

KIRTLAND CITY COUNCIL MINUTES

December 18, 2017

The meeting of Kirtland City Council was called to order at 7:15 p.m. by Council President Kevin Potter. Mr. Schulz led the prayer which followed the Pledge of Allegiance. The members of Council present were: David Kirek, John Lesnick, Richard Lowery, Kevin Potter, Matthew Schulz, Robert Skrbis and Joseph Smolic.

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

MINUTES OF THE DECEMBER 4, 2017 COUNCIL MEETING:

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

MINUTES OF THE DECEMBER 1, 2017 ORGANIZATIONAL MEETING:

As the minutes were inadvertently not listed on the agenda, Mr. Skrbis moved to add the December 1, 2017 Organizational Meeting minutes to the agenda, with the second by Mr. Lowery. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).** Mr. Schulz moved to waive the reading of the minutes, with the second by Mr. Lowery. The motion of Council passed by unanimous vote. Mr. Schulz moved to approve the minutes, with the second by Mr. Lowery. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).** Council President Potter noted that the reference to Chief Baumgart on page 1 should be corrected to Chief Nosse.

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton did not present a formal report. Councilman Lesnick inquired whether there have been any significant events in the past couple weeks. Chief Hutton stated that there was a large fire during the last Council meeting at the auto salvage facility on Garfield Road, noting that several cars burned. The Chief stated that automatic aid was provided from other municipalities; and he noted that Kirtland responded with automatic aid to several fires in other communities. Councilman Lowery inquired if this was the second fire at that facility in the last year. Chief Hutton responded affirmatively, noting that both fires were accidental. Chief Hutton stated that they use torches for cutting into vehicles, and it was very windy on the night of the recent fire. He noted that there are no fuel tanks in the majority of the vehicles. Mr. Lesnick inquired if there is something the Fire Department can do to prevent recurrence. Chief Hutton stated that they spoke with the owner regarding proper techniques and codes, and they also discussed making access paths. He noted that there is a dyke that prevents runoff from getting into the river.

RETURN TO MINUTES OF THE DECEMBER 1, 2017 ORGANIZATIONAL MEETING:

Noting that Council President Potter mentioned a correction to the minutes, Mr. Skrbis made a motion to reconsider the approval of the minutes. Mr. Lesnick provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).**

RETURN TO MINUTES OF THE DECEMBER 1, 2017 ORGANIZATIONAL MEETING (continued):

Mr. Skrbis moved to amend the minutes to correct the reference on page 1 from Chief Baumgart to Chief Nosse. Mr. Lesnick provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).** Mr. Skrbis moved to approve the minutes as amended, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).**

RETURN TO DEPARTMENT REPORTS:

Police Chief Lance Nosse wished everyone a Merry Christmas. He noted that the Police Department has been accepted and passed their certification process through the State of Ohio for the Ohio Collaborative. Chief Nosse advised that the Collaborative is a panel throughout the State of Ohio that regulates some of the policies and procedures related to use of force, hiring practices, dispatch centers and things of that nature. Chief Nosse stated that the Department submitted the application and had to do several things to comply with the State, noting that he is proud of the Department for their hard work.

Chief Nosse stated that the Police Department also participated in the “shop with a cop” program for the residents, noting that 11 children participated. Chief Nosse stated that a luncheon was held yesterday with children and family members, noting that the children were able to visit with Santa. The Chief thanked the Mayor and the City for allowing the Department to participate.

Councilman Lowery inquired whether anyone has used the City Hall lobby as a safe exchange location. Chief Nosse stated that nobody has approached the Police Department window to advise that they were conducting an exchange, although there have been a couple people utilizing the lobby for child exchanges. Chief Nosse noted that Council Chambers will be locked, noting that the Police Department will unlock the doors if Council needs access. The Chief noted that the purpose of locking the doors is to assure that it is a safe and secure area for transactions to be handled only in the lobby directly under the cameras, and they also have a direct line of sight to the lobby.

Councilman Lowery stated that for the last month he has noticed a 40 ft. semi-truck parked overnight on the southeast corner of the Route 6 and 306 intersection; he inquired if the Police Department has received any complaints. Chief Nosse stated that they have received complaints, noting that there was some question regarding who owns the property; he stated that he recently learned that it is not owned by Circle K, although they gave authorization for the driver to park there, believing that they had a right to do so. Chief Nosse stated that the Department is taking measures to resolve this.

Service Administrator Carm Catania did not present a formal report; he wished everyone a Merry Christmas.

