

KIRTLAND CITY COUNCIL MINUTES

August 22, 2016

The meeting of Kirtland City Council was called to order at 7:13 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, Matthew Schulz, Robert Skrbis, Joseph Smolic and R. Robert Umholtz. Absent: Kevin Potter.

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 JULY 11, 2016 COUNCIL MEETING:

Mr. Kirek moved to waive the reading of the minutes, with the second by Mr. Skrbis. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, as presented, with the second by Mr. Skrbis. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: KIREK, SCHULZ, SKRBIS, SMOLIC, UMHOLTZ AND EILERMAN. VOTING NAY: NONE).**

MINUTES OF THE JULY 18, 2016 SPECIAL COUNCIL MEETING:

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

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 was distributed earlier this month.

Chief Baumgart introduced Scott Daubenmire, noting that he will be sworn in tonight as a new part-time police officer. Chief Baumgart noted that Mr. Daubenmire is a sergeant for Mentor-on-the-Lake. Mayor Davidson administered the Oath of Office to Scott Daubenmire, and he received the applause and congratulations of all those present.

Service Administrator Carm Catania gave no formal report and no questions were asked of him.

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

Finance Director Keith Martinet advised that prior to the Council meeting he signed the Fiscal Officer's Certificates relating to Ordinance No. 16-O-33 and No. 16-O-34 and presented them to the Clerk of Council.

Law Director Daniel Richards did not present a formal report and no questions were asked of him.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Davidson stated that the City's income tax revenue increased by approximately 5.8 percent through August; he noted that it is a \$130,155 increase over the prior year. Mr. Martinet noted that part of the reason for the increase is that employers have to pay earlier because of a change in due dates. He also noted that the City did not have to pay large refunds yet this year.

Mayor Davidson stated that the residents, businesses and the City benefit from the construction of the Health Technologies Center at Lakeland Community College; he noted that the site work is being done by Mr. Excavator. The Mayor noted that taxes are collected on the wages paid in the City in which they are working.

Councilman Eilerman noted that RITA has not yet sent second quarter bills; he noted that his tax return has not yet been processed. He inquired whether this will negatively affect the City. Mr. Martinet noted that, under the new rules, if a taxpayer owes less than \$200 there is no requirement to pay quarterly. Mr. Martinet advised that he will follow up with RITA.

Councilman Smolic noted that Eagle Road looks fantastic; he inquired about the schedule for roads for the remainder of the year. The Mayor noted that he received a lot of positive comments about Eagle Road, and he commended the Service Department for a job well done. Mayor Davidson stated that the update will be included in the upcoming newsletter. The Mayor advised that Eagle Road West and Worrell Road will be the next connector roads to be done, then the budget will be reassessed along with the amount of time remaining this year to complete work.

Referring to e-mail correspondence he received from Councilman Smolic regarding Rockwood Drive, Mr. Catania stated that while they are waiting for the letter to proceed on Eagle Road West, there are a few small items that will be addressed; he noted that they should be on Rockwood toward the end of this week or beginning of next week to take care of patching.

Noting that he has received comments over the last year regarding the centerlines, Mayor Davidson stated that the Service Department, using equipment on hand and fabricating some additional equipment, patched the centerlines and sealed up the edges; he noted that they did a good job on the repair work. The Mayor stated that the centerline painting will be done as soon as possible. Responding to Councilman Schulz, Mayor Davidson stated that the edge lines were not included in the budget.

Councilman Eilerman stated that he has received inquiries about next year's schedule for road repaving. Mayor Davidson advised that the schedule will be done subsequent to the passage of the 2017 budget. The Mayor noted that the plan was aggressive this year; he noted that there is still patching and repair work that will be done this year.

Responding to an inquiry from Councilman Smolic regarding priority of roads for next year, Mayor Davidson stated that the roads will be re-evaluated next year, noting that the City reserves the right to change the priority of the list.

STANDING COMMITTEE REPORTS:

Councilman Smolic stated that the Safety (Police and Fire) Standing Committee will schedule a meeting to finalize the draft ordinance relating to dogs.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

ORDINANCE NO. 16-O-32 - **AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.**

(Mayor Davidson)

Read by title only and placed on First Reading.

ORDINANCE NO. 16-O-33 - **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,275,000 FOR THE PURPOSE OF REFUNDING FOR DEBT CHARGES SAVINGS CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE BONDS, SERIES 2006, DATED JULY 25, 2006, AND DECLARING AN EMERGENCY.**

(Mayor Davidson)

Read by title only and placed on First Reading.

ORDINANCE NO. 16-O-34 - **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 ACQUIRING AN AMBULANCE, INCLUDING RELATED EQUIPMENT AND APPARATUS, AND DECLARING AN EMERGENCY.**

(Mayor Davidson)

Read by title only and placed on First Reading. Finance Director Martinet requested that this Ordinance and the previous Ordinance be adopted at the next Council meeting.

ORDINANCE NO. 16-O-35 - **AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE TWO (2) NEW POWER COT AND LOAD SYSTEMS FOR USE BY THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.**

(Mayor Davidson)

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

NEW BUSINESS (continued):

RESOLUTION NO. 16-R-36
(Mayor Davidson)

- **A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW 2017 MCCOY MILLER MEDIUM DUTY AMBULANCE FOR USE BY THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.**

Read by title only and placed on First Reading.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Eilerman noted that a public hearing is scheduled this Thursday at the Willoughby Planning Commission meeting with regard to the skeet shooting at Kirtland Country Club. Mr. Eilerman noted that this will be an opportunity for attendees to speak; the meeting will be held at 7:00 p.m. in the lower level of the Civic Center building. Mr. Eilerman stated that there is not enough time for the recommended changes to be implemented before the upcoming season. He noted that one of the recommendations is to lower the firing range and install barriers, but that will not be done this year. Mr. Eilerman noted that Mr. Wynder (Church of Latter-day Saints) wrote a well worded and thorough letter to the Willoughby Mayor and Planning Commission, a copy of which was provided to Council members. Mayor Davidson advised that he hand-delivered a letter to the Willoughby Mayor's office, with a copy to the Council President; he noted that he will provide a copy to Council members.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Eilerman moved to adjourn, with the second by Mr. Kirek. The motion of Council passed by unanimous vote and the meeting adjourned at 7:37 p.m.

President of Council

Clerk of Council