

KIRTLAND CITY COUNCIL MINUTES

April 3, 2017

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, Robert Skrbis, Joseph Smolic and R. Robert Umholtz.

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

MINUTES OF THE MARCH 20, 2017 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 6/0/1 (VOTING YEA: POTTER, SCHULZ, SMOLIC, UMHOLTZ, EILERMAN AND KIREK. VOTING NAY: NONE. ABSTAINING: SKRBIS).**

MINUTES OF THE MARCH 20, 2017 COUNCIL MEETING:

Mr. Kirek moved to waive the reading of the minutes, with the second by Mr. Smolic. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, as presented, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: POTTER, SCHULZ, SMOLIC, UMHOLTZ, EILERMAN AND KIREK. VOTING NAY: NONE. ABSTAINING: SKRBIS).**

DEPARTMENT REPORTS:

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

Police Lieutenant Lance Nosse advised that the monthly report has been distributed.

Service Administrator Carm Catania advised that the work on Raccoon Hill Drive is progressing; he noted that the work on the north side is almost complete, although there was an issue on the south side. Councilman Potter inquired if the work is still within the budget. Mr. Catania advised that this project is funded by Lake County Stormwater Management, noting that additional funds are available if needed.

Councilman Schulz thanked Mr. Catania for the follow-up on the issue on Crary Road, noting that it has been resolved. Mr. Catania noted that Councilman Potter was involved in resolving that issue.

Councilman Schulz inquired if the flag banners that are displayed at the northeast corner of Route 6 and 306 are permitted. Mr. Catania stated that the flags are not permitted and that he will contact the property owner. Mr. Schulz stated that he noticed that the ice cream store on the southwest corner put a sign on the side of the building. Mr. Catania stated that he contacted the owner, and he has filed a zoning permit application, which is on the next Planning and Zoning Commission agenda.

Councilman Potter stated that a resident on Gildersleeve said that the garbage truck has shown up very early, before 6:00 a.m. Mr. Catania stated that if it seems to be happening regularly, the resident can call Waste Management; if they cannot get a satisfactory response, the resident can call him in this regard.

DEPARTMENT REPORTS (continued):

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

Finance Director Keith Martinet advised that after ten years in the Finance Department, Julie Loxterman will be moving out of the area; he noted that her replacement, Lisa Knazek, is currently receiving training. Mr. Martinet advised that Mrs. Loxterman's last day with the City is April 19.

Mr. Catania advised that Larry Spence is also retiring at the end of April; he has been with the City for over 30 years, and he will be missed.

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

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Davidson thanked Dave Hartt from CT Consultants for the work that he put into the housing survey, and the for the work that he and Mr. Richards put into the draft legislation. The Mayor noted that Councilman Eilerman and the Planning and Zoning Standing Committee, the Planning and Zoning Commission Chairman and the Board of Zoning Appeals Chairman will also provide assistance in completing the steps that need to be taken for the CRA. Mayor Davidson stated that the CRA should provide medium and long term solutions to the City's economic issues.

Mayor Davidson stated his thanks to Julie Loxterman and Larry Spence.

Councilman Smolic inquired about the plans for the roads. Mayor Davidson stated that he submitted an article to the Kirtland Chronicle for the upcoming issue; he noted that it addresses roads and the CRA, along with Chief Baumgart's retirement and Lieutenant Nosse's appointment. The Mayor noted that it is also posted on the City website. With regard to the road plan, the Mayor stated that if the receipts from income tax are better than anticipated, then additional work will be done. He noted that a more conservative approach was taken on the list this year with the expectation that the City will meet everything on the list. Councilman Smolic stated concern because Crestwood was not addressed last year and is not on the list for this year.

Councilman Potter inquired whether the Mayor's article addresses the Court's decision with regard to the Kirtland Country Club. Mayor Davidson stated that he did not address it in his article, noting that although it impacts Kirtland residents, the City of Willoughby is the proper venue. The Mayor stated that he is not happy with the outcome for the Kirtland residents.

