

KIRTLAND CITY COUNCIL MINUTES

February 7, 2011

The meeting of Kirtland City Council was called to order at 7:06 p.m. by Council President R. Robert Umholtz. Mr. Webbe led the prayer which followed the Pledge of Allegiance. The members of Council present were: Douglas Davidson, David Kirek, Timothy Powell, Matthew Schulz, 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, Service Administrator Carm Catania, Police Chief Wayne Baumgart and Fire Chief Anthony Hutton.

PUBLIC HEARINGS:

Ordinance No. 11-O-1 – Relating to Reorganization of the Zoning Code

Council President Umholtz opened the public hearing in this regard. There were no comments or questions, and the public hearing was concluded with the consent of Council.

Ordinance No. 11-O-2 – Relating to Update of Stormwater Ordinances

Council President Umholtz opened the public hearing in this regard. There were no comments or questions, and the public hearing was concluded with the consent of Council.

MINUTES OF THE JANUARY 19, 2011 WORK SESSION:

Mr. Kirek moved to waive the reading of the Minutes, with the second by Mr. Davidson. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, with the second by Mr. Davidson. **ROLL CALL: MOTION CARRIED 5/0/2 (VOTING YEA: DAVIDSON, KIREK, POWELL, SKRBIS AND UMHOLTZ. VOTING NAY: NONE. ABSTAINING: SCHULZ AND WEBBE).**

MINUTES OF THE JANUARY 19, 2011 COUNCIL MEETING:

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

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton stated that the monthly report has been distributed.

Police Chief Wayne Baumgart advised that the monthly report for January has been distributed.

Service Administrator Carm Catania reported that approximately 3500 tons of road salt has already been used this year, which is equal to the amount of salt that is usually used for a complete winter season. Mr. Catania stated that he is concerned about the supply for next winter, noting that the budget will be tight.

Council President Umholtz inquired about the condition of the roads. Mr. Catania replied that there will be some issues, noting that extensive patching will need to be done once it thaws.

DEPARTMENT REPORTS (continued):

City Engineer Philip Kiefer stated that legislation should be on the next Council agenda for the Tibbitts Road project. Mr. Kiefer noted that in the past, the City approved the agreements in July, but now the Ohio Public Works Commission wants Council to authorize the application to be submitted and authorize the Mayor to sign the agreement when it is provided in July.

At the request of Council President Umholtz, Mr. Kiefer provided a brief review of the Tibbitts Road project. He noted that bad spots will be repaired and drainage work will be done, especially on the hills. Mr. Kiefer advised that it is a \$400,000 project; approximately half of the funding will come from OPWC, which will pay for the materials. He stated that the Service Department will perform the work in-kind, as the City's contribution; the actual cash outlay should be minimum. Mr. Kiefer advised that the agreement will be provided to the City in early July, noting that work cannot begin until the agreement is approved and the City submits a request to proceed. He noted that work should begin on the project at the end of July.

Councilman Skrbis inquired if there are any updates with regard to the Route 6 and Sperry Road project. Mr. Kiefer stated that Mr. Catania will do some test holes to determine the depth of the utilities, once the weather permits.

With regard to the two projects discussed, Councilman Davidson inquired which project has priority. Mr. Kiefer advised that the Route 6 and Sperry Road project would be addressed first, since the funding has already been allocated; he noted that the funding for the Tibbitts Road project will not be available until July.

Finance Director Keith Martinet advised that he prepared, posted and distributed the December 31, 2010 financial statements. Mr. Martinet reminded the President of Council, the Chairman of the Finance Committee and the Mayor that the Board of Tax Review will meet following the conclusion of tonight's Council meeting.

Responding to Councilman Powell, Mr. Martinet confirmed that he received his request for payroll information, noting that it will be provided at the next Council meeting.

Law Director Daniel Richards gave no formal report and no questions were asked of him.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Mark Tyler advised that the budget is nearly complete, noting that it will be finalized and presented to Council following the next Council meeting.

Mayor Tyler noted that a new building is proposed for the property at Route 306 and Kirtland Road, noting that it will be occupied by Lakeland Community College. He noted that the developer presented a conceptual plan to the Planning and Zoning Commission at last month's meeting, and they are submitting preliminary and final plans for next week's meeting.

