

KIRTLAND CITY COUNCIL MINUTES

September 18, 2017

The meeting of Kirtland City Council was called to order at 7:17 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: David Kirek, Kevin Potter, Matthew Schulz, Robert Skrbis, Joseph Smolic and R. Robert Umholtz. Absent: Kevin Eilerman.

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 Police Chief Lance Nosse.

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Council President Umholtz requested that Council rules be suspended to proceed with the swearing-in of two police officers. Mr. Kirek so moved, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: KIREK, POTTER, SCHULZ, SKRBIS, SMOLIC AND UMHOLTZ. VOTING NAY: NONE).**

Mayor Davidson requested that Victoria Marie Godfrey come forward, and he administered the Oath of Office. Chief Nosse stated that Ms. Godfrey has been with the City of Kirtland for 4-1/2 years as a dispatcher, and she has done good work for the City. Chief Nosse presented her with her badge and duties, and Officer Godfrey received the applause and congratulations of all those present.

Mayor Davidson requested that Brian Michael O'Toole come forward, and he administered the Oath of Office. Chief Nosse stated that Mr. O'Toole is also a full-time police officer with the Village of Fairport Harbor, and he sought out the City of Kirtland. Chief Nosse presented him with his badge and official orders, and Office O'Toole received the applause and congratulations of all those present.

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MINUTES OF THE AUGUST 28, 2017 FINANCE COMMITTEE 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 (VOTING YEA: KIREK, POTTER, SCHULZ, SKRBIS, SMOLIC AND UMHOLTZ. VOTING NAY: NONE).**

MINUTES OF THE SEPTEMBER 6, 2017 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 5/0/1 (VOTING YEA: KIREK, POTTER, SKRBIS, SMOLIC AND UMHOLTZ. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

MINUTES OF THE SEPTEMBER 6, 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 5/0/1 (VOTING YEA: KIREK, POTTER, SKRBIS, SMOLIC AND UMHOLTZ. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

DEPARTMENT REPORTS:

Police Chief Lance Nosse did not present a formal report. He thanked Council for taking time out of the meeting to swear-in the new police officers.

Councilman Schulz inquired if the accident injuries in the monthly report were in various locations in the City. Chief Nosse stated that the majority of the accidents that occur are on Route 6 and Tibbetts Road; he noted that accidents also occur more frequently at the top of the hill where there is more traffic, near Clocktower Drive.

Service Administrator Carm Catania did not present a formal report. Responding to Councilman Smolic regarding the roads, Mr. Catania stated that he is in the process of getting figures together and he will meet with the Mayor to see what can be accomplished with the remaining budget funds.

Councilman Potter inquired about the funding for the work on Eagle Road west. Mr. Catania advised that it was an Issue 2 project.

Martha Stankewicz of 7981 Pinehurst Drive inquired if Pinehurst is on the list. Mr. Catania stated that he will discuss this with the Mayor; he noted that at the very least the road will be made smooth to get through the winter. Mayor Davidson stated that contingent on funds being available and the quotes that come in, he anticipates base repair, grinding to provide a level surface and chip and seal this year; and hot mix asphalt will be put down next year. The Mayor stated that he also anticipates the installation of a sidewalk from Russellhurst to Pinehurst, which is under a separate budget; he noted that he believes it will be a well used asset for Pinehurst.

Councilman Potter inquired about Arborhurst and Singlefoot, noting that funds have been borrowed and saw-cutting was done earlier in the year. Mr. Catania stated that it will most likely be early next year before those streets can be addressed; he noted that the costs have increased from what was planned. Mr. Catania stated that he is trying to save the curb, which will save a great deal of money. Mr. Potter inquired if there are any concerns since the road has been separated from the curb. Mr. Catania stated that it will not have much impact, noting that it is a small saw-cut; he noted that it will be a good test of the curb since it is isolated.

Responding to Councilman Smolic regarding Pinehurst, Mr. Catania stated that after a contractor mills it, the City would do whatever base repair is necessary, then a contractor would do the chip and seal. Mr. Catania stated that after September 15, ODOT does not recommend putting a seal coat on the chip and seal. Councilman Smolic inquired if it would be better to wait until spring to do the chip and seal and paving concurrently. Mr. Catania stated that on Pinehurst and Woodcroft, all the asphalt will not be taken out, it will be only the wearing course (top two inches); he noted that any loose aggregate will be noticed in the first few weeks and can be swept off. Mr. Catania stated that the purpose of the chip and seal is to seal and protect the road; then it can be resurfaced in the spring.

City Engineer Philip Kiefer did not present a formal report. Responding to Councilman Smolic regarding Raccoon Hill, Mr. Kiefer stated that the contractor is done. Mr. Smolic inquired about the funding and the total cost of the project. Mayor Davidson noted that those documents were previously provided at Mr. Smolic's request.

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

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

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Davidson did not present a formal report. Councilman Potter inquired whether Council will be notified prior to the next meeting regarding the status of the road levy funds and remaining paving to be done this year. Mayor Davidson stated that the City will likely proceed with getting the best bid and moving forward in a timely manner. He noted that this will be revisited to determine a plan for next year.

