

KIRTLAND CITY COUNCIL MINUTES

May 2, 2016

The meeting of Kirtland City Council was called to order at 7:08 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: Kevin Eilerman, David Kirek, Kevin Potter, Matthew Schulz, Joseph Smolic and R. Robert Umholtz. Robert Skrbis was absent.

Administrative personnel present were: Mayor Douglas E. Davidson, Law Director Daniel F. Richards, Finance Director Keith Martinet, City Engineer Philip Kiefer, Service Administrator Carm Catania and Fire Chief Anthony Hutton. Police Sergeant Jamey Fisher was present in the absence of Police Chief Wayne Baumgart.

MINUTES OF THE APRIL 18, 2016 WORK SESSION:

Mr. Kirek moved to waive the reading of the minutes, with the second by Mr. Eilerman. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, as presented, with the second by Mr. Eilerman. **ROLL CALL: MOTION CARRIED 5/0/1 (VOTING YEA: SMOLIC, UMHOLTZ, EILERMAN, POTTER AND SCHULZ. VOTING NAY: NONE. ABSTAINING: KIREK).**

MINUTES OF THE APRIL 18, 2016 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 5/0/1 (VOTING YEA: SMOLIC, UMHOLTZ, EILERMAN, POTTER AND SCHULZ. VOTING NAY: NONE. ABSTAINING: KIREK).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised that the monthly report has been distributed.

Police Sergeant Jamey Fisher advised that Channel 3 News will be coming to City Hall tomorrow for a story regarding J.D. (the dog adopted by the Police Association).

Service Administrator Carm Catania publicly thanked Councilman Smolic for machining a part needed on the mowing tractor and saving the City money.

Councilman Potter thanked Mayor Davidson and Mr. Catania for providing the sign on Joseph Street, noting that the residents were very appreciative.

Responding to Councilman Smolic, Mr. Catania stated that Wrenwood and Martin will receive a prime coat tomorrow morning, and the chip and seal will be done on Thursday morning, weather permitting. Mr. Catania noted that both roads were widened.

Councilman Smolic inquired about road patching. Mr. Catania advised that Monterey is first on the list for patching, and Killdeer is next to be resurfaced. Mr. Catania stated that the chip and seal gives a good foundation for future asphalt paving.

DEPARTMENT REPORTS (continued):

Councilman Schulz encouraged the Council members to go out and see the chip and seal after it has been done, noting that it is difficult to distinguish between an asphalt surface road and a chip and seal surface; he noted that he believes Council will be pleasantly surprised at the results, and it provides a cost savings to the City. Mr. Catania thanked Mr. Schulz for his help in this regard.

City Engineer Philip Kiefer advised that his monthly report has been distributed.

Finance Director Keith Martinet advised that he will begin issuing the monthly financial statements. He noted that the State Audit is wrapping up and should be done by summer. Mr. Martinet noted that there are several agenda items regarding the bond anticipation notes; he noted that one Ordinance relates to all of the old bond anticipation notes that are being reissued, and there are four Ordinances for the new notes. He noted that the legislation needs to be passed by the next Council meeting in order to provide sufficient time to sell the notes. Council President Umholtz stated appreciation for the effort to consolidate the old bond anticipation notes.

Law Director Daniel Richards gave no formal report and no questions were asked of him.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Davidson stated that Sergeant Fisher is in his third week of the Police Executive and Administrative Leadership School, noting that the continuous training of the Department and its members is encouraged by Chief Baumgart and benefits the City.

The Mayor noted that there have been some stormwater issues in Rocking Horse; he noted that Mr. Kiefer and Mr. Catania are working with the Homeowners Association in this regard.

Mayor Davidson noted that he met with Dr. Beverage and Mike Mayher, Vice President of Lakeland Community College, and toured the construction site for the Health Technologies building addition. The Mayor noted that this improvement is beneficial for both the school and the City.

The Mayor stated that the drainage work on Elm Street is near completion, noting that some finish work and reseeding still needs to be done.

