

## KIRTLAND CITY COUNCIL MINUTES

January 7, 2019

The meeting of Kirtland City Council was called to order at 7:01 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 and Robert Skrbis. Absent: Joseph Smolic.

Administrative personnel present were: Mayor Douglas E. Davidson, Assistant Law Director Michael Germano, City Engineer Philip Kiefer, Service Administrator Carm Catania, Police Chief Lance Nosse, Fire Chief Anthony Hutton and Economic Development Manager Monica Drake.

### MINUTES OF THE DECEMBER 17, 2018 WORK SESSION:

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

### MINUTES OF THE DECEMBER 17, 2018 COUNCIL MEETING:

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

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** stated the 2018 Fire Department Report was distributed with the regular monthly report.

Chief Hutton stated the department has remained busy, including a fire at midnight on New Year's in Timberlake, and another in Wickliffe on New Year's Day. Chief Hutton said there were a few other small fires, but not too many in Kirtland; he noted it was a busy year for construction fires last year, even in Kirtland.

Responding to Mr. Lowery's question on the 2018 report listing apparatus (by number) and the total runs with those vehicles (20 plus), Chief Hutton stated those are generally reserve vehicles. The No. 1927 is the road rescue vehicle and is not used often, No. 1917 is the brush truck with the ATV, No. 1924 is the old yellow fire truck, and No. 1915 is a reserve engine.

Responding to Mr. Lesnick's questions concerning the difference in mutual aid incidents, Chief Hutton stated the call volume of the Kirtland Fire Department is not as great as Willoughby, Eastlake, Willoughby Hills, or Mentor, which are the main departments responded to for mutual aid. Chief Hutton stated it is not uncommon for Kirtland Fire Department to provide assistance to these departments more than the reverse due to Kirtland Fire Department's 1100 calls in comparison to the other departments' 3,000 or 5,000 calls. However, the Chief stated the other departments are there when Kirtland needs assistance.

**DEPARTMENT REPORTS (continued):**

**Police Chief Lance Nosse** stated his monthly report for December has been distributed, noting that the department was busy. Chief Nosse mentioned his department did assist the Fire Department on a few calls, and mentioned Officer Valenti and Officer Carrillo, who assisted with a 52-year-old female who was unconscious and not breathing. Both officers received letters of commendation as the Fire Department was thankful for the help, which was much needed. Chief Nosse stated he was very pleased with the response of his officers in the situation. Chief Nosse reported just a few days after that incident he also wrote a letter of commendation to dispatcher Shayna McCoy, a newer dispatcher, who did an outstanding job, especially with the transfer from Central, on a fire in Kirtland Hills. Chief Nosse expressed how grateful he is to have these three individuals in his department.

Chief Hutton informed Chief Nosse he would likely have to write a few more letters, that there were recent incidents that the Fire and Police both responded to and worked very well together. Chief Hutton said they always work very well together and do a great job.

Chief Nosse stated those situations address the questions that periodically come up concerning the Police Department responding in tandem with the Fire Department. The Police Department does respond to Fire Department calls, if only to be of menial assistance, and the departments work very well together.

Responding to Mr. Lesnick's question, Chief Nosse confirmed his report has been separated from the Fire Department and that the fire calls assisted with are listed as Fire. There was also a question from the Fiscal Review Task Force concerning the number of traffic stops versus the number of offenses/citations issued. Per Mr. Lesnick's request for more clarification on the report, Chief Nosse stated some of the stops are physical arrests, people taken into custody. For the majority of traffic stops, the Chief stated the officer tries to take care of the violation with the operator/owner; these are typically to correct equipment violations, etc.

Chief Nosse stated he is looking into a policy change in the department for an inspection citation, which is a citation issued for those specific violations. Under this policy, the owner/operator would have up to 10 days to get the violation corrected. Once the violation has been corrected, the owner/operator would come to the police station with a certified copy from their mechanic for the work performed, to have the vehicle inspected and the violation transitioned to a warning. If the owner/operator does not follow this procedure, the citation is sent to, and handled by, the Municipal Court.

Chief Nosse stated under this new policy some of the citation numbers will be changing, however it will take some time to get the policy implemented. As it stands right now, some of the numbers in the report are for warnings such as not using a turn signal, license plate light is out, or no front license plate. All of those are violations, and all are reasons for a traffic stop. However, officers try to handle those traffic stops verbally instead of issuing citations.

Responding to Mr. Lesnick's question regarding the new policy reflecting whether residents are taking advantage of the kindness of the officers, Chief Nosse stated they are already aware of those situations and the current methods in place concerning verbal communications are still kept track of in the computer system.

**Service Administrator Carm Catania** gave no formal report. Responding to Mr. Lesnick, Mr. Catania stated his department has used about 200 tons of salt so far this season, and the salt bin is full. Mr. Catania said another 500 tons of salt was just ordered, and the city should be well supplied.

**City Engineer Philip Kiefer** stated that his December report has been distributed. Responding to Mr. Lesnick, Mr. Kiefer stated that he does not have any updates on the Recreation Park.

**DEPARTMENT REPORTS (continued):**

Mr. Lesnick asked about the bid package for the streambank stabilization. Mayor Davidson responded that January 11 is the due date for bids at City Hall, noting that if anyone has a candidate/company, time is running out to enter a bid on the project. Chagrin River Watershed Partners is the project manager, and the City is helping administratively collecting bids on the project.

In response to Mr. Lowery's question on an expected date of arrival for the fluted pipe for the crosswalk, Mayor Davidson stated the City was told March 8 was an expected date.

