

KIRTLAND CITY COUNCIL MINUTES

April 16, 2018

The meeting of Kirtland City Council was called to order at 7:10 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 APRIL 2, 2018 WORK SESSION:

Mr. Lesnick moved to waive the reading of the minutes, with the second by Mr. Schulz. The motion of Council passed by unanimous vote. Mr. Lesnick moved to approve the Minutes, as presented, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 5/0/2 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, LESNICK AND POTTER. VOTING NAY: NONE. ABSTAINING: KIREK AND LOWERY).**

MINUTES OF THE APRIL 2, 2018 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. Schulz moved to approve the Minutes, as presented, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 5/0/2 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, LESNICK AND POTTER. VOTING NAY: NONE. ABSTAINING: KIREK AND LOWERY).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised that the monthly report has been distributed. Councilman Schulz inquired about the guard rail damage on Route 306 just south of Kirtland Road. Chief Nosse advised that it was the result of a motor vehicle accident that occurred last night; he noted that there were no injuries. Chief Nosse stated that he spoke to Mr. Catania, and the guard rail will be taken care of as soon as possible. Answering Councilman Lowery regarding safety, Chief Nosse stated that cones and signs were put in place. Chief Nosse stated that he believes ODOT already came out to look at it, and that the guard rail is still functional.

Police Chief Lance Nosse advised that the monthly report has been distributed. Councilman Smolic noted that there were a few more traffic stops this past month. Chief Nosse noted that there are officers in training, and part of the training is to make sure that they are equipped to handle traffic stops, so some of the increase may be because of the training.

Service Administrator Carm Catania did not present a formal report. Councilman Schulz inquired about a septic issue on Hidden Valley that he had mentioned at a previous meeting. Mr. Schulz noted that he will discuss this with Mr. Catania following the Council meeting.

Councilman Schulz stated that he received a call from a resident regarding an application for a variance on an adjacent lot, but he did not receive notice. Mr. Catania stated that notice is sent to property owners within 300 feet; he noted that he can discuss this with Mr. Schulz following the meeting.

DEPARTMENT REPORTS (continued):

Councilman Skrbis inquired about the double light poles at Crary and Route 6. Mr. Catania stated that the pole needs to be replaced, and the second pole is providing structural support for the damaged pole. Mr. Catania stated that CEI does not have a specific time line to remove it and replace that pole.

Councilman Lowery stated that several months ago he inquired about a light pole in the parking lot of the flower shop; he noted that it has been repaired, and he thanked Mr. Catania for looking into it.

Councilman Lesnick stated that the street light was finally put in at Orchard and Hobart. Mr. Lesnick inquired about drainage from the Fox Hill/Singlefoot/Arborhurst area onto Booth Road, noting that there have been resident complaints about drainage and sinkholes at the end of Fox Hill. Mr. Kiefer stated that the drainage at the end of Fox Hill is not affected by the dam on Booth Road. Mr. Catania stated that he and Mr. Kiefer have been out there several times over the past year. He stated that the City can look into funding through Lake County Stormwater, noting that a plan must be developed. Mr. Lesnick inquired if there are Federal wetlands that limit the City's ability to do drainage work. Mr. Kiefer stated that a permit would be required from the U. S. Army Corps of Engineers if there are wetlands; he noted that a wetland study would need to be done to determine if there are wetlands.

Mayor Davidson stated that the City Engineer made an overlay map of the City, and plotted all of the drainage issues on that map, noting that there is a lot of work needed and it is a challenge to the City's budget. The Mayor noted that the City must prioritize and focus on the work that can be done. He noted that Lake County Stormwater Management is the City's main resource to obtain funding for that work. Discussion ensued regarding current drainage issues in the City.

Councilman Skrbis inquired about a grading issue on Hillcrest. Mr. Catania stated that he will discuss this with the City Engineer.

City Engineer Philip Kiefer advised that his monthly report for March has been distributed. Answering Councilman Lowery regarding costs for the Route 306 project, Mr. Kiefer stated that the engineer that prepared the plans estimates that there might be more base repair than originally anticipated. Mr. Kiefer stated that the true extent will not be known until they mill the top two inches; he noted that base repair is not funded by ODOT but it is a local cost. Answering Council President Potter, Mr. Kiefer stated that Route 306 was last paved around 1999, but it does not appear that there will be significant base repair needed.

