

KIRTLAND CITY COUNCIL MINUTES

March 7, 2016

The meeting of Kirtland City Council was called to order at 7:03 p.m. by Council President R. Robert Umholtz. Mr. Schulz led the prayer which followed the Pledge of Allegiance. The members of Council present were: Kevin Eilerman, David Kirek, Kevin Potter, Matthew Schulz, Robert Skrbis, Joseph Smolic and R. Robert Umholtz.

Administrative personnel present were: Mayor Douglas E. Davidson, Law Director Daniel F. Richards, Finance Director Keith Martinet, City Engineer Philip Kiefer, Service Administrator Carm Catania, Police Chief Wayne Baumgart and Fire Chief Anthony Hutton.

MINUTES OF THE FEBRUARY 17, 2016 WORK SESSION:

Mr. Kirek moved to waive the reading of the minutes, with the second by Mr. Skrbis. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, as presented, with the second by Mr. Skrbis. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN, KIREK AND POTTER. VOTING NAY: NONE).**

MINUTES OF THE FEBRUARY 17, 2016 COUNCIL MEETING:

Mr. Kirek moved to waive the reading of the minutes, with the second by Mr. Skrbis. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, as presented, with the second by Mr. Skrbis. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN, KIREK AND POTTER. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

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

Police Chief Wayne Baumgart advised that the new weapons for the officers have been distributed. The Chief stated that the Department also received the tasers, noting that the officers will need to be retrained on them.

Councilman Kirek commended the Police Department, noting that on Saturday while travelling to and from Divine Word, he noticed five vehicles stopped for speeding.

Noting that there have been issues with vehicles speeding and running the stop sign on Joseph Street, Councilman Potter stated that he received a complaint about a hand-painted sign in someone's yard asking drivers to slow down. Mr. Potter stated that the Police Department's Facebook page indicated that they are now spending more time in that area; he inquired about the results of increased police presence and about the best way to address this situation. Chief Baumgart stated that citations have been issued; he noted that there are three ways to address this, known as the three "E's" - education (provided on the Facebook page), enforcement and engineering (signage). The Chief noted that they use selective enforcement of areas with most accidents, particularly injury accidents, and areas where there are complaints.

Service Administrator Carm Catania gave no formal report and no questions were asked of him. Councilman Eilerman thanked Mr. Catania for taking some action with regard to a property on Westwood.

DEPARTMENT REPORTS (continued):

City Engineer Philip Kiefer advised that his monthly report has been distributed. Noting that drainage on Ledgewood and Rockwood was discussed recently, Councilman Smolic inquired if the City Engineer has had an opportunity to look into re-opening the end drain on Rockwood as opposed to the current drainage. Mr. Kiefer stated that he has looked into this, noting that a new pipe would need to be run to the bottom of the hill and that the cost would be significant.

Finance Director Keith Martinet advised that he distributed the 2015 wage report to Council members, noting that they can call him if there are any questions.

Law Director Daniel Richards did not present a formal report and no questions were asked of him.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Davidson noted that Bryce Andonian, a young Kirtland resident, won the Division I State Wrestling Championship, wrestling for St. Ed's at 106 pounds; he stated that this is a tremendous accomplishment.

Mayor Davidson advised that Police Chief Baumgart was named "Alumni of the Quarter" for the Certified Law Enforcement Executive Program. The Mayor offered his congratulations to Chief Baumgart.

Noting that April is National Child Abuse Prevention month, the Mayor stated that Lake County Job and Family Services provided some information and a sample resolution. The Mayor noted that this should be done at the second meeting in March if Council would like to pass a resolution.

Mayor Davidson stated that he met with Joe Castrataro (owner of the Kirtland Plaza) and discussed his property and the potential for occupancy; he noted that the Community Reinvestment Area could help potentially with the update of the inside of the building.

The Mayor noted that he spoke with Mayor Anderson on Thursday regarding outlets for residents to voice their concerns about the skeet shooting; Mayor Anderson and the Law Department for the City of Willoughby requested that the Willoughby Planning Commission hold a hearing in this regard. He noted that the Commission typically does not have a public comments section, but a hearing will be forthcoming in this matter. Mayor Davidson stated that the date of the meeting will be shared once it is available; he noted that Mayor Anderson indicated that public comments can also be made at the Willoughby Council meetings.

