

KIRTLAND CITY COUNCIL MINUTES

December 7, 2009

The meeting of Kirtland City Council was called to order at 7:06 p.m. by Council President R. Robert Umholtz. Councilman Webbe led the prayer which followed the Pledge of Allegiance. The members of Council present were: Douglas Davidson, David Kirek, Timothy Powell, Robert Skrbis, R. Robert Umholtz, Matthew Schulz and Donald Webbe.

Administrative personnel present were: Mayor Mark A. Tyler, Law Director Daniel Richards, Finance Director Keith Martinet, City Engineer Philip Kiefer, Service Administrator Carm Catania, Fire Chief Anthony Hutton and Police Chief Wayne Baumgart.

PUBLIC HEARING OF PROPOSED ORDINANCE AMENDING CHAPTER 1446 RELATING TO FLOOD DAMAGE REDUCTION

Council expressed their appreciation to Mr. Kiefer for all of his work on drafting this ordinance. There were no public comments.

MINUTES OF THE NOVEMBER 16, 2009 COUNCIL MEETING:

Mr. Webbe moved to waive the reading of the Minutes, with the second by Mr. Kirek. The motion of Council passed by unanimous vote. Mr. Webbe moved to adopt the Minutes, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: DAVIDSON, KIREK, POWELL, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

MINUTES OF THE DECEMBER 1, 2009 – ORGANIZATIONAL MEETING:

Mr. Skrbis moved to waive the reading of the Minutes, with the second by Mr. Webbe. The motion of Council passed by unanimous vote. Mr. Skrbis moved to adopt the Minutes, with the second by Mr. Webbe. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ, AND WEBBE. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised that the monthly report had been distributed.

Police Chief Wayne Baumgart advised that the monthly report for Police and Fire had been distributed. Mr. Davidson expressed appreciation for Chief Baumgart's attendance at a recent Boy Scout meeting.

Service Administrator Carm Catania did not give a formal report and no questions were asked of him.

City Engineer Philip Kiefer advised that his monthly report had been distributed. Mr. Kiefer also noted that a monthly progress report on the State Route 306 Sanitary Improvement Project would be available in Council Chambers for Council to review.

Mr. Powell inquired whether a list of affected property owners and the assessments were available for review. The Mayor noted that a list of affected property owners and initial assessments was made available for a public hearing many months ago.

Finance Director Keith Martinet provided no formal report. Mr. Martinet advised that any unpaid sewer bills would be put on the tax duplicate. He also advised that some appropriations may need to be moved to maintain compliance with the State Auditor's requirements.

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

MAYOR'S REPORT /ANNOUNCEMENTS:

Mayor Mark Tyler reported that a mandatory pre-bid conference for the re-bid on the State Route 306 Force Main Sewer Project was held on Wednesday, December 2, 2009. The bid opening will be at the Lake County Commissioner's Office on Wednesday, December 16, 2009.

The Mayor also reported that Breakfast with Santa was held at the Kirtland Senior and Recreation Center on Saturday, December 5, 2009 and was a great success. The seniors prepared breakfast for the families that attended. The Kirtland PTA hosted a Secret Santa Shop for the children to purchase Christmas gifts.

STANDING COMMITTEE REPORTS:

Mr. Umholtz announced that appointments to standing committees would be finalized at the next Council Meeting. If any members of Council had specific requests, Mr. Umholtz requested that they contact him and advise.

CORRESPONDENCE:

Mr. Umholtz stated that there was a Legal Notice for the next meeting of the Kirtland Planning and Zoning Commission on Monday, December 14, 2009 at 7 p.m. On the agenda is a proposed amendment for minor subdivisions.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Tony Discenza, a representative from Waste Management, indicated that a quarterly report on recycling is provided to the Mayor's Office. Usage volumes for recycling have increased and Mr. Discenza expects that this trend will continue. Mr. Discenza noted that per our five year agreement with Waste Management, rates will be increasing by 3% for 2010. This increase represents a cost to residents of \$16.03 plus a fuel surcharge, based on the EIA Index. In addition, Governor Strickland approved legislation, in August, that imposed a disposal fee for garbage. This fee is being passed on to residents and equates to approximately \$0.22 per resident, per month since August. Mr. Discenza reported that other communities are pursuing contracts such as the one Kirtland has with Waste Management, but the rates are much higher than Kirtland's.

Chief Baumgart inquired about a "Waste Watch" program provided by Waste Management. Mr. Discenza explained that many of their drivers were trained to take notice of potential security issues within the community. This program is currently being used in other communities. Mr. Discenza will forward additional information to Chief Baumgart.

Mr. Discenza closed by expressing his appreciation to the City of Kirtland for their business.

Sterling Coleman, Markell Road, expressed a need for larger recycling carts. He stated that he has very little garbage and more recycling items.

OLD BUSINESS:

RESOLUTION NO. 09-R-53 - (Second Reading) - A RESOLUTION TO
(Mayor Tyler) AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; SAID FUNDS TO BE TRANSFERRED TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED AND DECLARING AN EMERGENCY.

Read by title only. Placed on second reading.

ORDINANCE NO. 09-O-54 - (Second Reading) - AN ORDINANCE PROVIDING
(Mayor Tyler) TEMPORARY APPROPRIATIONS FOR THE THREE MONTH PERIOD ENDING MARCH 31, 2010.

Read by title only. Placed on second reading.

ORDINANCE NO. 09-O-55 - (Second Reading) - AN ORDINANCE
(Council President Umholtz) AMENDING CHAPTER 1446 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO FLOOD DAMAGE REDUCTION.

Read by title only. Placed on second reading.

NEW BUSINESS:

RESOLUTION NO. 09-R-60 - A RESOLUTION DESIGNATING FINANCIAL
(Mayor Tyler) INSTITUTIONS AS PUBLIC DEPOSITORIES.

Read by title only. Placed on first reading.

RESOLUTION NO. 09-R-61 - A RESOLUTION AUTHORIZING THE MAYOR
(Mayor Tyler) TO PURCHASE ONE (1) NEW 2010 MCCOY MILLER MEDIUM DUTY AMBULANCE FOR USE BY THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

Read by title only. Placed on first reading.

RESOLUTION NO. 09-R-62
(Mayor Tyler)

- **A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF KIRTLAND ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS #540 STATE ISSUE 2 MATCHED EXPENSES FUND FOR THE SR 306 AT US ROUTE 6 INTERSECTION/SIGNAL REPLACEMENT PROJECT CG07J/CG08J WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO, AND DECLARING AN EMERGENCY.**

Mr. Skrbis moved to waive the three readings, with the second by Mr. Webbe. The motion of Council passed by unanimous vote. Mr. Skrbis moved to adopt Resolution 09-R-62, with the second by Mr. Davidson. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: DAVIDSON, KIREK, POWELL, SCHULZ, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).**

CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Mr. Davidson expressed his appreciation to Mr. Larry Spence for ensuring that the flags at all city buildings were lowered to half staff in honor of Pearl Harbor Remembrance Day.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Webbe moved to adjourn, with the second by Mr. Davidson. The motion of Council passed by unanimous vote. The time was 7:31 p.m.

President of Council

Clerk of Council