Councilman Skrbis inquired if there are any updates on the Zivko property. Mr. Kiefer replied that this is awaiting action on the Dorchester property, which will affect the Zivko property. Discussion ensued regarding drainage problems on Wilbert Drive.

Council President Potter inquired about allowing a utility easement in the ingress/egress easement on Russellhurst Drive. Mayor Davidson noted that the property owner has been in contact with him. The Mayor advised that the easement must be researched, noting that the Law Director will have a title search done. Mr. Richards advised that he has been in contact with the title company, noting that research is needed to modify the easement.

Councilman Smolic inquired if there is an estimated cost for the Route 306 project. Mr. Kiefer stated that there is an estimated cost, but he does not have that information with him.

Finance Director Keith Martinet did not present a formal report. Mr. Martinet advised that the bond anticipation notes will be on the next agenda for First Reading. He stated that the older notes are grouped together, and the newer notes are set up individually. Mr. Martinet stated that he will provide a summary explaining the notes and their purposes.

Mr. Martinet stated that he is still working with the auditors and still working on financial reports.

DEPARTMENT REPORTS (continued):

Law Director Daniel Richards did not present a formal report and no questions were asked of him. Council President Potter thanked Mr. Richards for the time he spent meeting with him and Councilman Lesnick a couple weeks ago, and for the quick response and his work on the matter.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Davidson stated that Louis Slapnicker, the Fiscal Task Force Chairman, advised that due to spring break, the volunteers have not yet completed their work, and an extension was granted until the first week in May.

Mayor Davidson advised that on Thursday, May 10, the Willoughby Western Lake County Chamber of Commerce will hold a State of the Cities luncheon at Pine Ridge Country Club.

The Mayor stated that the power point presentations for the sewer project are done, noting that there will be discussion before the public meetings.

With regard to legislation on tonight's agenda for new vehicles for the Police and Fire Departments, Mayor Davidson stated that these vehicles will be purchased through the state bid. The Mayor noted that there are long lead times, and the vehicles are needed for their fleets. The Mayor also requested that Council move forward on the legislation for road materials, noting that the materials are needed for the Service Department to do road maintenance.

With regard to the City employees, Councilman Lowery inquired if annual written performance appraisals are done and documented. Mayor Davidson advised that this is handled by Department, noting that the Police and Fire Departments have a formal process in place and the Service Department performs merit reviews. The Mayor noted that he reviews for merit within his administrative staff. Councilman Lesnick noted that at the recent Ohio Municipal League seminar, there were several talks regarding items that cities should be concerned about, one being that cities should have formal documented reviews because there have been cases that have resulted in issues for cities.

With regard to the road plan, Councilman Lesnick inquired if Kelsey Court will be included in addition to the roads previously mentioned. Mayor Davidson stated that the specifications for the bids are not done, noting that the information will be shared when it is complete.

Council President Potter inquired about having a 5:30 p.m. work session before the next meeting regarding the sewer issue in the old town area. Noting that it is difficult for people to arrive in time for a 5:30 meeting, the Mayor suggested that the work session be held at 6:00 p.m. The Mayor noted that the series of questions should be developed before the work session to give the County notice to address those questions; he noted that additional questions will be raised by the residents at the public meeting. Mr. Potter stated that he would like to have as much background information as possible before the public meeting. There was discussion regarding the forum for the public meeting; Mayor Davidson noted that it may need to be held in a larger meeting room than Council Chambers.

STANDING COMMITTEE REPORTS:

Councilman Lowery advised that a Planning and Zoning Standing Committee meeting will be held following tonight's regular Council meeting.

CORRESPONDENCE:

Council President Potter reported on the following:

