

KIRTLAND CITY COUNCIL MINUTES

December 16, 2019

The meeting of Kirtland City Council was called to order at 7:05 p.m. by Council President Richard Lowery. Mr. Schulz led the prayer which followed the Pledge of Allegiance. The members of Council present were: Scott Haymer, John Lesnick, Richard Lowery, Jeffrey Ruple, Matthew Schulz, Joseph Smolic and Kelly Wolfe.

Administrative personnel present were: Mayor Kevin Potter, Law Director Daniel Richards, Assistant Finance Director Louis Slapnicker, City Engineer Philip Kiefer, Service Administrator Duane Martz, Police Chief Lance Nosse and Fire Chief Anthony Hutton.

MINUTES OF THE DECEMBER 2, 2019 COUNCIL MEETING:

Mr. Schulz moved to waive the reading of the minutes, with the second by Mr. Lesnick. The motion of Council passed by unanimous vote. Mr. Lesnick requested a change to the portion of the minutes in the second to last paragraph under "Correspondence" concerning the request from the Ohio Division of Liquor Control for a new liquor permit for Mike's Market; this should be corrected to state the request relates to issuing permits of a specific type, and not for the beverage center that was across the street. Mr. Schulz moved to approve the Minutes, as corrected, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton wished all a Merry Christmas and Happy New Year. He reported Santa Claus had been safely delivered to City Hall the previous Saturday, to the joy of many happy children. He noted that Jenna Hull did a good job setting up the event. He noted that the Fire Department also escorted the football team into Kirtland at 12:45 a.m.

Chief Hutton reported there have been a lot of EMS and fire calls recently, keeping the department busy. A few weeks ago there were quite a few vehicle crashes, and everything was handled well. The past Friday, the Fire Department competed in the Hoops for Heroes basketball game. While they didn't win the tournament, all had a good time.

Responding to Councilman Schulz regarding a recent HAZMAT investigation, Chief Hutton explained that a HAZMAT situation could be anything from a gas leak to something more serious. He noted he would have to look into it to determine the situation.

Police Chief Lance Nosse wished everyone a happy and safe holiday season. Chief Nosse stated the Police Department escorted Santa on Saturday in front of the Fire truck. Chief Nosse said he and his department thoroughly enjoyed the Hoops for Heroes basketball game, and another competition will be planned, possibly in early spring.

Chief Nosse said the Police Department had their 4th Annual "Shop with a Cop" event on Sunday, which was a great event. Eighteen children and their families were sponsored to come to the event, which included pizza and mac-n-cheese, and Santa delivering toys. Chief Nosse recognized Dollar General, noting that they and other businesses donated toys. Everyone had a good time, including nine residents from Kirtland Rehab that were present for a field trip day. The Chief credited Sergeant Valenti for spearheading the event, along with the Thanksgiving dinners.

DEPARTMENT REPORTS (continued):

Chief Nosse reported on traffic enforcement, noting that his department has been as proactive as possible, which has caused a slight increase in citations issued. It is not to generate revenue; it is because safety is first. The department's goal is making sure the roads are safe. Chief Nosse advised that according to ordinance, overnight parking and the snow ban are basically under the same violation. When an overnight parking citation is written, it is due to a vehicle being parked illegally by ordinance from 1:00 a.m. to 8:00 a.m. It is illegal to park on the street between those hours, for safety reasons, due to the minimal number of streetlights. Emergency personnel's number one job is to reach the emergency, and this ordinance helps facilitate that. Again, Chief Nosse emphasized these tickets are not an income generator, safety is the goal. Due to the time of year, with the snow season coming, there will be a zero-tolerance policy on violations and vehicles will be towed.

Chief Nosse reported on the burglary at Eagle Road. The suspect is in custody, and charges are forthcoming. The department is investigating the possibility of an accomplice.

Council President Lowery asked if the parking ban information is on the website for residents to view. Chief Nosse said all ordinances are on the website, and he has been considering putting more on social media. This has worked in the past, using Facebook and Twitter to remind residents. Chief Nosse went on to say if anyone has a question, or would rather speak to a person than use the internet, please call the Police Department and they will answer any questions the public may have.