STANDING COMMITTEE REPORTS:

Councilman Smolic stated that the Safety Committee (Police & Fire Standing Committee) met on April 18 relating to the dog ordinance, noting that Law Director Richards, the Police Chief and the Fire Chief were also in attendance. Mr. Smolic stated that the rough draft of the ordinance and the Committee's comments were reviewed, and Mr. Richards is working on a final draft for the Committee's review before bringing this before Council for a vote.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Sterling Coleman, 7636 Markell Road, thanked the Kirtland Police Department for sending an officer and a squad car while he maneuvered his rig back into his driveway, noting that people were courteous while he had traffic blocked for a few minutes. He noted that it was very helpful to have an officer and squad car there.

OLD BUSINESS:**RESOLUTION NO. 16-R-15**
(Mayor Davidson)

- (Third Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; CAPITAL PROJECT FUND #301; CAPITAL PROJECT FUND #309; GENERAL OBLIGATION BOND FUND #600; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE JUNE 15, 2016 TO GENERAL OBLIGATION BOND FUND #600; CAPITAL PROJECT FUND #307 WORRELL ROAD; CAPITAL PROJECT FUND #311 306 STABILIZATION; GENERAL FUND #100; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

Read by title only. Mr. Kirek moved to adopt, with the second by Mr. Potter. ROLL CALL: ADOPTED 6/0 (VOTING YEA: SMOLIC, UMHOLTZ, EILERMAN, KIREK, POTTER AND SCHULZ; VOTING NAY: NONE).

RESOLUTION NO. 16-R-16
(Mayor Davidson)

- (Third Reading) - A RESOLUTION VACATING, RELINQUISHING AND RELEASING ANY AND ALL INTEREST OR RIGHT IN AND TO BLOCK A, SO PLATTED ON THE SUBDIVISION PLAT OF CHAPIN LEDGES AS A 50 FOOT WIDE UTILITY EASEMENT FOR A FUTURE PEDESTRIAN AND BIKE TRAVEL ONLY.

Read by title only. Mr. Kirek moved to adopt, with the second by Mr. Eilerman. ROLL CALL: ADOPTED 6/0 (VOTING YEA: SMOLIC, UMHOLTZ, EILERMAN, KIREK, POTTER AND SCHULZ; VOTING NAY: NONE).

RESOLUTION NO. 16-R-17
(Mayor Davidson)

- (Third Reading) - A RESOLUTION VACATING, RELINQUISHING AND RELEASING ANY AND ALL INTEREST OR RIGHT IN AND TO BLOCK A, SO PLATTED ON THE SUBDIVISION PLAT OF FOXWOOD FOREST PHASE II AS A 50 FOOT WIDE UTILITY EASEMENT FOR A FUTURE PEDESTRIAN AND BIKE TRAVEL ONLY.

Read by title only. Mr. Kirek moved to adopt, with the second by Mr. Eilerman. ROLL CALL: ADOPTED 6/0 (VOTING YEA: SMOLIC, UMHOLTZ, EILERMAN, KIREK, POTTER AND SCHULZ; VOTING NAY: NONE).

OLD BUSINESS (continued):**RESOLUTION NO. 16-R-19**
(Mayor Davidson)

- (Second Reading) - A RESOLUTION PURSUANT TO SECTION 5705.19(h) OF THE OHIO REVISED CODE SUBMITTING TO THE ELECTORS OF THE CITY A QUESTION OF PROVIDING FOR A RENEWAL OF THE CURRENT LEVY OF 0.85 MILL FOR FIVE YEARS FOR COMMUNITY SENIOR CITIZEN AND RECREATIONAL FACILITIES AND PROGRAMS, OUTSIDE THE TEN MILL LIMITATION.

Read by title only and placed on Second Reading.

RESOLUTION NO. 16-R-20
(Mayor Davidson)

- (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 JUNE 30, 2016 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

Read by title only and placed on Second Reading.

RESOLUTION NO. 16-R-21
(Mayor Davidson)

- (Second Reading) - A RESOLUTION ADOPTING THE RECOMMENDATION OF THE PUBLIC UTILITIES COMMISSION OF THE CITY OF KIRTLAND RELATING TO SEWER CHARGES FOR PROPERTY LOCATED ON GLEN PARK ROAD AND IDENTIFIED AS PARCEL NO. 20-A-014-A-00-064-0.