Councilman Powell expressed concern that the developer did not present the conceptual plan with total clarity, noting that it was presented as office space, with no mention of classrooms. Councilman Powell noted that Mr. Kiefer advised the developer of the possible widening of Kirtland Road and suggested that the building be moved a few feet, resulting in the loss of some parking spaces. With the addition of classrooms, Mr. Powell noted that parking spaces would be at a premium and he stated concern that there would be insufficient parking.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

Mayor Tyler stated that the developer attended last month's Planning and Zoning Commission meeting, and at that time the College had not yet received Board approval. The Mayor noted that Board approval was received on January 27, 2011, and the developer is now able to provide more detail.

For real estate tax purposes, Mr. Kirek inquired whether the College will own the land. Mayor Tyler advised that the developer will own the land. He noted that the College will be adding staff.

Councilman Davidson requested that the Mayor and Fire Chief comment on the City's mutual aid involvement and Lubrizol's involvement with regard to the gas explosions in Fairport. Chief Hutton advised that the City responded with the command van and a rescue squad. Chief Hutton stated that he spent the day at a command post; the Kirtland firefighters/paramedics were assigned to a crew. Mayor Tyler advised that Lubrizol activated their emergency center; he noted that he was in contact with Chief Hutton throughout the day and was able to provide some details to Lubrizol's response team. Chief Hutton stated that the Fire Department spent approximately 11 hours in Fairport. He stated that there were multiple fires and multiple units responding, noting that his role was to help organize the units coming in. He commended Kirtland's crew, noting that they worked as a task force. Chief Hutton spoke briefly about the organized effort in handling the situation.

Responding to Councilman Davidson, Chief Hutton stated that he believes the transmission lines in Kirtland are different than those in Fairport, noting that Kirtland has a high volume main.

Mayor Tyler noted that the monthly Mayors and Managers meeting was held at the EOC, coincidentally on the same day that the fires occurred. Noting that there was discussion at the meeting with regard to the upcoming radio system, Mayor Tyler advised that the County received more grant money toward the backbone costs. Noting that an Assistance to Firefighters Grant was awarded to the City, the Mayor stated that additional opportunities are being pursued that may assist with the City's share of the cost.

Chief Hutton advised that with the arrival of the brush fire truck, the Fire Department will no longer have room to house the Command Van. He advised that a Memorandum of Understanding has been entered into with the County Commissioners, and that the Command Van will be housed at the EOC; he noted that Kirtland will be able to respond after hours. He noted that the Command Van should be moved to the EOC sometime this month.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

- ORDINANCE NO. 11-O-1** - (Second Reading) - AN ORDINANCE REPEALING
(Council President Umholtz) CODIFIED ORDINANCE CHAPTERS 1260, 1262, 1278 AND 1280; AND ENACTING CODIFIED ORDINANCE CHAPTERS 1260, 1261, 1262, 1284 AND 1296 OF THE CITY OF KIRTLAND.

Read by title only and placed on Second Reading.

- ORDINANCE NO. 11-O-2** - (Second Reading) - AN ORDINANCE TO UPDATE
(Council President Umholtz) THE STORMWATER ORDINANCES OF THE CITY OF KIRTLAND PURSUANT TO RENEWAL OF THE OHIO EPA MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT.

Read by title only and placed on Second Reading.

- RESOLUTION NO. 11-R-3** - (Second Reading) - A RESOLUTION AUTHOR-
(Mayor Tyler) IZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR STORMWATER MANAGEMENT SERVICES WITH THE BOARD OF LAKE COUNTY COMMISSIONERS.

Read by title only and placed on Second Reading.

NEW BUSINESS:

- RESOLUTION NO. 11-R-4** - A RESOLUTION CONFIRMING THE REAPPOINT-
(Mayor Tyler) MENT OF DR. JAMES H. PORTER TO THE VOLUNTEER FIRE FIGHTERS' DEPENDENTS BOARD, AND DECLARING AN EMERGENCY.

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

- RESOLUTION NO. 11-R-5** - A RESOLUTION CONFIRMING THE APPOINT-
(Mayor Tyler) MENT OF WENDY C. HUTTON TO THE VOLUNTEER FIRE FIGHTERS' DEPENDENTS BOARD, AND DECLARING AN EMERGENCY.

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

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Referring to the proposed new building at Route 306 and Kirtland Road, Councilman Powell inquired whether the traffic flow will be addressed in that area, noting that he has concerns about the traffic light patterns. Chief Baumgart noted that drawings have already been done to address this intersection.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Davidson moved to adjourn, with the second by Mr. Kirek. The motion of Council passed by unanimous vote. The time was 7:38 p.m.

President of Council

Clerk of Council