Mayor Davidson noted that the City has been dealing with some noise complaints, signage complaints, wetlands issues, and speed on Joseph Street; he noted that he is continuing to work on these issues.

The Mayor noted that recent inquiries about the furniture store have been passed on to the owner.

Councilman Skrbis stated that he received an e-mail correspondence from Mike Young regarding some additional activity occurring outside of the dog park; he noted that someone was walking their dog near his fence line and encroaching upon his privacy. Responding to an inquiry from Mr. Skrbis regarding a City contact for the Farm Park, Chief Baumgart stated that he has been in contact with their Chief.

STANDING COMMITTEE REPORTS:

With regard to the ordinance draft relating to dogs, Councilman Smolic requested that any questions be forwarded to Law Director Richards; he will address those questions and then a meeting will be scheduled. Mr. Richards stated that in order to determine the modifications that are needed to the draft ordinance, he would like to evaluate and answer Council's questions before the Standing Committee meets.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Dennis Knaus, 7335 Ledgewood Drive, stated that the day after Christmas there was major flooding on Rockwood and Ledgewood and his property flooded again. He stated that at the January Council meeting the City acknowledged that the water was diverted from Rockwood to Ledgewood. Mr. Knaus inquired when the City will look into rediverting the watercourse from Ledgewood back to Rockwood, noting that he did not have a flooding problem until the water was diverted to Ledgewood. Mayor Davidson stated that he will meet with the Service Administrator and the City Engineer to understand the history of the work that was done; and he will respond in writing to Mr. Knaus.

OLD BUSINESS:

ORDINANCE NO. 16-O-9 - **(Third Reading) - AN ORDINANCE SETTING THE**
(Mayor Davidson) **APPROPRIATION FOR THE YEAR 2016.**

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

NEW BUSINESS:

RESOLUTION NO. 16-R-11 - **A RESOLUTION COMMENDING RON FENSTERMAKER**
(Mayor and Council) **FOR HIS SERVICE TO THE CITY OF KIRTLAND**
THROUGH THE KIRTLAND BASEBALL LEAGUE.

The Resolution was read in its entirety by Council President Umholtz. Mr. Skrbis moved to waive the three readings, with the second by Mr. Eilerman. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN, KIREK AND POTTER. VOTING NAY: NONE).** Mr. Schulz moved to adopt, with the second by Mr. Skrbis. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN, KIREK AND POTTER. VOTING NAY: NONE).**

The commendation was presented to Ron Fenstermaker, and he received the applause of all those present.

RESOLUTION NO. 16-R-12 - **A RESOLUTION COMMENDING DAVE TOROK FOR HIS**
(Mayor and Council) **SERVICE TO THE CITY OF KIRTLAND THROUGH THE**
KIRTLAND BASEBALL LEAGUE.

Council President Umholtz read the Resolution in its entirety. Mr. Kirek moved to waive the three readings, with the second by Mr. Skrbis. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN, KIREK AND POTTER. VOTING NAY: NONE).** Mr. Skrbis moved to adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SCHULZ, SKRBIS, SMOLIC, UMHOLTZ, EILERMAN, KIREK AND POTTER. VOTING NAY: NONE).**

The commendation was presented to Dave Torok, and he received the applause of all those present.

NEW BUSINESS - RESOLUTION NO. 16-R-12 (continued):

Councilman Skrbis stated his appreciation to both Mr. Fenstermaker and Mr. Torok, noting that their efforts have provided a great experience for children in Kirtland.

Council President Umholtz noted that the commendations were initiated by the Mayor in an effort to recognize individuals who, without being compensated, worked to make the community a great place to live and give the children a safe and constructive outlet. Mr. Umholtz expressed Council's gratitude to Mr. Fenstermaker and Mr. Torok.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

With regard to the beautification of the downtown Historic Center, Councilman Eilerman stated that he presented a proposal to the Mayor for consideration. Mr. Eilerman noted that some funding was found, but the remainder of the funding must be found in order to continue the effort. He noted that in the next two to three weeks plants will need to be planted in the ground or in pots so they are ready for Memorial Day.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Kirek moved to adjourn, with the second by Mr. Skrbis. The motion of Council passed by unanimous vote and the meeting adjourned at 7:33 p.m.

President of Council

Clerk of Council