Councilman Schulz inquired about the salt supply and the price of salt this season. Mr. Catania stated that the price of salt decreased by approximately \$9.00 per ton this year, noting that the City is paying \$26 per ton this year, and it was \$35 per ton last year. Mr. Catania stated that the supply is good, noting that he will not need to buy additional salt until after the first of the year. Mr. Catania stated that last week the ice hit the City very quickly, noting that he and another driver were stuck in traffic trying to reach the Route 306 hill. Mr. Catania stated that the night shift is now scheduled, noting that it was not yet scheduled when the ice storm hit.

Councilman Lowery publicly thanked the Service Department workers for the great job they do.

DEPARTMENT REPORTS (continued):

Councilman Schulz stated that he has been in contact with someone at the Central Office to have a roadway temperature puck installed at the I-90 interchange, noting that the City can piggyback on their system to get pavement temperatures; he noted that he is also trying to cajole one at the bottom of the hill at Route 615 and 306. Mr. Schulz stated that it would provide a real-time temperature of the pavement surface, to allow the City to react more quickly.

Mr. Catania stated that there have been complaints about the Route 6 bridge over the East Branch; he noted that the bridge was overlaid a few years ago, and some patching has been done. He stated that the potholes are not deep, but the City has been continually patching them. Mr. Catania stated that he has been in contact with ODOT and they will send someone out to look at it, although nothing will be done this winter.

Councilman Smolic inquired if the City has a sufficient supply of salt. Mr. Catania stated that there is approximately 3500 tons in the salt bin, which is sufficient for a normal season; he stated that the supply will be fine until after the first of the year. Mr. Smolic inquired how often the salt bin is filled in a bad weather year. Mr. Catania stated that he typically orders more salt once the bin is half full.

With regard to the issues a couple weeks ago on the Route 306 hill, Councilman Lesnick inquired if there was a reason for the issues, since the Department usually does a great job with the roads. Mr. Catania stated that the biggest reason was that the Department was not yet on normal hours for the night shift, and the ice came down very quickly. Answering Mr. Lesnick, Mr. Catania stated that the pavement thermometers (mentioned by Mr. Schulz) would be very helpful. Mr. Catania noted that the Department has temperature guns that they use for paving, but the temperature pucks will provide a better reading.

Councilman Smolic inquired whether the City uses any brine for pre-salting. Mr. Catania advised that the City does not have a system for using brine. Mr. Catania stated that the brine can be purchased through ODOT, and that the machinery costs approximately \$35,000; he noted that it is very corrosive for vehicles.

City Engineer Philip Kiefer did not present a formal report. He wished everyone a Merry Christmas.

Mayor Davidson requested that Mr. Kiefer provide a status update regarding inspection of systems in the old village and the anticipated public hearing in January. Mr. Kiefer stated that he and Mr. Catania met with the Lake County Health Department and the Lake County Department of Utilities regarding the septage going into the creek at the end of Maple Street. Mr. Kiefer stated that they have finished televising the sewer that runs between Maple and Joseph, and they found a lot of connections where they believe septic tanks are illegally connected to a storm sewer. Mr. Kiefer stated that the County is putting together a report and will schedule a public meeting with the neighborhood in January or February to begin discussion of the severity of the problem and possible solutions. Mr. Kiefer stated that he will update his monthly report as more information is forthcoming. Council President Potter inquired how many houses are involved. Mr. Kiefer stated that he believes there are at least 30 connections that are probably coming from septic systems, noting that one or two are discharging on any given day.

Councilman Smolic inquired if it was an odor that led to the discovery. Mr. Kiefer advised that under an EPA mandate, the Health Department inspects all the storm sewer outfalls periodically, at least once every five years, and they found one flowing with an odorous fluid.

Councilman Lesnick inquired how the septic water gets into the storm sewers. Mayor Davidson stated that they are illicit discharges, noting that the old village was put in before zoning and before the permit process was established, so there are a lot of different configurations. The Mayor stated that it is an important issue and he wanted Council to be aware, noting that he will make sure Council receives further information as the City receives it.

DEPARTMENT REPORTS (continued):

Finance Director Keith Martinet wished everyone a happy holiday. Mr. Martinet stated that he prepared the November financial statements today, noting that they will be distributed tomorrow. Mr. Martinet stated that he is looking at ways to put more information on the website and to make it available to Council, noting that the reports will be summarized. He stated that the Finance Department is working on end-of-year tasks and completing the budget. Councilman Lowery thanked Mr. Martinet for his efforts in summarizing the reports to make them more understandable to the public and to Council members.