Councilman Lesnick suggested using a banner at the top of the website alerting those visiting the site to the strict enforcement of the snow ban, and possibly tagging the Facebook page of the Police Department. Chief Nosse agreed, but made it clear this ordinance is in effect year long, not just in the snow season. The ordinance states there is no overnight parking, no parking on the hydrant side, right wheels need to face the curb (or what would be the curb). All those rules apply year long, although it is not always well-known among the residents. Chief Nosse noted that he will contact Helen Petersburg about adding a banner to the website in this regard.

Council President Lowery voiced support for adding a notification to the website, noting that the calendar will be updated with more information. Mr. Lowery went on to inform those present that Council members are using computers during the meetings to review agendas and look at documents in an attempt to reduce the use of paper.

Answering Councilman Smolic, Chief Nosse stated residents can call the Police Department in advance of any exceptions needed so the department can make notes to not cite those parked in violation. Residents will need to inform the department of how many vehicles are expected, and all vehicles will need to be parked in accordance with street parking guidelines. Examples of exceptions would be getting driveway paved, holding an overnight party at the home, etc. If a vehicle is towed, the owner of the vehicle will need to retrieve their vehicle from the tow yard of the company that removed it.

Chief Nosse mentioned his department has received an increase in calls as a result of the new website, so residents are using it.

Service Administrator Duane Martz reported the plow trucks are set up and all salt distributions are in place, large and small. The Service Department is currently on one shift, but will begin two shifts within the next few weeks. Currently the department is focused on trimming trees and other things of that nature until the two shifts begin. The salt usage is at a minimum so far.

Councilman Schulz acknowledged the wonderful job the Service Department did in decorating City Hall. He went on to say he noticed at 9896 Chillicothe Road there is a large tree leaning from a residence and caught on another tree, and threatening the roadway. Mr. Martz said he would have the department take a look at it.

DEPARTMENT REPORTS (continued):

Councilman Ruple said residents on Prelog have requested a mirror posted at the top of the road. Residents feel it is dangerous, because there is a hill and it's hard to see traffic. Mayor Potter stated the same question was brought to his attention approximately three to four months ago, and Mr. Kiefer said he's had similar conversations throughout the years. Mr. Kiefer said he has discussed the request with his traffic engineer, who stated the mirrors are a hazard because they give a distorted view of oncoming traffic. Mr. Kiefer said his department recommends the City does not put up a mirror. If a resident would like to put up a mirror on private property, the City cannot stop them. Mr. Kiefer noted that the slope was cut back on Sperry Road several years ago so motorists can see oncoming traffic sooner. Councilman Schulz noted the slope was cut back relative to the speed limit; it becomes a speed enforcement issue if vehicles are exceeding the speed limit on Sperry Road.

City Engineer Philip Kiefer wished Council a Merry Christmas and Happy New Year. Mr. Kiefer reported that as of last week, Booth Road is now completely finished. The final cost came in \$5,000.00 to \$6,000.00 under the contract amount for construction; he noted it will also reduce the engineering cost slightly. The base repair has been finished on Billings Road, and the Road Department did a nice job striping the white lines.

Councilman Schulz stated he noticed the edge lines on Booth appear wider; it appears to be six inches, and wondered if it was a free upgrade with the contractor as the four inches was expected. He also wondered if the specs would be upgraded to six inches citywide. Mr. Kiefer said he would look at the plans, and he will speak with his traffic engineer about the cost difference to upgrade the specs to six inches.

Mr. Kiefer went on to report that concerning the drainage project, Wisner is 95 percent complete; it still needs to be seeded. Gildersleeve is 90 percent done - it is rough graded and the pipes are in; the same with Fox Hill. Concerning Tibbetts, Mr. Kiefer said they are looking at a possible change in design on how that project would move forward, which will take time to work through.

With regard to the request for an increase of a maximum \$40,000 on the Wisner Road project, Councilman Smolic inquired if there is an estimate of the additional cost. Mr. Kiefer stated he does not have a rough estimate at this time, but it is well under \$40,000.

Mr. Smolic inquired about the request for \$16,821 for the Rockwood Drive project that was not funded this year. Mr. Kiefer stated the amount is 85 percent of the design cost, noting that the project was designed. Discussion ensued regarding funding this project in the future. Mr. Kiefer noted that stormwater funds are replenished twice per year. Answering Mr. Schulz, Mr. Slapnicker confirmed that a roll-up of those dollars will be provided.

