

KIRTLAND CITY COUNCIL MINUTES

November 9, 2011

The meeting of Kirtland City Council was called to order at 7:12 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, City Engineer Philip Kiefer, Service Administrator Carm Catania and Fire Chief Anthony Hutton. Sergeant Jamie Tavano was present in the absence of Police Chief Wayne Baumgart.

MINUTES OF THE OCTOBER 17, 2011 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 adopt the Minutes, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: POWELL, SCHULZ, SKRBIS, UMHOLTZ, WEBBE, DAVIDSON AND KIREK. VOTING NAY: NONE).**

MINUTES OF THE OCTOBER 17, 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 7/0 (VOTING YEA: POWELL, SCHULZ, SKRBIS, UMHOLTZ, WEBBE, DAVIDSON AND KIREK. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised that the formal report has been distributed.

Police Sergeant Jamie Tavano stated that the formal report has been distributed.

Service Administrator Carm Catania did not give a formal report. Councilman Skrbis noted that the tank on the New Promise Church property is being cut into pieces in order to be removed; he requested that Mr. Catania follow-up on this at the end of the week. With regard to the complaint about the lights at New Promise Church, Mr. Catania stated that the parking lot lights are on a timer and shut off at 11:00 p.m. unless there is a function; he noted that the lights at the exit points on the building remain on all night.

Councilman Schulz noted that a couple months ago he mentioned a concern about a hanging power line on Forestdale. Mr. Catania stated that he was given contact information for a telephone company representative, noting that it is the telephone line that is low and that the line was flagged. Mr. Catania stated that he will follow-up with the telephone company in this regard; however, he noted that they usually do not come out unless a line is on the ground. Fire Chief Hutton noted that he is trying to have a cracked pole replaced.

City Engineer Philip Kiefer advised that he has distributed his monthly report.

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

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Mark Tyler advised that on October 18 he attended the Auditor of State Northeast Ohio Regional Advisory Board meeting. The Mayor noted that on October 19 he attended the Lake County Development Council economic forum; and later in the day he attended the Lake County Visitors' Bureau annual meeting.

Mayor Tyler advised that on October 31, the Public Utilities Commission met to discuss the package plants and Temple View Subdivision; he noted that the Planning and Zoning Standing Committee also met on October 31 to discuss Timothy Lane, which is a private drive.

Mayor Tyler offered his congratulations to the Kirtland High School football team on their record of 11-0, and he wished them luck as they head into the second round of playoffs this Friday.

The Mayor also offered congratulations to the Kirtland Public Library with regard to passage of their levy.

STANDING COMMITTEE REPORTS:

Councilman Powell stated that the Planning and Zoning Standing Committee met on Monday, October 31, 2011 with regard to Timothy Lane. He noted that Councilman Webbe has been in contact with the residents and made them aware of the discussion at the meeting.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

RESOLUTION NO. 11-R-53
(Mayor Tyler)

- (Second Reading) - A RESOLUTION TO
AUTHORIZE AND APPROVE TRANSFER OF
FUNDS FROM THE GENERAL FUND #100; SAID
FUNDS TO BE TRANSFERRED BY OR BEFORE
DECEMBER 31, 2011 TO GENERAL OBLIGATION
BOND FUND #600; IN THE AMOUNTS AND FOR
THE PURPOSES SPECIFIED.

Read by title only and placed on Second Reading.

NEW BUSINESS:**ORDINANCE NO. 11-O-55**
(Mayor Tyler)

- AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

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

RESOLUTION NO. 11-R-56
(Mayor Tyler)

- A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW SINGLE AXLE DUMP BODY SNOW AND ICE CONTROL EQUIPMENT PACKAGE FOR USE BY THE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.

Read by title only. Mr. Webbe moved to waive the three readings, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: POWELL, SCHULZ, SKRBIS, UMHOLTZ, WEBBE, DAVIDSON AND KIREK. VOTING NAY: NONE).** Mr. Webbe moved to declare an emergency and adopt, with the second by Mr. Skrbis. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: POWELL, SCHULZ, SKRBIS, UMHOLTZ, WEBBE, DAVIDSON AND KIREK. VOTING NAY: NONE).** Mayor Tyler thanked Council for adopting the ordinance at tonight's meeting.

RESOLUTION NO. 11-R-57
(Mayor Tyler)

- A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE NEW LAKE COUNTY 800 MHZ RADIO EQUIPMENT FOR USE BY THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

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

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Powell congratulated the Ward Councilmen and the Mayor, noting that he looks forward to working together over the next four years.

PUBLIC COMMENTS:

None.

ADJOURN INTO EXECUTIVE SESSION:

Mr. Powell moved to adjourn into executive session to discuss salary negotiations and potential acquisition of real estate, pursuant to Article I, Section 7(a) and Section 7(b) of the City Charter. Mr. Webbe provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: POWELL, SCHULZ, SKRBIS, UMHOLTZ, WEBBE, DAVIDSON AND KIREK. VOTING NAY: NONE).** The executive session convened at 7:26 p.m.

During the session, Mr. Umholtz, having to travel out of state, was required to leave before the meeting concluded.

RETURN TO REGULAR SESSION

Mr. Webbe moved to adjourn the executive session, with the second of Mr. Kirek. The motion passed and the executive session adjourned upon the unanimous vote of six members at 8:10 p.m. The regular session of council reconvened at 8:15 p.m. with a quorum of six members, Mr. Umholtz being absent.

ADJOURNMENT:

Mr. Skrbis moved to adjourn, with the second by Mr. Webbe. The motion of Council passed and the meeting adjourned by the unanimous vote of six members at 8:16 p.m.

President of Council

Clerk of Council