Responding to Councilman Smolic, Mayor Davidson stated that he asked the Finance Director and Service Administrator to determine the funds remaining in the budget for road paving to determine how much can be done this year on Pinehurst and Woodcroft.

Mr. Smolic inquired if there will be any carry-over on the road levy funds going into next year. Mr. Martinet stated that the plan is to use the money every year and not have large carry-overs.

STANDING COMMITTEE REPORTS:

Councilman Schulz stated that he would like to hold a Service Department Standing Committee meeting following the next Council meeting to discuss the outcome, challenges and costs of this year's paving program. He requested that Council members provide him with their questions by September 25, and he will compile them and turn them over to the Mayor, Finance Director and Service Administrator in advance.

CORRESPONDENCE:

Council President Umholtz reported on the following:

1. Notification of Ohio Municipal League's annual conference to be held November 1 through November 3.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

ORDINANCE NO. 17-O-25
(Mayor Davidson)

- (Tabled) - AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF THE NORTH ROUTE 306 CORRIDOR COMMUNITY REINVESTMENT AREA IN THE CITY OF KIRTLAND, OHIO, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVE REVIEW COUNCIL.

There was discussion regarding the possibility of removing the legislation from the table and making amendments. Law Director Richards advised that it would be beneficial to have a better understanding of the amendments being considered before proceeding. Mr. Potter moved to remove the legislation from the table, with the second by Mr. Schulz.

OLD BUSINESS – ORDINANCE NO. 17-O-25 (continued):

In discussion, Mr. Skrbis inquired whether there should be a draft of the proposed amendments before this is removed from the table and considered for amendment. It was noted that the intent is to remove the residential component from the legislation for both CRA areas and draft separate legislation for residential. Mr. Potter stated that there also seemed to be agreement to change the commercial/industrial abatement period from 5 years to 12 years for existing and 15 years for new construction. Following discussion, Council members agreed that it would be helpful to have the proposed amendments in writing before taking any action to amend the legislation.

Council President Umholtz requested that Mr. Skrbis and Mr. Potter meet with Mr. Richards prior to the next Council meeting to discuss the proposed amendments and put together a draft amendment. Mr. Potter withdrew his motion to remove from the table, and Mr. Schulz withdrew his second.

The legislation remains tabled.

ORDINANCE NO. 17-O-26 - (Tabled) - AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF THE SOUTH ROUTE 6 CORRIDOR COMMUNITY REINVESTMENT AREA IN THE CITY OF KIRTLAND, OHIO, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVE REVIEW COUNCIL.
(Mayor Davidson)

Council President Umholtz stated that this legislation will receive the same action as noted for the previous Ordinance. The legislation remains tabled.

RESOLUTION NO. 17-R-31 - (Second Reading) - A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO EPA TO PARTICIPATE IN THE SECTION 319 (h) NONPOINT SOURCE IMPLEMENTATION GRANT REGARDING THE EAST BRANCH CHAGRIN RIVER STREAMBANK STABILIZATION PROJECT, AND DECLARING AN EMERGENCY.
(Mayor Davidson)

Read by title only and placed on Second Reading.

NEW BUSINESS:

RESOLUTION NO. 17-R-32 - A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.
(Mayor Davidson)

Read by title only. Finance Director Martinet advised that the readings need to be waived, noting that the legislation must be submitted to the County by October 2. Mr. Skrbis moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: KIREK, POTTER, SCHULZ, SKRBIS, SMOLIC AND UMHOLTZ. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Schulz. Mr. Schulz had an inquiry regarding Schedule B,

NEW BUSINESS – RESOLUTION NO. 17-R-32 (continued):

which was clarified by the Finance Director. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: KIREK, POTTER, SCHULZ, SKRBIS, SMOLIC AND UMHOLTZ. VOTING NAY: NONE).**

RESOLUTION NO. 17-R-33
(Mayor Davidson)

- **A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE NOVEMBER 30, 2017 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.**

Read by title only and placed on First Reading.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Skrbis thanked the Kirtland Schools representatives for attending the meeting and work session, noting that he also attended their meeting at 7:30 this morning.

Councilman Schulz announced that Adam Scerenka is involved with Boy Scout Troop 286, and he just achieved the honor of Eagle Scout. Mr. Schulz stated that Troop 286 has a long history of promoting Eagle Scouts.

Councilman Potter also thanked the School Board members and Superintendent Wade for the meeting this morning to discuss the CRA, along with health care costs. Mr. Potter stated that the meeting was informative and he would like to have more of that discussion leading to the City’s budget process.

PUBLIC COMMENTS:

Sterling Coleman, 7636 Markell Road, addressed Council with regard to the new culvert on Markell Road. Mr. Coleman stated that following a rainstorm two weeks ago, the culvert failed and the whole street and his driveway were covered with silt. Mr. Coleman stated that the surge that comes down the hillside from a big storm cannot be handled by the culvert. Mr. Coleman stated that he cleaned up the street, which was covered with large rocks and chunks of wood. Mr. Catania advised that he will stop at Mr. Coleman’s house tomorrow in this regard.

ADJOURNMENT:

Mr. Potter moved to adjourn, with the second by Mr. Kirek. The motion of Council passed by unanimous vote and the meeting adjourned at 7:54 p.m.

President of Council

Clerk of Council