Assistant Finance Director Louis Slapnicker advised the November month-end reports have been distributed. The final OPWC disbursement request has been submitted relating to the Route 306 resurfacing project. The City is requesting \$17,766.94 related to in-kind expenses incurred by the City. An estimate of fund balance at the end of November for the Route 306 project, including the reimbursement, will be \$486,139.98. Finance also submitted the second senior levy reimbursement for 2019; the request to the county is \$18,074.60. In addition to that, the Finance Department received notification that the county awarded the City with a 2020 senior levy award for \$75,000.00. Finance is continually working on the new chart of accounts for the City, and the 2020 budget meetings with Department Heads are underway. Police and Fire are scheduled at this point, and Service and Recreation soon.

Further discussion ensued concerning the specifics of the Route 306 project funds. Mr. Slapnicker advised that final numbers have been submitted to OPWC.

DEPARTMENT REPORTS (continued):

Law Director Daniel Richards mentioned the terms of waiving the rules of Council and taking up an item which is not on the agenda. Under the rules of Council, agendas are to be made available to Council five days before a meeting. He noted the deadline of January 17 to submit a request to the County Auditor's office for advance payment of taxes. For that reason, Mr. Richards suggested Council waive the agenda provision of the rules and take up the resolution that has been prepared for this evening as a consideration by Council.

Council President Lowery asked if Mr. Richards suggested the resolution be passed this evening, to which Mr. Richards responded he believed it should be passed tonight as an emergency. He went on to say according to the Finance Department, there is a lack of sufficient funds in the reserves to meet the operating requirements for the upcoming quarter.

Mr. Lowery noted that Resolution No. 19-R-72 would be presented under New Business after consideration of Resolution No. 19-R-71 is completed.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Potter reported the Hoops for Heroes basketball game was a great event, which raised a lot of money for charity. He noted that the Christmas event with Santa Claus at City Hall was also a great event.

Mayor Potter stated that he and Finance Director Kovalchik met with Chief Nosse and Chief Hutton for the presentation of their budget requests. He noted that they will meet with Jenna Hull (Community/Recreation Center) on Friday; and a Monday morning meeting has been requested with Mr. Martz. Mayor Potter stated that a kick-off meeting was held a couple weeks ago; he noted this is the first budget process with the new Finance Director and with him as the new Mayor. He noted that meetings will be held individually with Department Heads, and in January the related Standing Committee Chairs will go through the same process with the Department Heads. He stated that when the budget is presented to Council in February, everyone will have had a chance to be involved in the process.

The Mayor stated he will meet with the City Engineer to review the engineering projects.

Councilman Schulz asked if Mayor Potter could request Jenna Hull to come before Council, as it would be helpful to see her on a quarterly basis.

STANDING COMMITTEE REPORTS:

Council President Lowery noted that committee assignments are addressed in legislation on tonight's agenda.

CORRESPONDENCE:

Council President Lowery noted that Council received a holiday greeting card from the Kirtland Schools, signed by all Board members and the Superintendent.

It was noted that the Planning and Zoning Commission has suggested a couple dates for the combined meeting between the Commission and Council. It was agreed by Council members that the combined meeting shall be held on Wednesday, January 22, 2020, immediately following the regular Council meeting.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Mike Debeljak, 7380 Ledgewood Drive, stated he has stormwater issues at his residence, behind his residence, also on Mr. Florentine's property down the road. He has been in the home for 10 years, but understands this has been a problem since the late 1990's. Mr. Debeljak mentioned this will be his third administration, working with Mayor Potter, and he looks forward to working with Council on these issues. He understands there are budgetary issues that need addressed, and looks forward to some grant money funding.

John Florentine, 7360 Ledgewood Drive, addressed Council regarding budgetary issues and the number of people that do not pay their taxes. Mr. Florentine inquired if there is anything the City can do to force these citizens to pay their taxes and keep them current. Mayor Potter stated that the County addresses enforcement of payment of property taxes. The Mayor noted that twice in the past few years the City has sent strongly worded letters to those delinquent on their income taxes. Both times letters were sent, there was a good response. Mr. Florentine said he's heard if a resident pleads their case to the auditor's office the 10 percent late penalty is waived.

Councilman Schulz thanked Mr. Florentine and Mr. Debeljak for sharing their concern, and stated he remains committed to seeing that the project gets funded.

Mr. Florentine stated it is his understanding that the City of Willoughby dropped Waste Management because a better deal was offered by another company. He inquired about Kirtland's contract with Waste Management. Council President Lowery advised that the City's current contract expires in 2023 and as that date nears Council will shop prices. He noted that contracts are reviewed at renewal, along with options and negotiation of pricing.