- 1. From the Ohio Division of Liquor Control, the notice of request for transfer of a D1, D2, D3 and D6 permit from Biga LLC, dba Biga Wood Fired Pizzeria, to MTY Restaurants LLC, dba Biga Wood Fired Pizzeria. Mr. Richards stated that it appears to be a transfer from one corporate entity to another, at the same location. It was noted that there have been no issues with the liquor permit at this location, and Council did not request a hearing in this regard.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Walter Tornstrom, 8735 Palomino Trail, inquired if the City has insurance for any vehicle that is damaged from potholes. Law Director Richards advised that the City has liability insurance, and appropriate matters relating to property damage involving the City, and potentially exposing the City to liability, are turned over to the insurance company. Mr. Tornstrom inquired if a police report is required. Mr. Richards replied that a police report could be helpful but is not necessarily required. Mr. Richards stated that determination is based on knowledge the City has about a particular defect, whether or not there is a police report. Mr. Richards stated that it would be investigated by the insurance company. Mr. Richards stated that the law in the State of Ohio makes certain exceptions to liability, noting that municipalities have a widespread amount of immunity for liability to protect the taxpayers. He noted that the exceptions to the immunity are well defined in the State statute, one of which relates to maintenance of the roads. Mr. Richards stated that if it is established that damage or injury is caused by a defect in the road, and it is proven that the City had knowledge of the defect beforehand, there can be liability.

Mr. Tornstrom inquired if there has been discussion about a long-term bond issue to pay for the roads to be paved immediately or very soon instead of dragging it out over a long period of time. Council President Potter stated that the Mayor, Finance Director, Service Administrator, City Engineer and City Council are all actively seeking a method in which the City can fund paving of more roads sooner. Mr. Potter stated that he has requested that a list of roads be prepared, including cost of repair, and then it will be determined whether there will be a bond initiative.

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. Council President Potter noted that this Ordinance will be the topic of discussion at the Planning and Zoning Standing Committee meeting following tonight’s Council meeting.

RESOLUTION NO. 18-R-4 - (Tabled) - **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH NORTHSTAR TOWERS LLC, FOR THE CONSTRUCTION OF A WIRELESS COMMUNICATION FACILITY ON CITY PROPERTY, AND DECLARING AN EMERGENCY.**
(Mayor Davidson)

Mr. Lesnick moved to remove this from the table. Mr. Schulz provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, KIREK, LESNICK, LOWERY AND POTTER. VOTING NAY: NONE).**

OLD BUSINESS – RESOLUTION NO. 18-R-4 (continued):

Mr. Lesnick moved to amend the Resolution to incorporate the revised version of the Agreement (Exhibit A) that was provided to Council for tonight's meeting. Mr. Lowery provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, KIREK, LESNICK, LOWERY AND POTTER. VOTING NAY: NONE).** As a result of the amendment, the legislation reverts to Second Reading.

Mr. Lesnick moved to waive the three readings, with the second by Mr. Smolic. Mr. Skrbis inquired about the purpose of waiving the three readings. Mayor Davidson stated that it is the City's intent to place some antennas on the tower; he noted that it would be beneficial to waive the third reading and pass the legislation as an emergency. Mr. Skrbis stated that he is in favor of proceeding so the revenue will begin, and that he was inquiring only about the reasoning. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, KIREK, LESNICK, LOWERY AND POTTER. VOTING NAY: NONE).**

Mr. Skrbis moved to declare an emergency and adopt the legislation as amended, with the second by Mr. Lesnick. Mr. Schulz commented that he appreciates everyone's patience and input, noting that he believes this is a win-win situation for the City; it took a little bit longer than anticipated but it was done correctly. With regard to the revenue it will generate, Mr. Schulz stated that once the tower is fully leased, for ten five-year terms, with the two percent increase per year, the present value of those future cash flows is nearly 1.5 million dollars. He stated that the money is not coming from the taxpayers or landowners, noting that he hopes the City can work together to develop and find more of these types of revenue streams. Mr. Schulz noted that the revenue will make a significant impact on a yearly basis. Mr. Potter thanked the Mayor and Law Director for their efforts in going the extra mile; and he thanked Council members for their input.

Speaking to the reason for the delay, Mr. Lesnick stated that there was some language in the agreement that was clarified and Council was assured that the revenue increases each year and that revenue would be received per month when a new PCS system co-locates. Mr. Lesnick stated that the termination clause would have allowed the tenant to leave with 30 days' notice, noting that the budget would have been dependent on that revenue; he noted that the termination clause has been revised to provide for a six-month payment if the tenant decides to leave.

