

## KIRTLAND CITY COUNCIL MINUTES

May 16, 2016

The meeting of Kirtland City Council was called to order at 7:09 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: David Kirek, Kevin Potter, Robert Skrbis, Joseph Smolic and R. Robert Umholtz. Matthew Schulz arrived shortly after the meeting commenced. Kevin Eilerman 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, Police Chief Wayne Baumgart and Fire Chief Anthony Hutton..

### MINUTES OF THE MAY 2, 2016 WORK SESSION:

Mr. Kirek moved to waive the reading of the minutes, with the second by Mr. Potter. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, as presented, with the second by Mr. Potter. **ROLL CALL: MOTION CARRIED 4/0/1 (VOTING YEA: SMOLIC, UMHOLTZ, KIREK AND POTTER. VOTING NAY: NONE. ABSTAINING: SKRBIS).**

### MINUTES OF THE MAY 2, 2016 COUNCIL MEETING:

Mr. Kirek moved to waive the reading of the minutes, with the second by Mr. Potter. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, as presented, with the second by Mr. Potter. **ROLL CALL: MOTION CARRIED 4/0/1 (VOTING YEA: SMOLIC, UMHOLTZ, KIREK AND POTTER. VOTING NAY: NONE. ABSTAINING: SKRBIS).**

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** advised that the power cot and load system has been installed in one of the squads at Station 2, noting that it was used today and it works great. Chief Hutton invited Council members to stop by Station 2, or he will bring the squad to a future Council meeting.

**Police Chief Wayne Baumgart** noted that J.D. keeps the Department in the news constantly. Chief Baumgart stated that he visited the Elementary School recently for "Right to Read" week. On a personal note, Chief Baumgart mentioned that his daughter ran a marathon on the Great Wall of China, which included running up and down many stairs.

Chief Hutton noted that the Lake Health half marathon will be held on Sunday, June 5. Chief Baumgart noted that other races scheduled in Kirtland include a 10k at the bottom of the hill and a 5k by Penitentiary Glen, and a one-mile race at Penitentiary Glen on July 27.

**Service Administrator Carm Catania** did not present a formal report. Councilman Potter thanked Mr. Catania for promptly sending out the notices of violation on various properties. Councilman Smolic also stated his thanks, noting that one of the properties is an issue every year. Mr. Smolic inquired if property owners are fined; Mr. Catania advised that property owners usually cut the grass after receiving a notice of violation, but sometimes they are cited. There was brief discussion regarding the property that is an issue every year with overgrown grass.

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

**DEPARTMENT REPORTS (continued):**

**Finance Director Keith Martinet** advised that he is working on the financial statements, and they will be distributed to Council monthly. He stated that the State Audit is wrapping up and should hopefully be complete this week.

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

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Mayor Davidson noted that on May 4 he attended a recognition ceremony, "Our Community Salutes of Northeast Ohio"; two Kirtland residents were recognized for enlisting, along with 425 other northeast Ohio students soon to be soldiers and sailors. The Mayor noted that the two Kirtland residents were Hunter Sabin, who is enlisting in the Air Force, and Brett Lausin, who is enlisting in the Army.

Mayor Davidson invited Council members to attend next year's elected officials fly-in. The Mayor stated that it is a worthwhile event, noting that he had interaction with Dave Joyce, Jim Renacci and Marcia Fudge. He stated that there is opportunity to talk to their staffs and put issues in front of them. Mayor Davidson advised that he requested Dino DiSanto, Dave Joyce's Chief of Staff, to take a look at the City's need for some help on the Chagrin River and Wisner and Route 6 in the event there is Federal money available. The Mayor noted that there were briefings on opiate addiction and its impact on local communities. He noted that the U. S. Department of Transportation gave a briefing, and there were environmental briefings.

Mayor Davidson stated that he appreciates Mr. Catania's follow-up on the exterior maintenance issues and the Council members' follow-up with residents.

**STANDING COMMITTEE REPORTS:**

None.

**CORRESPONDENCE:**

None.

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

**Sterling Coleman, 7636 Markell Road**, thanked those that attended the Willoughby Planning Commission meeting, noting that there was a good turn-out.

