

KIRTLAND CITY COUNCIL MINUTES

September 21, 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 and R. Robert Umholtz. Absent: Robert Skrbis.

Administrative personnel present were: Mayor Mark A. Tyler, Finance Director Keith Martinet, City Engineer Philip Kiefer and Service Administrator Carm Catania. Stephanie Landgraf of Wiles and Richards was present in the absence of Law Director Daniel Richards, Police Sergeant Jamey Fisher was present in the absence of Police Chief Wayne Baumgart, and Captain Douglas Bode was present in the absence of Fire Chief Anthony Hutton.

WASTE MANAGEMENT

Account Representative Vince Crawford noted that he likes to visit the communities at least once each year. With regard to recycling, Mr. Crawford noted that Kirtland was one of the first to start the curbside recycling program and that Kirtland has good participation. Mr. Crawford stated that 176 tons of material were collected the first half of the year in Kirtland for recycling; he noted that Kirtland is usually one of the top two or three in Lake County with regard to the amount of material recycled.

Mr. Crawford stated that Waste Management now has a mobile app; he noted that customers can access their accounts and pay their bills online or with the mobile app. He noted that with an online account or mobile app customers will receive holiday reminders with regard to pick-up; they can also review their services and contact customer service.

Mr. Crawford also addressed Council with regard to their lamp tracker program for recycling of mercury products, such as fluorescent light bulbs, ballasts or batteries. Mr. Crawford stated that there are 4 ft. and 8 ft. boxes for fluorescent bulbs, which are ordered online; when the box is full it is shipped prepaid to Waste Management, and a certificate of compliance is sent to show that the light bulbs are being properly disposed of with regard to EPA regulations. Noting that it is considered a universal waste, not a hazardous waste, Mr. Crawford advised that the EPA has different regulations for residences (bulbs can be thrown in the trash) than those for commercial and industrial businesses and municipalities. Mr. Crawford stated that mercury is a hazardous material that needs to be kept out of the water stream, and this program gives communities an easy and efficient way to take care of their light bulb disposal. He noted that 100 percent of the mercury is pulled out of the used light bulb. Mr. Crawford advised that they also have small boxes for residences.

Councilman Schulz inquired if there is a cost to the City for the lamp tracker program. Mr. Crawford advised that the cost is \$100 for the large 8 ft. box. Mr. Schulz inquired whether customers have seen a decrease in the fees as a result of lower fuel costs. Mr. Crawford advised that the contract with the City provides that for every 10 cent incremental change in fuel costs, whether an increase or decrease, there is a change in the fuel cost passed on to the customers.

Councilman Schulz inquired whether they have begun to convert the fleet to natural gas. Noting that the Cleveland fleet is in the process of being converted to natural gas, Mr. Crawford advised that Waste Management runs 33,000 trucks per day, so the conversion is a site by site process. He noted that in the State of Ohio the Dayton site and the Columbus site have been converted over the last two years, and the site near Solon will be the next site to be converted, followed by the Chardon site in late 2016 or early 2017. He noted that the conversion is a two million dollar process.

WASTE MANAGEMENT (continued)

Councilman Davidson inquired whether the conversion increases or decreases the weight of the trucks. Mr. Crawford advised that the trucks will be heavier, but the gas does not weigh as much as the diesel fuel.

Councilman Schulz stated that several weeks ago his mailbox was damaged by the Waste Management truck; he noted that the person he contacted called him back within 24 hours and was very polite and took care of the matter within a one or two day period. Mr. Schulz stated that he was very happy with the handling of the matter.

Sterling Coleman, 7636 Markell Road, stated that sometimes the drivers do not take the fluorescent bulbs, resulting in them being crushed and thrown in the garbage; he noted that Waste Management needs to advise residents how they want this handled. With regard to the mobile app, Mr. Coleman stated that many people use a locked phone and it is a waste of time to have to log in at the app, noting that there should be an optional setting to skip the log in if the customer is using a locked phone.

There were no further questions, and Council President Umholtz thanked Mr. Crawford for addressing Council.

MINUTES OF THE SEPTEMBER 9, 2015 WORK SESSION:

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 5/0/1 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE. ABSTAINING: UMHOLTZ).**

MINUTES OF THE SEPTEMBER 9, 2015 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, as presented, with the second by Mr. Davidson. **ROLL CALL: MOTION CARRIED 5/0/1 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL AND SCHULZ. VOTING NAY: NONE. ABSTAINING: UMHOLTZ).**

DEPARTMENT REPORTS:

Fire Captain Douglas Bode did not present a formal report and no questions were asked of him.

Police Sergeant Jamey Fisher gave no formal report and no questions were asked of him.

Service Administrator Carm Catania did not present a formal report. Councilman Powell inquired whether there has been any progress with the Health Department or the Law Director regarding concerns about a house on Rockwood Drive. Noting that the Health Department is no longer handling this type of residential issue, Mr. Catania advised that he has been in communication with the Law Director, but there has been no significant progress with regard to concerns about the interior of the house. Mr. Catania noted that the grass was cut recently. Mr. Powell noted that there are other houses in Kirtland with the same type of issues.