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

RESOLUTION NO. 18-R-9
(Mayor Davidson)

- **(Third Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; TEMPLEVIEW SEWER PROJECT #503; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE MAY 15, 2018 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED, AND DECLARING AN EMERGENCY.**

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

OLD BUSINESS (continued):**RESOLUTION NO. 18-R-10**
(Mayor Davidson)

- **(Third Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; CAPITAL PROJECT FUND #300; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE MAY 31, 2018 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.**

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

RESOLUTION NO. 18-R-12
(Mayor Davidson)

- **(Second Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; CAPITAL PROJECT FUND #307; GENERAL OBLIGATION BOND FUND #600; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE JUNE 15, 2018 TO GENERAL OBLIGATION BOND FUND #600; GENERAL FUND #100; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.**

Read by title only and placed on Second Reading. Councilman Lesnick stated that some of the numbers are not in line with the budget. Mr. Martinet advised that he met with the bond broker, noting that he will provide Council with updated transfer amounts. Noting that he previously mentioned that the City can borrow funds for repairing roads but not repaving, Mr. Martinet stated that he recently found out that the City can borrow money to repave roads, but it is a ten-year payment, as opposed to fifteen or twenty years.

RESOLUTION NO. 18-R-13
(Mayor Davidson)

- **(Second Reading) - A RESOLUTION ACCEPTING THE BID OF OSBORNE CONCRETE & STONE COMPANY FOR ROAD MATERIALS, AND DECLARING AN EMERGENCY.**

Read by title only. Councilman Lesnick inquired if a cost was determined to pave the roads that will be done this summer. Mr. Catania stated that the City Engineer is working on the specifications for Arborhurst and Singlefoot, along with a portion of Billings, before the cost can be determined. Mr. Lesnick inquired if there is a definitive list of roads to be paved and the cost. Mr. Catania stated that the roads to be done are Arborhurst, Singlefoot and as much of Billings that can be done with available funds. Council President Potter inquired if the plan is to go out and get bids for the portion of Billings. Mayor Davidson stated that Mr. Kiefer is developing the specifications, and the job will be bid out.

Mr. Lesnick inquired about Booth Road, between Kirtland-Chardon and Eagle. Mr. Catania stated that the County Engineer is concerned about resurfacing and the dead weight on the bridge. Mr. Catania stated that extensive patching will need to be done on Booth, noting that he does not believe there will be sufficient funds in the budget for resurfacing. There was discussion regarding the bridge and future resurfacing.

Council President Potter inquired how this legislation affects the City's ability to do the work required on the Route 306 project in the coming weeks. Mr. Catania stated that he cannot do anything without material. He noted that the pipe and catch basins have been delivered for the Route 306 drainage work, but he does not have any stone. Responding to Mr. Potter, Mr. Catania confirmed that not having access to the road materials will hold up the Service Department's work. Noting that a road plan is being developed as requested by Council, Mr. Potter suggested that Council pass this legislation as an emergency to provide Mr. Catania with the resources he needs.

OLD BUSINESS – RESOLUTION NO. 18-R-13 (continued):

Mr. Schulz moved to waive the three readings, with the second by Mr. Kirek. Responding to an inquiry from Mr. Lesnick, Mr. Catania stated that the road materials are used not only for roads, but also for drainage work, erosion protection and base repair for potholes. Mr. Catania stated that he cannot state specifically how much material will be used on which roads. Mr. Schulz noted that the amount of stone used in drainage work is not quantified. He stated that for roadway work, an estimated dollar amount can be determined for material for a typical section; but for the other work mentioned by Mr. Catania, there is not typically an estimate of the amount of material. Mr. Schulz stated that these prices will be locked in for the City to purchase the materials, noting that if this legislation is not adopted tonight, work that needs to be done will be delayed until the next Council meeting on May 9. Mr. Catania stated that material will be purchased only as needed. There was discussion regarding the dollar amounts for road materials in relation to the budget. It was noted that the City is not obligated to purchase a specific amount of material.

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

RESOLUTION NO. 18-R-14 - **(Second Reading) - A RESOLUTION ACCEPTING THE BID OF ARMS TRUCKING COMPANY FOR ROAD MATERIALS, AND DECLARING AN EMERGENCY.**
(Mayor Davidson)

Read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Skrbis. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, KIREK, LESNICK, LOWERY AND POTTER. 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: SCHULZ, SKRBIS, SMOLIC, KIREK, LESNICK, LOWERY AND POTTER. VOTING NAY: NONE).**

RESOLUTION NO. 18-R-15 - **(Second Reading) - A RESOLUTION ACCEPTING THE BID OF HALL INDUSTRIAL INSULATION FOR THE CONSTRUCTION AND INSTALLATION OF A CROSSWALK ON STATE ROUTE 306, AND DECLARING AN EMERGENCY.**
(Mayor Davidson)

Read by title only. Mayor Davidson advised that the City Engineer has been corresponding with IAP Government Services Group regarding three items that need follow-up; he noted that the cost will be impacted.