Law Director Daniel Richards did not present a formal report. Mr. Richards extended his best wishes for the season's greetings and a happy new year.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Davidson wished everyone a Merry Christmas.

The Mayor advised that he attended a pavement technology conference with the Road Supervisor and a lead man from the Service Department; he noted that it provided exposure to more data-driven processes. He thanked Councilman Schulz for making the City aware of the clinic, which included construction companies and software data companies. The Mayor noted that it will provide information for future road studies.

With regard to the recent incident with snow and ice, the Mayor stated that non-emergency calls for the Police Department, such as road conditions, should not be made to the 911 number, but the 256-3333 number should be called. Noting that there is often one person in Dispatch, the Mayor stated that they cannot respond to an emergency call if the emergency lines are tied up with people reporting bad road conditions. On a positive note, Mayor Davidson stated that during the storm, motorists that were unable to get up the hill pulled into the Mormon Church parking lot, and folks from the Visitors Center went to each vehicle and invited people to come in and warm up until the salt trucks were able to get through.

Mayor Davidson noted that work is continuing on the budget.

STANDING COMMITTEE REPORTS:

Councilman Smolic noted that a meeting of the Planning and Zoning Standing Committee will be held following the regular Council meeting.

CORRESPONDENCE:

Council President Potter reported on the following:

1. Memo dated December 5, 2017 from Planning and Zoning Commission Chairman Michael Denk regarding registration of rental properties. Mr. Potter noted that there will likely need to be some discussion in this regard. Councilman Schulz noted that this was sent to Planning and Zoning following a conversation he had with Mr. Eilerman about auditing who is living in the City and the businesses that are in the City. Mr. Schulz stated that the County has a rental registry, which is non-mandatory; he noted that Mr. Eilerman asked Planning and Zoning to look into this. Mr. Schulz stated that he believes this is a question for the new Planning and Zoning Standing Committee, noting that there was interest in determining the number of rental properties in Kirtland and whether they should register. Council President Potter referred the matter to the Planning and Zoning Standing Committee. Responding to an inquiry from Councilman Lesnick, Mr. Richards advised that there are exterior maintenance ordinances that apply to all properties, but they are not specific to rental properties.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

ORDINANCE NO. 17-O-36 - (Tabled) - AN ORDINANCE AMENDING SECTION 1268.04(d) OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO OFF-STREET PARKING IN RESIDENTIAL DISTRICTS.
(Council President Umholtz)

The legislation remains tabled.

ORDINANCE NO. 17-O-39 - (Third Reading) - AN ORDINANCE DESIGNATING FINANCIAL INSTITUTIONS AS PUBLIC DEPOSITORIES.
(Mayor Davidson)

Read by title only. Mr. Schulz moved to adopt, with the second by Mr. Lesnick. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).**

ORDINANCE NO. 17-O-40 - (Third Reading) - AN ORDINANCE PROVIDING TEMPORARY APPROPRIATIONS FOR THE THREE-MONTH PERIOD ENDING MARCH 31, 2018.
(Mayor Davidson)

Read by title only. Mr. Schulz moved to adopt, with the second by Mr. Skrbis. Councilman Lesnick inquired if the appropriations are more or less than the last years' average temporary appropriations. Mr. Martinet advised that the numbers are exactly the same as last year, but he did not have the numbers for the prior years for comparison.

Mr. Lesnick inquired why the appropriations are for three months rather than month-to-month. Noting that the City is required to pass the appropriation by March 31, Mr. Martinet stated that the temporary appropriation allows the City time to present the budget and for Council to approve the budget. Mr. Lesnick inquired if this would be unnecessary in the future if the budget was approved before the end of the year. Mr. Martinet replied affirmatively.

Voting began on the motion to adopt. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).**

NEW BUSINESS:

RESOLUTION NO. 17-R-51 - A RESOLUTION ESTABLISHING STANDING COMMITTEES OF COUNCIL, AND DECLARING AN EMERGENCY.
(Council President Potter)

Read by title only. Mr. Skrbis moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 6/1 (VOTING YEA: KIREK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: LESNICK).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Lowery. Councilman Lesnick inquired about the purpose of waiving the three readings and adopting as an emergency. Council President Potter advised that the Committees need to be in order so they can meet and start working on any issues.

