

KIRTLAND CITY COUNCIL MINUTES

April 4, 2016

The meeting of Kirtland City Council was called to order at 7:04 p.m. by Council President Pro Tempore Robert Skrbis. 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 and Joseph Smolic. R. Robert Umholtz was absent.

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 MARCH 21, 2016 WORK SESSION:

Mr. Kirek moved to waive the reading of the minutes, with the second by Mr. Eilerman. The motion of Council passed by unanimous vote. Mr. Kirek moved to adopt the Minutes, as presented, with the second by Mr. Eilerman. **ROLL CALL: MOTION CARRIED 5/0/1 (VOTING YEA: SMOLIC, EILERMAN, KIREK, POTTER AND SCHULZ. VOTING NAY: NONE. ABSTAINING: SKRBIS).**

MINUTES OF THE MARCH 21, 2016 COUNCIL MEETING:

Mr. Eilerman moved to waive the reading of the minutes, with the second by Mr. Kirek. The motion of Council passed by unanimous vote. Mr. Eilerman moved to adopt the Minutes, as presented, with the second by Mr. Kirek. **ROLL CALL: MOTION CARRIED 5/0/1 (VOTING YEA: SMOLIC, EILERMAN, KIREK, POTTER AND SCHULZ. VOTING NAY: NONE. ABSTAINING: SKRBIS).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton did not present a formal report and no questions were asked of him.

Police Chief Wayne Baumgart advised that the formal report will be distributed later this week. Referring to discussion at the last Council meeting, Councilman Potter stated that the resident on Joseph Street removed the homemade sign; he inquired whether any thought has been given to place a sign on that street to slow down the traffic. Mr. Potter stated that the resident removed the sign with the hope that the City would put up a sign. Mr. Potter stated that the resident still has concerns about traffic speeding and running the stop sign and is willing to have the City place a sign in his yard. Mr. Catania stated that he will meet with the Police Chief in this regard.

Service Administrator Carm Catania did not present a formal report. Responding to Councilman Smolic with regard to the road plan, Mr. Catania stated that widening and drainage was done last year on Martin Road, and the Department is currently working on widening and drainage on Wrenwood. He noted that the Service Department will plan to work the way down the list.

Councilman Skrbis stated that he received an e-mail from Mary Sams on Prelog inquiring about the status of her road. Mr. Catania advised that, even if the road is not on the list for resurfacing, the City will continue to perform the normal maintenance throughout the City.

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

DEPARTMENT REPORTS (continued):

Finance Director Keith Martinet advised that the State audit process is ongoing and will hopefully be completed by mid-summer.

Law Director Daniel Richards did not present a formal report. Councilman Skrbis thanked Mr. Richards for preparing the draft disclosure relating to the announcement for the "Coffee with Council" gatherings. Mr. Richards noted that if Council members have any suggestions for modifications, he will review them.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Davidson advised that he received some correspondence from residents regarding the Rockwood/Ledgewood drainage, along with a memo from City Engineer Kiefer explaining the background of the situation. Mayor Davidson stated that residents should contact the Service Department if their drain is covered and they cannot maintain it themselves or need assistance. The Mayor stated that after he investigates this matter further, it will be determined whether funding can be obtained from Lake County Stormwater Management or some other source.

The Mayor noted that Jenna Hull and the senior volunteers did an excellent job with the pancake breakfast and egg hunt at the Community Center.

Mayor Davidson stated that Historic Kirtland has put together a brochure that provides information on the businesses and attractions in the downtown area, and they are distributing it to their guests; he noted that he sent them a thank-you note in this regard.

Responding to Councilman Potter, Mayor Davidson confirmed that he met for the fourth time with Frank Floyd, Jr., the president of Kirtland Country Club. The Mayor noted that it is the end of the season, so there will be no more shooting this season; their current course of action is to look at engineering changes. Noting that the sound measurement can show that it is not physically harmful, the Mayor stated that it is so persistent and so irritating to Kirtland's residents that he hopes they do not continue with the activity. Noting that he has asked Mr. Floyd to attend a Kirtland Council meeting to discuss this issue, the Mayor noted that currently the two opportunities for residents to be heard are the Willoughby City Council meetings and a meeting of the Willoughby Planning Commission in this regard (he noted that he will publish that meeting date once it becomes available). Councilman Potter stated that he plans to attend the Willoughby Council meeting tomorrow evening, noting that a few residents will be joining him at the meeting. Councilman Skrbis suggested that Council members provide any comments they have to Mr. Potter if they are unable to attend the meeting.

