Mr. Schulz. The motion of Council passed by unanimous vote and the meeting adjourned at 7:18 p.m.

**RECONVENING OF MEETING:**

Mr. Kirek moved to reconvene the meeting to discuss a request for a liquor permit by Just One More. Mr. Schulz seconded, and the motion passed by unanimous vote. The meeting reconvened at 7:19 p.m.

Council President Pro Tempore Powell acknowledged receipt of a notice of request from the Ohio Division of Liquor Control for a liquor permit for Just One More Ltd., dba Just One More Tavern (at 9378 Chillicothe Road). It was noted that the request is to change from the wife as sole managing member to a split of 50 percent interest each for husband and wife.

Mr. Catania moved that Council issue no objection to the request and that a hearing not be requested. Mr. Davidson provided the second. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SCHULZ, CATANIA, DAVIDSON, KIREK AND POWELL. VOTING NAY: NONE).**

**ADJOURNMENT:**

Mr. Schulz moved to adjourn, with the second by Mr. Catania. The motion of Council passed by unanimous vote and the meeting adjourned at 7:21 p.m.

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President of Council

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Clerk of Council