NEW BUSINESS – RESOLUTION NO. 17-R-51 (continued):

Noting that Council President Potter put together a good designation of committees, Mr. Skrbis stated that he had requested to be placed on the Police and Fire Standing Committee, and he thanked Mr. Kirek for allowing him to take his place on that Committee.

Councilman Lesnick stated that although these committees are defined in the Ordinances, he inquired about oversight for other departments and commissions. Council President Potter noted that special committees can be appointed if necessary.

Voting began on the motion to adopt. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).**

ORDINANCE NO. 17-O-52 - **AN ORDINANCE AMENDING ORDINANCE NO. 17-O-4 (Mayor Davidson)** **RELATING TO THE APPROPRIATION FOR THE YEAR 2017.**

Read by title only. Mr. Skrbis moved to waive the three readings, with the second by Mr. Schulz. Responding to an inquiry from Mr. Skrbis, Mr. Martinet advised that the legislation does not need to be an emergency because it relates to appropriation of money; he advised that the three readings need to be waived. Responding to Councilman Lesnick's inquiry about the need to waive the three readings, Mr. Martinet stated that it is difficult to have accurate numbers until it is near the end of the year, because the budget is tight. Mr. Martinet stated that to provide for three readings, the legislation would have to be prepared in the beginning of November, with two months left in the year. Discussion ensued.

Voting began on the motion to waive the three readings. **ROLL CALL: MOTION CARRIED 5/2 (VOTING YEA: KIREK, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: LESNICK AND LOWERY).** Mr. Schulz moved to adopt, with the second by Mr. Smolic. **ROLL CALL: ADOPTED 5/2 (VOTING YEA: KIREK, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: LESNICK AND LOWERY).**

ORDINANCE NO. 17-O-53 - **AN ORDINANCE LEVYING LIENS FOR DELINQUENT (Mayor Davidson)** **SANITARY SEWER CHARGES, AND DECLARING AN EMERGENCY.**

Read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Skrbis. Councilman Lesnick inquired about the need for an emergency. Mr. Martinet stated that certified letters are sent to property owners with delinquencies, advising that if they do not pay the balance due it will be placed on their tax duplicate. Mr. Martinet noted that the Finance Office gives the property owners as much time as possible to pay, but the Resolution must be submitted to the County by the end of the year. Mr. Martinet confirmed Mr. Lesnick's comment that although the Ordinance provides that the City can place these amounts on the tax duplicate, a Resolution must be sent to the County. Councilman Schulz inquired when the certified letters are sent to the property owners. Mr. Martinet advised that the certified letters are sent in November, noting that the property owners receive a bill every quarter that also shows the previous amount due, and if they are behind at the time of the fourth quarterly billing, a certified letter is sent.

Voting began on the motion to waive the three readings. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Lesnick. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).**

NEW BUSINESS (continued):

RESOLUTION NO. 17-R-54 - **A RESOLUTION CONFIRMING THE APPOINTMENT OF RONALD E. FENSTERMAKER TO THE BOARD OF ZONING APPEALS, AND DECLARING AN EMERGENCY.**
(Mayor Davidson)

Read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Kirek. Responding to an inquiry from Councilman Lesnick, Mayor Davidson advised that the position was advertised on the City website, noting that there was one response; that gentleman has accepted an appointment by Mr. Kirek to the Fiscal Review Task Force. Mayor Davidson stated that he believes Mr. Fenstermaker will make a fine Board of Zoning Appeals member. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).**

RESOLUTION NO. 17-R-55 - **A RESOLUTION ESTABLISHING A WAGE AND FEE ARRANGEMENT WITH DANIEL F. RICHARDS AS LAW DIRECTOR OF THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.**
(Mayor Davidson)

Read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Kirek. Responding to an inquiry from Councilman Smolic regarding billing hours, Mr. Richards advised that this takes into account his office overhead, noting that he does not maintain an office at the City facilities. He stated that it takes into account a secretarial position, the position of City Prosecutor and the position of Assistant Law Director who attends Planning and Zoning and Board of Zoning Appeals meetings. Mr. Richards noted that this represents a 2-1/2 percent increase over the previous year's income, in keeping with other City officials. Mr. Richards stated that he does not believe he has ever billed the City for hours, although there are matters that are in litigation.