Councilman Catania stated that he and Chief Hutton attended a meeting today at the Lake County Health Department, and they advised that they are discontinuing the house inspections, but they may look into an issue on an individual basis.

DEPARTMENT REPORTS (continued):

Mr. Powell stated that there are issues with a house on North Raccoon Hill Drive, noting that the Fire Department had to pump water out of the basement. Service Administrator Catania noted that the City may be able to involve the Lake County Building Department due to concerns with the foundation.

Mr. Catania stated that he will contact the Building Department and the Health Department and follow up with the Law Director when he returns from vacation.

City Engineer Philip Kiefer did not present a formal report. Councilman Schulz noted that he has not had an opportunity to get into the Council office to review the report from HZW (regarding the property on Route 6), and he inquired whether it would be possible to request that a pdf copy be e-mailed to him and other members of Council. Mr. Kiefer stated that he can make the request.

Finance Director Keith Martinet stated that he has prepared, posted and distributed the August financial statements.

Stephanie Landgraf of the Law Director's Office did not present a formal report and no questions were asked of her.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Tyler thanked Ms. Landgraf for filling in for Mr. Richards tonight.

Mayor Tyler advised that there is a household hazardous waste collection on Saturday, September 28 from 9:00 a.m. until 3:00 p.m. at Lake County Fairgrounds.

The Mayor advised that ODOT will be closing the westbound entrance ramp from Route 306 to Interstate 90 sometime this fall; the work should occur over a weekend and be done by Monday morning. The Mayor noted that the dates have not yet been provided.

As discussed at the last work session, Mayor Tyler stated that legislation has been prepared for the next Council meeting relating to Temple View, for the fourth amendment to the MOU with the County. The Mayor advised that the municipal income tax legislation is nearing completion and should be ready for the next Council agenda. Mayor Tyler noted that he will probably request a work session prior to the next Council meeting in this regard.

With regard to the three OPWC road projects that were tentatively approved by the County Engineer, Mayor Tyler stated that legislation is being drafted for final application to OPWC.

Mayor Tyler thanked Vince Crawford for attending tonight's meeting, noting that Waste Management has been a great business partner for the last eight years and has worked out well for the residents.

Councilman Powell inquired whether the City utilizes the lamp tracker program through Waste Management for disposal of the City's light bulbs. Mayor Tyler advised that the City has not yet utilized this program, but that it can be considered. Mr. Powell stated that he would like the City to be compliant and that he will also provide this information to the Kirtland Schools; he noted that he will contact Mr. Crawford regarding the possibility of attending an upcoming school board meeting.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

RESOLUTION NO. 15-R-47 - (Third Reading) - A RESOLUTION DEDICATING THE STREET IN THE ALPENROSE SUBDIVISION, WHICH PLAT WAS PREVIOUSLY ACCEPTED FOR RECORD PURPOSES ONLY.
(Mayor Tyler)

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, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

RESOLUTION NO. 15-R-50 - (Second Reading) - A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LIEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.
(Mayor Tyler)

Read by title only. Finance Director Martinet advised that this legislation needs to be adopted at Second Reading, as discussed at last month's work session. Mr. Kirek moved to waive the third reading, with the second by Mr. Davidson. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).** Mr. Davidson moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: CATANIA, DAVIDSON, KIREK, POWELL, SCHULZ AND UMHOLTZ. VOTING NAY: NONE).**

ORDINANCE NO. 15-O-51 - (Second Reading) - AN ORDINANCE AMENDING ORDINANCE NO. 15-O-24 RELATING TO THE APPROPRIATION FOR THE YEAR 2015.
(Mayor Tyler)

Read by title only and placed on Second Reading.

RESOLUTION NO. 15-R-52 - (Second Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; CAPITAL PROJECT FUND #300; CAPITAL PROJECT FUND #306; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE NOVEMBER 30, 2015 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.
(Mayor Tyler)

Read by title only and placed on Second Reading.

OLD BUSINESS (continued):

RESOLUTION NO. 15-R-53
(Mayor Tyler)

- **(Second Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; TEMPLEVIEW SEWER PROJECT #503; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE DECEMBER 31, 2015 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.**

Read by title only and placed on Second Reading.

NEW BUSINESS:

None.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Powell inquired whether work has been started on Martin Road. Service Administrator Catania advised that widening has been done, but the asphalt has not been done yet. Mr. Catania stated that they are in the process of putting in a new catch basin by Mr. Wainwright's property. Mr. Catania noted that a meeting was held two weeks ago with the residents, and they seem to be pleased with the work being done. Mr. Catania stated that the asphalt will depend on whether there are sufficient funds available.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Kirek moved to adjourn, with the second by Mr. Davidson. The motion of Council passed by unanimous vote and the meeting adjourned at 7:30 p.m.

President of Council

Clerk of Council