

## KIRTLAND CITY COUNCIL MINUTES

September 9, 2009

The meeting of Kirtland City Council was called to order at 7:05 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: Royal Brettrager, Douglas Davidson, David Kirek, Timothy Powell, Robert Skrbis, R. Robert Umholtz and Donald Webbe.

Administrative personnel present were: Mayor Mark A. Tyler, Law Director Daniel Richards, Finance Director Keith Martinet, City Engineer Philip Kiefer and Service Administrator Carm Catania. Fire Captain Dale Grinstead was present in the absence of Fire Chief Hutton.

### CITY OF KIRTLAND WEBSITE PRESENTATION

Craig de Fassel, Blitz Media Design  
Michelle Hauser, Executive Assistant to Mayor Tyler

Mayor Tyler introduced the website designer, Craig de Fassel of Blitz Media Design. The Mayor commended Mr. de Fassel and Mrs. Hauser for their work in getting the website up and running.

Mr. de Fassel gave a presentation of the City's website, and he indicated the location of specific information on the site. Mr. de Fassel noted that Mrs. Hauser will be able to update the home page to keep the residents informed about current issues.

A brief discussion ensued with regard to City e-mail accounts. Mr. de Fassel advised that the e-mail addresses are encrypted to prevent spam through the website. Mrs. Hauser noted that she can resend the information regarding remote e-mail access to anyone who needs it.

Noting that Mr. de Fassel and his wife are long-time Kirtland residents and professional photographers, Mrs. Hauser advised that they have loaned the City three photographs, which are on display in her office.

Council thanked Mr. de Fassel and Mrs. Hauser for their work on the website and for providing the presentation to Council.

### MINUTES OF THE AUGUST 31, 2009 WORK SESSION:

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

### MINUTES OF THE AUGUST 31, 2009 COUNCIL MEETING:

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

**DEPARTMENT REPORTS:**

**Fire Captain Dale Grinstead** advised that the formal report for Police and Fire has been distributed.

**Service Administrator Carm Catania** did not present a formal report. Responding to Councilman Skrbis with regard to exterior maintenance code violations on a Billings Road property, Mr. Catania advised that he will follow up on the matter.

**City Engineer Philip Kiefer** advised that the formal report for August has been distributed.

**Finance Director Keith Martinet** requested a meeting of the City's Board of Tax Review. It was agreed that the Board of Tax Review will meet following the conclusion of the next regular Council meeting on September 21, 2009.

**Law Director Daniel Richards** commented on the utilization of e-mail, noting that all City officials and staff should be cognizant of the fact that records are being created that can be accessed in the future.

**MAYOR'S REPORT/ANNOUNCEMENTS:**

**Mayor Mark Tyler** thanked Mr. de Fasselle and Mrs. Hauser for attending the meeting and providing the presentation.

Mayor Tyler introduced new resident, Ron Romig, noting that he is replacing Barbara Walden as the Visitors Center Director for the Kirtland Temple. The Mayor thanked Mr. Romig for attending the meeting, and he welcomed him to the community.

Mayor Tyler noted that he has provided Council with information concerning Ohio's Sunshine Laws House Bill 9 certified training at Lakeland Community College.

The Mayor noted that there is information on the City's website with regard to the H1N1 virus. He advised that seasonal flu shots will be available at the Community Center on October 8, 2009.

Mayor Tyler noted that he received an e-mail from Wendy Bak, the instructor for Kirtland Safety Town, thanking John Parker and Justin Gollin for their assistance in setting up for this year's Safety Town.

Responding to Councilman Webbe, Mayor Tyler advised that the Sperry Road project is currently in the engineering phase, noting that the City's resources have been diverted to the Templeview pump station project.

**STANDING COMMITTEE REPORTS:**

None.

**CORRESPONDENCE:**

Council President Umholtz reported on the following:

1. Information regarding registration for House Bill 9 certified training regarding Ohio's Sunshine Laws.

**PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:**

None.

**OLD BUSINESS:**

**ORDINANCE NO. 09-O-37** - (Tabled) - **AN ORDINANCE AMENDING CHAPTER 1290 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO FENCES.**  
(Council President Umholtz)

Councilman Powell requested that the legislation remain tabled, noting that the Planning and Zoning Commission meets next week. He noted that the Planning and Zoning Standing Committee's recommended amendments have been forwarded to the Planning and Zoning Commission for review and recommendation. The legislation remains tabled.

**NEW BUSINESS:**

**ORDINANCE NO. 09-O-42** - **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, AND DECLARING AN EMERGENCY.**  
(Mayor Tyler)

Read by title only. Mr. Davidson moved to waive the three readings, with the second by Mr. Skrbis. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: BRETTRAGER, DAVIDSON, KIREK, POWELL, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).** Mr. Webbe moved to declare an emergency and adopt, with the second by Mr. Davidson. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: BRETTRAGER, DAVIDSON, KIREK, POWELL, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).**

**RESOLUTION NO. 09-R-43** - **A RESOLUTION ACCEPTING THE BID OF GRADE LINE, INC., FOR THE TEMPLEVIEW SANITARY SEWER IMPROVEMENTS PROJECT, CONTRACT A AND CONTRACT A ALTERNATE - GENERAL CONSTRUCTION, AND DECLARING AN EMERGENCY.**  
(Mayor Tyler)

Read by title only. Mr. Davidson moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: BRETTRAGER, DAVIDSON, KIREK, POWELL, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).** Mr. Webbe moved to declare an emergency and adopt, with the second by Mr. Kirek. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: BRETTRAGER, DAVIDSON, KIREK, POWELL, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).**

**RESOLUTION NO. 09-R-44** - **A RESOLUTION ACCEPTING THE BID OF PRECISION ENGINEERING & CONTRACTING, INC., FOR THE TEMPLEVIEW SANITARY SEWER IMPROVEMENTS PROJECT, CONTRACT B - ELECTRICAL CONSTRUCTION, AND DECLARING AN EMERGENCY.**  
(Mayor Tyler)

**NEW BUSINESS – RESOLUTION NO. 09-R-44 (continued):**

Read by title only. Mr. Davidson moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: BRETTRAGER, DAVIDSON, KIREK, POWELL, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).** Mr. Skrbis moved to declare an emergency and adopt, with the second by Mr. Kirek. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: BRETTRAGER, DAVIDSON, KIREK, POWELL, SKRBIS, UMHOLTZ AND WEBBE. VOTING NAY: NONE).**

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**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

Councilman Powell noted that there are ten complaints listed on the City Engineer’s report, all of which are water related. Noting that flood plain management regulations are being reviewed, Mr. Powell inquired how the City plans to address these problems. Mayor Tyler advised that the City is keeping track of the issues and resolving them to completion. Mr. Powell stressed the importance of addressing water problems throughout the City.

With regard to the Ohio’s Sunshine Laws House Bill 9 certified training, it was requested by Council that Clerk Denise Roelle attend as Council’s designee.

**PUBLIC COMMENTS:**

None.

**ADJOURNMENT:**

Mr. Davidson moved to adjourn, with the second by Mr. Powell. The motion of Council passed by unanimous vote. The time was 7:37 p.m.

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President of Council

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Clerk of Council