Councilman Lesnick noted that the study looked at two different types of systems, and he inquired whether there was discussion regarding any other type of crosswalk. Mr. Kiefer stated that there was discussion about simply putting two crosswalk lines across the road and putting up signs. Mayor Davidson stated that the criteria for this crosswalk is to incorporate a red light and have the safest crosswalk possible for the students, to supplement the crosswalk that already exists at Joseph Street. The Mayor stated that he would hesitate to put in a crosswalk that is less safe.

Mr. Lesnick inquired if there is a difference between the pedestrian hybrid beacon and the Hawk system. Mr. Schulz advised that the Hawk is a stop condition; the flashing beacon is not a stop condition. Mr. Schulz stated that there have been some issues with the FHWA (Federal Highway Administration) regarding the rapid flashing beacon, and its use was temporarily suspended. Mr. Schulz stated that the previous Council's risk aversion was to utilize a stop condition, and to reach the stop condition decision, the warrant study was required.

OLD BUSINESS – RESOLUTION NO. 18-R-15 (continued):

Mayor Davidson stated that it was also the advice of Police Chief Baumgart, along with the current Police and Fire Chiefs, that the City should not put in a crosswalk that creates a false sense of security. Fire Chief Hutton stated that he is a proponent of the Opticom and the red light system and that he believes it is very important that the light turns red before pedestrians cross the street; he noted that a flashing yellow light (such as the crosswalk in downtown Willoughby) creates a false sense of security for the pedestrians and there are a lot of “close calls” because people start to cross before the traffic stops. Chief Nosse noted that downtown Willoughby has a lot of exterior lighting, but there is not much street lighting in the downtown Kirtland area. Chief Nosse stated the importance of the visibility factor, especially at night and with the flow of traffic that travels Route 306 through the downtown area. Chief Nosse stated that he does not want pedestrians to have a false sense of security, and that he is a proponent for the red light system. Answering Councilman Lowery, Mr. Kiefer stated that the red light is push-button activated, noting that the light is not on until it is activated.

Noting that there were only two bids through IAP, the lowest being \$110,000, Mr. Lesnick stated that the FHWA shows the average cost of these systems as \$57,000. Mayor Davidson stated that at third reading, when the Opticom, fluted poles and battery back-up are included, Council will have the option to approve or reject the legislation. Mayor Davidson stated that IAP was chosen because of their formal process of bidding, including publication and the site walk. Mr. Schulz noted that he has not seen any bid price remotely near \$57,000 in the Lake, Geauga or Cuyahoga County area for a similar project; it is normally in the price range of \$100,000 and above. Mr. Schulz stated that he believes the bid that was received is very competitive, and he fully supports the additional items requested (battery back-up, fluted poles and the Opticom).

Councilman Lowery stated that he believes Mr. Lesnick is inquiring if it is appropriate to have only two bids and if there are any other competitive bidders that would bid on this project, resulting in less cost. Mr. Lowery stated that he believes it would not look good if Council votes this down, but the question is whether this is the right bid. Mayor Davidson stated that this was a formal bid process, and that IAP is a reputable company and has contracts with the State. Mr. Kiefer noted that five or six contractors came for the site walk. Chief Hutton added that it is not uncommon to have only two bids. Mr. Lesnick stated that he raises these questions because of the City’s financial situation, noting that part of Council’s job is to look at the budget and make sure spending is appropriate, and Council is also responsible to oversee the bidding and awarding of contracts. Mr. Lesnick stated that he believes the City needs to look at better ways to advertise for bids.

The legislation was placed on Second Reading.

NEW BUSINESS:

ORDINANCE NO. 18-O-17 - **AN ORDINANCE AMENDING SECTION 236.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO EXPENDITURES AND COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY.**
(Council President Potter)

Read by title only and placed on First Reading.

ORDINANCE NO. 18-O-18 - **AN ORDINANCE AMENDING CHAPTER 236 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, BY ADDING SECTION 236.12 RELATING TO THE PROVISION OF AN ANNUAL ROAD PLAN, AND DECLARING AN EMERGENCY.**
(Council President Potter)

Read by title only and placed on First Reading.