**OLD BUSINESS:**

**RESOLUTION NO. 16-R-19**  
**(Mayor Davidson)**

- (Third 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.

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

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

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

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

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

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

**ORDINANCE NO. 16-O-22** - (Second Reading) - 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.  
(Mayor Davidson)

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

**ORDINANCE NO. 16-O-23** - (Second Reading) - 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.  
(Mayor Davidson)

**OLD BUSINESS - ORDINANCE NO. 16-O-23 (continued):**

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

**ORDINANCE NO. 16-O-24** - (Second Reading) - 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.  
(Mayor Davidson)

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

**ORDINANCE NO. 16-O-25** - (Second Reading) - 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.  
(Mayor Davidson)

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

**ORDINANCE NO. 16-O-26** - (Second Reading) - 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.  
(Mayor Davidson)

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

**OLD BUSINESS (continued):**

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

- **(Second Reading) - 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. Mr. Skrbis moved to amend to add the specific language required by the Ohio Department of Transportation in the Resolution and in Exhibit "A". Mr. Kirek provided the second. **ROLL CALL: MOTION CARRIED 5/0/1 (VOTING YEA: SMOLIC, UMHOLTZ, KIREK, POTTER AND SKRBIS. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

Mr. Skrbis moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 5/0/1 (VOTING YEA: SMOLIC, UMHOLTZ, KIREK, POTTER AND SKRBIS. VOTING NAY: NONE. ABSTAINING: SCHULZ).** Mr. Kirek moved to declare an emergency and adopt the legislation as amended, with the second by Mr. Skrbis. **ROLL CALL: ADOPTED 5/0/1 (VOTING YEA: SMOLIC, UMHOLTZ, KIREK, POTTER AND SKRBIS. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

**NEW BUSINESS:**

**RESOLUTION NO. 16-R-28**  
**(Mayor Davidson)**

- **A RESOLUTION ADOPTING A TAX BUDGET FOR FISCAL YEAR 2017.**

Read by title only. Mr. Skrbis moved to amend the Resolution to correct Exhibit "A" as follows: (1) under the Bond Retirement Fund in Exhibit I, Total Expenditures is corrected from \$240,000 to \$2,400,000; and (2) in the Schedule of Indebtedness in Exhibit II, the Bond Anticipation Notes issue date is corrected from 2012 to 2016 and the date due is corrected from 2013 to 2017. Mr. Kirek provided the second. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SMOLIC, UMHOLTZ, KIREK, POTTER, SCHULZ AND SKRBIS. VOTING NAY: NONE).** The legislation was placed on First Reading.

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**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

Councilman Skrbis stated that he attended Notre Dame's commencement, and Vice President Joe Biden was on the stage with John Boehner. He noted that both gave great speeches, and it reminded him of the importance of hearing a speaker live, untainted by the media. Noting that Kirtland is on a much smaller level, it made him appreciate the opportunity to work with those that are strong in their commitment and easy to get along with.

Mayor Davidson announced that Chief Baumgart was placed into the Euclid Middle School Hall of Fame on May 11. The Mayor and Council members offered their congratulations to Chief Baumgart.

Councilman Schulz noted that veterans are welcome to attend a memorial breakfast provided by Scout Troop 286 at Chapin Forest at 8:00 a.m. on Memorial Day.

**COUNCIL COMMENTS (continued):**

Mayor Davidson advised that on May 30 (Memorial Day) a ceremony will be held at the cemeteries, then the parade will step off at 10:00 a.m. at the high school. The Mayor noted that the speaker this year is Larry Castagneto, retired Chief Warrant Officer. He stated that a picnic will be held afterward at the Community Center, noting that Tim French, retired Lieutenant Colonel, will be giving the invocation and benediction this year.

Council President Umholtz and Councilman Skrbis advised that they will not be available for the June 6 Council meeting. Councilman Schulz and Councilman Potter advised that they are not available for the June 20 Council meeting.

**PUBLIC COMMENTS:**

None.

**ADJOURNMENT:**

Mr. Kirek moved to adjourn, with the second by Mr. Skrbis. The motion of Council passed by unanimous vote and the meeting adjourned at 7:38 p.m.

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President of Council

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Clerk of Council