Mr. Lesnick requested Mr. Kiefer e-mail him the punch list for the Route 306 project.

**Economic Development Manager Monica Drake** stated that January 23 is the joint meeting between Zoning and Council. Ms. Drake would like to have the Power Point presentation regarding the zoning process included in that meeting, as it relates to the mandatory zoning referendum.

Council President Potter stated he would like to schedule an Economic Development Standing Committee meeting sometime before the February 6 meeting. Ms. Drake stated that her schedule is flexible, with the exception of Mondays. Mr. Potter stated that he will follow up with an e-mail.

**Assistant Law Director Michael Germano** gave no formal report, and no questions were asked of him.

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Mayor Davidson stated that he gave his report during the work session, noting he is open to questions. He confirmed Ms. Hull would be at the Work Session on February 4.

Referring to a draft letter distributed by Mr. Kiefer regarding the Old Town area septic testing, the Mayor suggested that Council members review the letter and provide comments at the end of tonight's meeting.

Mr. Lesnick inquired about addressing several of the items included on the Fiscal Review Task Force report. Mayor Davidson stated that a time will be scheduled for Council to meet with Mr. Slapnicker. The Mayor noted that several items on the report are being addressed or have already been completed. Mayor Davidson stated that subsequent to Mr. Slapnicker meeting with Council, the Power Point can be expressed in a spreadsheet, noting if items are complete or if there is no action. The Mayor noted that a lot of residents' time was invested in the report, and the City should make the best use of it. Discussion ensued concerning putting a plan in place to review the report and complete the tasks at hand.

**STANDING COMMITTEE REPORTS:**

Councilman Lowery requested that a Planning and Zoning Standing Committee meeting be held on February 4 following the Council Meeting to discuss an architectural review board and the zoning referendum.

**CORRESPONDENCE:**

Council President Potter noted that Bill Wright of the Kirtland Kiwanis would like Council to sign a pictorial book for a member of Kiwanis that will be leaving.

Mr. Potter noted that correspondence was received regarding energy and developments, noting that he will review it and make it available to Council.

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

None.

**OLD BUSINESS:**

**ORDINANCE NO. 18-O-31** - (Tabled) - AN ORDINANCE ADOPTING CHAPTER 1468 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND RELATING TO ALTERNATIVE ENERGY.  
(Council President Potter)

Read by title only. Mr. Lesnick moved to remove from the table for a vote, with a second by Mr. Skrbis. Council President Potter stated he would prefer to wait one more meeting, due to Mr. Smolic's absence. Mr. Potter stated there are other solutions he would like to look at in the next two weeks. **ROLL CALL: MOTION FAILED 4/2 (VOTING NAY: KIREK, LOWERY, POTTER AND SCHULZ; VOTING YEA: LESNICK AND SKRBIS).**

**NEW BUSINESS:**

**RESOLUTION NO. 19-R-1** - A RESOLUTION DECLARING INTENT TO CONDUCT AN INTERNET AUCTION FOR THE SALE OF UNNEEDED, OBSOLETE OR UNFIT PERSONAL PROPERTY OF THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.  
(Mayor Davidson)

Read by title only. Responding to Council President Potter, Mayor Davidson noted that if Council chooses to waive the readings, the City may be able to receive income sooner from items sold. Mr. Lowery moved to waive the three readings, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ AND SKRBIS. VOTING NAY: NONE).** Mr. Skrbis moved to declare an emergency and adopt, with the second by Mr. Lesnick. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: KIREK, LESNICK, LOWERY, POTTER, SCHULZ AND SKRBIS. VOTING NAY: NONE).**

\* \* \* \* \*

**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

There was discussion regarding the draft letter prepared by Mr. Kiefer to be sent to residents in the Old Town area. Mayor Davidson confirmed it will be sent on City letterhead.

Mr. Schulz suggested that in the last sentence in paragraph 1, a statement be included that the City is resolving the issue to comply with the Ohio EPA, therefore the City needs the residents' compliance. Mr. Schulz also stated in paragraph 3 there should be a deadline added for the residents to turn in the enclosed form and advising that if the resident has not complied with testing by a specified date, the residence will be considered to have failed. Mr. Schulz also suggested that the format of the two phone numbers in the last paragraph be adjusted as the current format is a little confusing.

**COUNCIL COMMENTS (continued):**

Discussion ensued regarding which residents would receive the letters and the stipulations/deadlines that would be included. Mr. Lesnick suggested that the deadline be stated in bold type at the top of the letter, noting that some residents will not read the entire letter. Chief Hutton suggested that the list of included street names be mentioned in the letter.

**PUBLIC COMMENTS:**

**Sharon Vyskocil, 8415 Locust Drive**, stated she was on the website earlier in the day and wondered if there was anyone managing the City's website. She stated she only saw 2018 activities listed, and wondered if there was a 2019 calendar planned yet. Mayor Davidson responded there is a service that handles the website, with Ms. Petersburg as the point of contact (256-3332, extension 5). The Mayor stated it takes a few days to update posts, and inquired if she was looking for something specific. Mrs. Vyskocil indicated that she is not looking for anything specific; she noted that the Council meeting dates are on the website and she updated her calendar with those dates for the year.

Mayor Davidson stated that a few Council members are looking into the technology and costs for an improved website with the ability to update it easily.

**ADJOURNMENT:**

Mr. Lesnick moved to adjourn, with the second by Mr. Lowery. The motion of Council passed by unanimous vote and the meeting adjourned at 7:40 p.m.

---

President of Council

---

Clerk of Council