Dana Dennis, 9237 Woods Way Drive, brought to Council's attention problems with speeders on his road. He agrees with Chief Nosse that the department is doing all they can, but would like to see a reduction in speeders. Mr. Dennis is concerned about pedestrians, and suggested a no passing sign placed in the area, along with a Slow Children Playing sign. Mr. Dennis would also like to see more resources made available to the Police Department. Council President Lowery responded, stating that despite efforts made by the Police Department this seems to continue to be an issue, to which Mr. Dennis agreed, pointing out specific examples of vehicles continuously speeding in the area. Chief Nosse was asked to respond, in which he cited the earlier reported increase in citations being issued. Chief Nosse explained the procedures that officers are following in regard to speeding, along with explaining it is up to officer discretion as to what tickets they write. In an attempt to decrease speeding on the road the Department has placed a speed trailer on the road, added speed limit signs, and is looking into the options of further signage. At this moment the Police Department does not have the funding for the electronic signs, and it has been noticed that after residents realize the signs are not used for enforcement the signs are disregarded. Discussion continued regarding speed limits and suggestions.

Sterling Coleman, 7636 Markell Road, asked Chief Nosse if residents are able to submit personal dash cam footage if an incident occurs. Chief Nosse stated that is acceptable, noting if a resident has a complaint and has video evidence of it the Department will review the evidence presented and determine a course of action.

OLD BUSINESS:

ORDINANCE NO. 19-O-51
(Mayor Davidson)

- **(THIRD READING) - AN ORDINANCE PROVIDING
TEMPORARY APPROPRIATIONS FOR THE THREE-
MONTH PERIOD ENDING MARCH 31, 2020.**

OLD BUSINESS – ORDINANCE NO. 19-O-51 (continued):

The legislation was read by title only. Mr. Schulz moved to adopt, with the second by Mrs. Wolfe. Mr. Lesnick inquired if any of the new Council members had questions in regard to the legislation; there were no questions. **ROLL CALL: ADOPTED 6/0/1 (VOTING YEA: LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE. ABSTAINING: HAYMER).**

NEW BUSINESS:

RESOLUTION NO. 19-R-61 - **A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JOSEPH M. VINCIQUERRA TO THE PLANNING AND ZONING COMMISSION, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was 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: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Smolic. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

RESOLUTION NO. 19-R-62 - **A RESOLUTION CONFIRMING THE APPOINTMENT OF LITA LAVEN TO THE BOARD OF ZONING APPEALS, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Ruple. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Smolic. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

RESOLUTION NO. 19-R-63 - **A RESOLUTION CONFIRMING THE APPOINTMENT OF TERRANCE G. SIMONIAN TO THE CIVIL SERVICE COMMISSION, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was 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: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. 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: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

RESOLUTION NO. 19-R-64 - **A RESOLUTION REAPPOINTING DANA DENNIS AS A MEMBER OF THE KIRTLAND BOARD OF TAX REVIEW, AND DECLARING AN EMERGENCY.**
(Council as a Whole)

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. 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: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

NEW BUSINESS (continued):

RESOLUTION NO. 19-R-65 - **A RESOLUTION REAPPOINTING SUSAN MATTICOLI AS A MEMBER OF THE KIRTLAND BOARD OF TAX REVIEW, AND DECLARING AN EMERGENCY.**
(Council as a Whole)

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Ruple. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mrs. Wolfe. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

RESOLUTION NO. 19-R-66 - **A RESOLUTION CONFIRMING THE APPOINTMENT OF IRENE LESICA DRUZINA, M.D., TO THE BOARD OF HEALTH OF THE LAKE COUNTY GENERAL HEALTH DISTRICT, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only. Mr. Lesnick moved to waive the three readings, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mrs. Wolfe. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

RESOLUTION NO. 19-R-67 - **A RESOLUTION CONFIRMING THE REAPPOINTMENT OF AMY BUCHANAN TO THE VOLUNTEER FIREFIGHTERS' DEPENDENTS BOARD, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Lesnick. Chief Hutton explained that in the State of Ohio all part-time firefighters are considered volunteers, and their death benefit package is covered through this fund. Chief Hutton advised that two positions on the Board, which oversees the benefits, are to be appointed by Council. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. 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: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