STANDING COMMITTEE REPORTS:

Councilman Smolic thanked Mr. Umholtz and Mr. Richards for meeting to discuss amendments to the proposed ordinance for Chapter 618. Responding to Mr. Smolic, Mr. Richards advised that when the legislation is amended, it will revert to Second Reading; he noted that Council would have the option to waive the third reading. Mr. Smolic recommended that the legislation proceed to third reading before being passed, noting that he hopes to have an amended draft to Council in time for the next meeting. Mr. Umholtz noted that he will not be able to attend the April 17 Council meeting.

Councilman Eilerman noted that the Planning and Zoning Standing Committee will meet following the Council meeting to approve the minutes of the last meeting; he noted that another meeting will likely be scheduled for May 3 to discuss the CRA.

CORRESPONDENCE:

Council President Umholtz noted that Council members received a reminder regarding filing of the 2016 Financial Disclosure Statement, which must be filed by May 15, 2017.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Rich Lowery, 7917 Gildersleeve Drive, confirmed that the garbage trucks have been coming very early in the morning.

Mayor Davidson stated that School Superintendent Bill Wade and School Board President Tim Cosgrove are in attendance to address the upcoming Kirtland Schools levy renewal.

Tim Cosgrove, Kirtland School Board President, stated that Kirtland is a great community, noting that the Schools have appreciated the partnership and support of the City over the years. He noted that the community can be proud of the school system, with the leadership of Mr. Wade and the great teachers. Mr. Cosgrove stated that the Schools went to the community five years ago to ask for this new money and committed at that time to work very hard to be good stewards of the money. Mr. Cosgrove stated that the Schools have tried to be innovative, resulting in the ability to put more money in the classroom and invest in the number one priority, which is academic excellence and learning. Mr. Cosgrove stated that some of the things they have done to be more efficient include transitioning from a full-time treasurer to a part-time treasurer, outsourcing bus maintenance and cafeteria operations, elimination of a full-time facilities maintenance position in a cooperative agreement with Perry Schools, and elimination of a full-time position in the Board office replaced by a part-time position. Mr. Cosgrove stated that Mr. Wade is working to transform the school system and take it to the next level.

Bill Wade, Kirtland Schools Superintendent, stated that the Schools look forward to the continued relationship with the City. Mr. Wade spoke highly of the students and parents, noting that the graduating class completed more than 2600 hours of community service, most of which was in Kirtland. He noted that as of January, the middle school students completed 1300 hours of community service and the elementary school students raised \$16,000 to give back to the community. Mr. Wade stated that the Schools continue to have excellence in education, noting that the local report card was very strong this year in comparison to other schools in the area, and Kirtland exceeded state averages for schools of similar size and background. He stated that they continue to look for ways to cut costs, while remaining cutting-edge in the classroom. Mr. Wade stated that the Kirtland School system is able to provide the students with a lot of unique opportunities that are not available in many other school districts in Lake County. Mr. Wade noted that the students have the opportunity, grades K-12, to participate in art, music and physical education, noting that there are numerous sports activities for students in grades 7-12, with the support of the boosters. Mr. Wade noted that the schools also have a great relationship with the Kiwanis. Mr. Wade stated that they are asking for support on May 2 for Issue 1, which is a renewal levy with no tax increase; he noted that it accounts for approximately 16 percent of the total budget and is very important to maintain educational excellence. Mr. Wade thanked Council for the opportunity to speak and for their support.

Mr. Skrbis made a motion to support and endorse the upcoming Kirtland Schools renewal levy, Issue 1 on the May 2 ballot. Mr. Eilerman provided the second. Mr. Eilerman applauded the School Board for taking the lead on managing costs and setting a standard for the community. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: POTTER, SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN AND KIREK. VOTING NAY: NONE).**

OLD BUSINESS:

- ORDINANCE NO. 16-O-60** - **(Tabled) – AN ORDINANCE AMENDING CHAPTER 618 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO ANIMALS.**
- (Mayor Davidson)

The legislation remains tabled.