Read by title only and placed on Second Reading.

NEW BUSINESS:**ORDINANCE NO. 16-O-22**
(Mayor Davidson)

- AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,580,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF RETIRING, TOGETHER WITH OTHER FUNDS AVAILABLE TO THE CITY, THE CITY'S OUTSTANDING VARIOUS PURPOSE NOTES, SERIES 2015, DATED JUNE 25, 2015, AND DECLARING AN EMERGENCY.

Read by title only and placed on First Reading. With regard to Ordinance No. 16-O-22 through Ordinance No. 16-O-26, Finance Director Martinet advised that prior to the Council meeting he signed the Fiscal Officer's Certificates for the bond anticipation notes and presented them to the Clerk of Council.

NEW BUSINESS (continued):**ORDINANCE NO. 16-O-23**
(Mayor Davidson)

- AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$200,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING ARBORHURST LANE AND SINGLEFOOT TRAIL BY RECONSTRUCTING, GRADING, DRAINING, PAVING, CONSTRUCTING STORM SEWERS AND STORM WATER FACILITIES AND INSTALLING SIGNAGE, AND DECLARING AN EMERGENCY.

Read by title only and placed on First Reading.

ORDINANCE NO. 16-O-24
(Mayor Davidson)

- AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$45,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING WORRELL ROAD BY GRADING, DRAINING, PAVING, CONSTRUCTING STORM SEWERS AND STORM WATER FACILITIES AND INSTALLING SIGNAGE, AND DECLARING AN EMERGENCY.

Read by title only and placed on First Reading.

ORDINANCE NO. 16-O-25
(Mayor Davidson)

- AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$75,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING CHILLICOTHE ROAD (SR 306) BY GRADING, DRAINING, CURBING AND PAVING, AND DECLARING AN EMERGENCY.

Read by title only and placed on First Reading.

ORDINANCE NO. 16-O-26
(Mayor Davidson)

- AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$100,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING MOTOR VEHICLES, INCLUDING RELATED EQUIPMENT AND APPARATUS, FOR USE BY THE CITY'S SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.

Read by title only and placed on First Reading.

RESOLUTION NO. 16-R-27
(Mayor Davidson)

- A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT), AND DECLARING AN EMERGENCY.

Read by title only and placed on First Reading.

CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Schulz referred to a notice received from Aqua Ohio regarding its application to increase rates for water service. Noting that he plans to write a letter to the Commission (PUCO), Mr. Schulz stated that he believes rates that exceed the CPI are unaffordable for the average homeowner, especially those on fixed incomes.

Councilman Kirek thanked Council members for their concern following his recent mishap.

Council President Umholtz advised that John Armstrong, the City's former Zoning Inspector, suffered a stroke nearly two weeks ago; he noted that he visited him at the hospital last week. Mr. Umholtz noted that Mr. Armstrong is 94 years old and is a Navy Corpsman from WWII. Noting that Memorial Day is very important to Mr. Armstrong, Mr. Umholtz stated that the number of WWII veterans is dwindling. He inquired if the City can recognize the few remaining WWII veterans this year on Memorial Day. Mayor Davidson stated that he is in favor of recognizing them, noting that a row of seats for those individuals can be placed in front for the ceremony at the American Legion. The Mayor stated that Chief Warrant Officer Larry Castagneto is the speaker this year and would likely include the contributions of those WWII veterans into his remarks. Mayor Davidson stated that he will see that it is publicized.

Law Director Richards noted that tomorrow morning he will be attending funeral services for Sidney Savage, a 97-year-old combat veteran with the 145th Infantry of Ohio's 37th Buckeye Division in the South Pacific during WWII; he was also a Corpsman and endured 592 continuous days of combat.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Kirek moved to adjourn, with the second by Mr. Eilerman. The motion of Council passed by unanimous vote and the meeting adjourned at 7:34 p.m.

President of Council

Clerk of Council