RESOLUTION NO. 19-R-68 - **A RESOLUTION CONFIRMING THE REAPPOINTMENT OF CHRISTINE SPEECE TO THE VOLUNTEER FIREFIGHTERS' DEPENDENTS BOARD, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only. Mr. Lesnick moved to waive the three readings, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mrs. Wolfe. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

NEW BUSINESS (continued):**RESOLUTION NO. 19-R-69
(Mayor Potter)**

- **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE SECOND AMENDMENT TO THE SOLID WASTE AND RECYCLING COLLECTION CONTRACT WITH WASTE MANAGEMENT OF OHIO, INC., AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Lesnick. Responding to an inquiry from Councilman Ruple, Mr. Richards explained the contract has a provision written in for certain increases in recyclables. Mr. Smolic inquired what would happen if Council does not approve the resolution. Mr. Richards stated he would rather look into that further before responding, but for resolution purposes the contract was specific in terms of increases expected for recyclables. Further discussion ensued concerning the contract and rate negotiation possibilities. Mr. Lesnick suggested Council pass the legislation to maintain service for residents, and begin proactively looking into alternatives. Mayor Potter noted that a request can be made for Mr. Crawford of Waste Management to provide an update mid-year regarding the market trend so that information will be available earlier and can be passed on to the public. Mr. Lesnick stated he would prefer in the future that legislation be submitted in time to receive three readings. Further discussion ensued regarding recycling cost fluctuations. Mayor Potter stated that not knowing the ramifications of not passing this legislation tonight, it is his opinion that the legislation should be passed and do the due diligence during the year to see what other options are available for recycling or waste disposal. Council President Lowery stated that four of the current Council members approved the contract six months ago. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Smolic. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

**RESOLUTION NO. 19-R-70
(Mayor Potter)**

- **AN ORDINANCE LEVYING LIENS FOR DELINQUENT SANITARY SEWER CHARGES, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mrs. Wolfe. Responding to an inquiry from Mr. Ruple, Mr. Schulz explained that quarterly bills are sent to residents that are part of waste water treatment plants, and this resolution is for charges that have become delinquent. Discussion ensued regarding the billing of residents for the sanitary sewer charges. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Ruple. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

**RESOLUTION NO. 19-R-71
(Council President Lowery)**

- **A RESOLUTION ESTABLISHING STANDING COMMITTEES OF COUNCIL, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mrs. Wolfe moved to waive the three readings, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Lesnick. Mr. Lowery thanked Council members for their support in creating the committees. He looks forward to a busy year working through the Standing Committees. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

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At the request of Council President Lowery, Mr. Lesnick moved to suspend the rules of Council relative to the introduction of legislation not listed on the agenda as implied in Section 220.26, pursuant to Section 220.24 of the Codified Ordinances. Mr. Schulz provided the second. Speaking with regard to the proposed legislation, Mr. Slapnicker stated that the County has come up with new requirements for advance payment of property taxes, and the proposed legislation meets those requirements; this legislation needs to be passed in order for the City to request those advances. Answering Mr. Schulz, Mr. Slapnicker stated it is usual procedure for cities to request the advance payments of taxes. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

RESOLUTION NO. 19-R-72 - **A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE ADVANCE PAYMENTS OF TAXES PURSUANT TO OHIO REVISED CODE SECTION 321.34, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only. Mr. Lesnick moved to waive the three readings, with the second by Mrs. Wolfe. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mr. Smolic. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

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CONTINUING CONCERNS:

Mayor Potter mentioned that the Kirtland High School football team just won their fifth State Championship. The Mayor congratulated the entire School District, including the football team, coaches and managers.

COUNCIL COMMENTS:

Council President Lowery wished everyone present a happy and safe holiday season.

PUBLIC COMMENTS:

Sharon Vyskocil, 8415 North Locust Drive, stated that with regard to Waste Management, the representative said there has been a decrease in cardboard and paper, but a local church has three bins packed with cardboard daily. Council advised that there has been an increase in the volume, but a market decrease in the value. Mr. Smolic went on to explain the fluctuating costs of steel scrap and other recyclable materials, which directly affects the waste pricing.

ADJOURNMENT:

Mr. Lesnick moved to adjourn, with the second by Mr. Schulz. The motion of Council passed by unanimous vote and the meeting adjourned at 8:39 p.m.

President of Council

Clerk of Council