- RESOLUTION NO. 17-R-6** - **(Second Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; CAPITAL PROJECT FUND #300; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE MAY 31, 2017 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.**
- (Mayor Davidson)

Read by title only and placed on Second Reading.

NEW BUSINESS:

- RESOLUTION NO. 17-R-7** - **A RESOLUTION ADOPTING THE UPDATED LAKE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN, AND DECLARING AN EMERGENCY.**
- (Mayor Davidson)

Read by title only. Councilman Schulz inquired if this is a plan that is open to the public. Fire Chief Hutton replied affirmatively. The legislation was placed on First Reading.

- RESOLUTION NO. 17-R-8** - **A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW 2017 FORD F-150 4 X 4 PICK-UP TRUCK FOR USE BY THE 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. Eilerman. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: POTTER, SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN AND KIREK. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: POTTER, SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN AND KIREK. VOTING NAY: NONE).**

- RESOLUTION NO. 17-R-9** - **A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW 2017 FORD UTILITY POLICE INTERCEPTOR FOR USE BY THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.**
- (Mayor Davidson)

Read by title only. Councilman Eilerman inquired about the reason for the emergency. Mayor Davidson stated that the Chief's vehicle needs to be replaced; he noted that the intent of the Ford Utility Police Interceptor vehicle is that it can be used in the fleet if needed. The Mayor noted that the transition will be in June for his new designee for Chief, which is Lieutenant Nosse. Lieutenant Nosse advised that there are a few vehicles that are in very poor shape and costing the City a lot of money to maintain. He stated that the later the legislation is passed, the later the City will obtain the vehicle, possibly into November.

NEW BUSINESS – RESOLUTION NO. 17-R-9 (continued):

Mr. Kirek moved to waive the three readings, with the second by Mr. Eilerman. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: POTTER, SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN AND KIREK. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Potter. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: POTTER, SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN AND KIREK. VOTING NAY: NONE).**

RESOLUTION NO. 17-R-10
(Mayor Davidson)

- A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; GENERAL OBLIGATION BOND FUND #600; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE JUNE 15, 2017 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

Read by title only and placed on First Reading. Councilman Schulz inquired about an entry on Exhibit "A"; Finance Director Martinet advised that it is a typographical error and that he will correct it.

RESOLUTION NO. 17-R-11
(Mayor Davidson)

- A RESOLUTION ACCEPTING THE BID OF OSBORNE CONCRETE & STONE COMPANY FOR ROAD MATERIALS, AND DECLARING AN EMERGENCY.

Read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Skrbis. Councilman Smolic inquired if the tonnage is the same as last year and if the price is for material either picked up or delivered. Mr. Catania confirmed that the tonnage bid is the same; he noted that whether it is picked up or delivered depends on the situation. Mr. Smolic inquired how much tonnage was used last year. Mr. Catania stated that he will look that up that figure and provide it by e-mail. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: POTTER, SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN AND KIREK. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Skrbis. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: POTTER, SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN AND KIREK. VOTING NAY: NONE).**

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Schulz inquired about the time for the meeting to be held on April 29. Mayor Davidson advised that it will be a four-hour work session for the Finance Committee (Council as a Whole), noting that he and Finance Director Martinet will be present. The Mayor noted that it is important to look at revenue streams and near-term challenges. The Mayor advised that the Community Room at the Kirtland Public Library has been reserved; he believes it is from 8:00 a.m. until noon, but he will confirm the time.

COUNCIL COMMENTS (continued):

Councilman Skrbis advised that this afternoon, with the Mayor, Chief Baumgart and Lieutenant Nosse, he attended the Rotary State of the Cities' Address. Mr. Skrbis stated that the Mayor did a great job giving a high-level overview of what the City is up against; he noted that there was good attendance and there is cohesiveness among neighboring mayors.

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 7:47 p.m.

President of Council

Clerk of Council