NEW BUSINESS (continued):**RESOLUTION NO. 18-R-19**
(Mayor Davidson)

- **A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW 2018 FORD 4-DOOR EXPLORER FOR USE BY THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.**

Read by title only. Council President Potter noted that this vehicle was included in the budget discussions and will replace the Chief's vehicle. Chief Hutton stated that his current vehicle will go into the fleet to replace the 2006 Ford Expedition that has been taken out of service; he noted that Station 2 is currently without a utility/chase vehicle. Chief Hutton advised that the 2006 vehicle will be listed for sale on GovDeals; he noted that some vendors will take vehicles on trade, but others will not.

Responding to Councilman Lesnick regarding equipment for the new vehicle, Chief Hutton stated that the new vehicle will be outfitted similar to his existing vehicle, noting that a light bar will be installed on his existing vehicle. He noted that the light package should be cost effective. Chief Hutton stated that the Department has the radios, and they will build a storage area in the vehicle.

Mr. Schulz moved to waive the three readings, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, KIREK, LESNICK, LOWERY AND POTTER. 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: SCHULZ, SKRBIS, SMOLIC, KIREK, LESNICK, LOWERY AND POTTER. VOTING NAY: NONE).**

RESOLUTION NO. 18-R-20
(Mayor Davidson)

- **A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE TWO (2) NEW 2018 FORD 4-DOOR EXPLORER POLICE VEHICLES FOR USE BY THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.**

Read by title only. Chief Nosse stated that both vehicles will be the same. Noting that the vehicles are not fully equipped, Chief Nosse stated that he will be replacing two Tahoes. Chief Nosse stated that he will have to purchase some equipment to add to the vehicles, noting that he will utilize as much of the equipment as possible from the Tahoes.

Councilman Schulz inquired about anticipated delivery. Chief Nosse and Chief Hutton advised that delivery on the vehicles is 7 to 10 weeks after placing the order.

Mr. Schulz inquired about the age and mileage of the two Tahoes being taken out of service. Chief Nosse replied that they are 2012 vehicles, averaging 126,000 miles.

Councilman Lowery inquired if the vehicles will be traded and where the money goes. Chief Nosse stated that they usually put the vehicles out for bid and try to get the best money possible, although it has not been very equitable lately for the City. Chief Nosse stated that one of the vehicles will likely be given to the Service Department for use in the City, and the other vehicle will be sold. Chief Nosse stated that they usually do not receive much money on a trade-in, especially for police vehicles. Chief Hutton noted that if a vehicle is traded, the trade amount is taken off the price of the new vehicle; if it is sold on GovDeals, the money goes into the General Fund.

For the benefit of the audience, Mr. Lesnick noted that the City is getting a great deal on the Explorers at \$28,000, and the SUV's are a safer alternative than cars.

NEW BUSINESS – RESOLUTION NO. 18-R-20 (continued):

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

RESOLUTION NO. 18-R-21
(Mayor Davidson)

- **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY AND THE CITY OF WICKLIFFE, OHIO AND THE CITY OF WILLOWICK, OHIO, REGARDING LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY HIRING AND EMPLOYING A SHARED ECONOMIC DEVELOPMENT MANAGER, AND DECLARING AN EMERGENCY.**

Read by title only and placed on First Reading. Councilman Lowery stated that he was intrigued by the discussion with Mr. Rantala during the work session. Mayor Davidson stated that he can have Mr. Rantala come back for further discussion if Council wishes; he noted that there is at least one adjustment to be made in the agreement. The Mayor stated that this will be a good opportunity for the City.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Skrbis thanked Council members for their patience in hearing everyone’s point of view, noting that he appreciates the dialogue.

PUBLIC COMMENTS:

Pam Klann, 7856 Russellhurst Drive, inquired if the location of the crosswalk has been determined. Mayor Davidson advised that there has been discussion in that regard, noting that a location has been specified but he is agreeable to moving it based upon the advice of the City Engineer and the input of Sheila Dikowicz and others. The Mayor stated that the initial location was the south end of the horseshoe.

ADJOURNMENT:

Mr. Lowery moved to adjourn, with the second by Mr. Kirek. The motion of Council passed by unanimous vote and the meeting adjourned at 9:00 p.m.

President of Council

Clerk of Council