Voting began on the motion to waive the three readings. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Lowery. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).**

RESOLUTION NO. 17-R-56 - **A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW CASE MODEL 521G WHEEL LOADER FOR USE BY THE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.**
(Mayor Davidson)

Read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Kirek. For the benefit of the public present, Councilman Smolic requested that Mr. Catania explain the need for the loader. Mr. Catania stated that the City's current loader was purchased in 1998 and needs to be replaced; he noted that through the purchasing program prices were obtained from three manufacturers. Mr. Catania stated that the 20-year old loader and a 40-year old road grader will be traded in, noting that the City received a decent trade-in price. Mr. Catania stated that this machine is very important for the safety of the travelling public in Kirtland; he noted that it is used to load the trucks with salt, and it is used for other purposes throughout the year. Responding to Mr. Lowery, Mr. Catania stated that the loader is quite old, and if it broke down it would take a long time to load salt into the trucks with a backhoe.

Responding to Councilman Lowery, Mr. Catania stated that this will be a lease-purchase, with a \$1.00 buyout at the end of five years. Councilman Lesnick commended Mr. Catania for his work in putting this information together with the three bids and the negotiating.

NEW BUSINESS – RESOLUTION NO. 17-R-56 (continued):

Voting began on the motion to waive the three readings. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Lesnick. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).**

RESOLUTION NO. 17-R-57
(Council President Potter)

- **AN ORDINANCE AMENDING CHAPTER 1292 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO WIRELESS COMMUNICATION FACILITIES, AND DECLARING AN EMERGENCY.**

Read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Kirek. In discussion, Councilman Lowery inquired about the need for an emergency. Council President Potter noted that some of the changes give the Planning and Zoning Commission the ability to approve a communications tower inside of the 1/2-mile separation that currently exists, and make that recommendation to Council. Mr. Kiefer confirmed that a new cell tower requires the approval of City Council.

Councilman Schulz inquired about the status of negotiations for the proposed new tower. Mayor Davidson stated that at the suggestion of Council, discussions began with the company, and the City ensured that the correct process was followed. The Mayor noted that due to weather conditions, the applicant was unable to make it to the scheduled Board of Zoning Appeals meeting (a variance was requested from the 1/2-mile separation requirement). The Mayor noted that the Ordinance amendment provides another opportunity to address the issue. Mayor Davidson stated that the proposed new tower is being pursued because Council asked the Administration to pursue it; he noted that the tower will come before Council for approval. The Mayor noted that the revenue will be a benefit to the City over the years. He noted that this legislation is an opportunity for Council to expedite the process for the new tower.

Councilman Skrbis stated that the request to pursue the new tower came from Council, noting that the tower would likely be located somewhere else in the City, and the City would have lost the potential revenue. Mr. Skrbis clarified the procedure that must be followed, noting that the proposed placement of the tower on City Hall property will provide the City with added revenue.

Voting began on the motion to waive the three readings. **ROLL CALL: MOTION CARRIED 6/1 (VOTING YEA: KIREK, LESNICK, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: LOWERY).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Smolic. It was noted for clarification that the tower will still need to come before City Council for approval. **ROLL CALL: ADOPTED 6/1 (VOTING YEA: KIREK, LESNICK, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: LOWERY).**

CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

With regard to the 2018 budget, Councilman Smolic inquired if Council will see a road plan ahead of the budget. Mayor Davidson stated that the Administration will work to have a road plan to Council as soon as possible.

COUNCIL COMMENTS (continued):

Mayor Davidson stated that the City is looking at two vendors to provide metrics on the condition of the roads, which will help in the decision-making process. The Mayor noted that the condition, age and construction of roads is already in a spreadsheet for their analysis. The Mayor noted that it will help inform the public regarding priority of roads.

Councilman Lesnick inquired about a time frame for the budget. Mayor Davidson stated that the first meetings with Department Heads have been held. Mr. Martinet stated that the budget will receive three readings, noting that it must be adopted by the end of March. Mr. Martinet noted that the budget will be provided to Council in early February. Mr. Lesnick inquired about the possibility of passing the budget before the end of the year, going forward. There was discussion, and the Mayor noted that the variance in the budget would be much larger. Mr. Martinet stated that the budget would need to be separated from the appropriations.

Councilman Skrbis suggested that Council members review the budgets from recent years; he noted that it would be helpful to schedule a work session before the new budget is submitted to Council.

Council President Potter thanked the Mayor, Department Heads, Council members and the Clerk of Council for all their hard work. He wished a Merry Christmas and Happy New Year to all those present.

Council President Potter announced that a Planning and Zoning Standing Committee work session will be held in Council Chambers following the regular meeting.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Lowery moved to adjourn, with the second by Mr. Lesnick. The motion of Council passed by unanimous vote and the meeting adjourned at 8:34 p.m.

President of Council

Clerk of Council