Referring to the Rockwood and Ledgewood drainage concerns, Councilman Smolic inquired whether there are any County funds available for this purpose. Mayor Davidson advised that the initial engineering estimate was \$250,000, noting that Lake County Stormwater Management is the first resource for funding that the City will explore. The Mayor stated that he needs to look into this further with the Service Administrator and the City Engineer, noting that he will also make a site visit.

STANDING COMMITTEE REPORTS:

With regard to the ordinance draft relating to dogs, Councilman Smolic stated that the Safety Committee (Police & Fire Standing Committee) will meet on Monday, April 18, 2016, at either 5:30 or 6:00 p.m., dependent on whether a Council work session will be held. Mr. Smolic requested that any further questions pertaining to the draft ordinance be forwarded to him or to Law Director Richards.

CORRESPONDENCE:

Council President Pro Tempore Skrbis reported on the following:

- 1. Copy of a memo dated March 8, 2016 from City Engineer Kiefer to Mayor Davidson regarding Ledgewood drainage concerns.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Elder Grant Howarth (LDS Church), noted that he is visiting here for approximately one year and expressed his appreciation to Council for the City's work relating to the flags and flowers and for the Mayor's decision to proceed with the beautification. He stated special thanks to Councilman Eilerman for his assistance in organizing the effort.

Elder Howarth reminded Councilman Potter that the Church has written a letter with regard to the noise from the skeet shooting; he noted that Mr. Potter is welcome to use that letter when he attends the Willoughby meeting.

Noting that it is his understanding that the Mayor attended a meeting regarding the Community Development Block Grant Funds, Elder Howarth inquired if the Mayor could comment in that regard. Confirming that he attended a meeting administered by the County, Mayor Davidson stated that there are a lot of strings attached to the Community Development Block Grant. The Mayor advised that he will soon be proposing to Council a different alternative, a Community Reinvestment Area, which has been used successfully for commercial properties in the City of Mentor and is being considered by Mentor-on-the-Lake; he noted that it gives the City more control and latitude with few strings attached.

OLD BUSINESS:

RESOLUTION NO. 16-R-13 - **(Second Reading) - A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; CAPITAL PROJECT FUND #300; CAPITAL PROJECT FUND #306; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE MAY 31, 2016 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.**
(Mayor Davidson)

Read by title only and placed on Second Reading.

NEW BUSINESS:

RESOLUTION NO. 16-R-15 - **A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; CAPITAL PROJECT FUND #301; CAPITAL PROJECT FUND #309; GENERAL OBLIGATION BOND FUND #600; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE JUNE 15, 2016 TO GENERAL OBLIGATION BOND FUND #600; CAPITAL PROJECT FUND #307 WORRELL ROAD; CAPITAL PROJECT FUND #311 306 STABILIZATION; GENERAL FUND #100; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.**
(Mayor Davidson)

Read by title only and placed on First Reading.

NEW BUSINESS (continued):

RESOLUTION NO. 16-R-16
(Mayor Davidson)

- A RESOLUTION VACATING, RELINQUISHING AND RELEASING ANY AND ALL INTEREST OR RIGHT IN AND TO BLOCK A, SO PLATTED ON THE SUBDIVISION PLAT OF CHAPIN LEDGES AS A 50 FOOT WIDE UTILITY EASEMENT FOR A FUTURE PEDESTRIAN AND BIKE TRAVEL ONLY.

Read by title only and placed on First Reading.

RESOLUTION NO. 16-R-17
(Mayor Davidson)

- A RESOLUTION VACATING, RELINQUISHING AND RELEASING ANY AND ALL INTEREST OR RIGHT IN AND TO BLOCK A, SO PLATTED ON THE SUBDIVISION PLAT OF FOXWOOD FOREST PHASE II AS A 50 FOOT WIDE UTILITY EASEMENT FOR A FUTURE PEDESTRIAN AND BIKE TRAVEL ONLY.

Read by title only and placed on First Reading.

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Skrbis advised that Council President Umholtz contacted him earlier today and advised that he is entwined in the current case he is handling and apologized for being unable to attend tonight's meeting.

Councilman Eilerman expressed thanks to Service Administrator Catania and his Department for taking care of the roads following the sudden change of weather.

PUBLIC COMMENTS:

Kathy Dudich, 8430 Bridlehurst Trail, stated that last year a letter was published showing pictures of the streets that were going to be worked on, and Bridlehurst Trail was the first picture and the first street; when she looked at the City's website today she noticed that Bridlehurst is not even included in the streets listed, and she inquired what changed. Mayor Davidson stated that it is his expectation that the Service Administrator will execute as much of the list as possible with the funds available. Noting that certain promises were made by the previous Administration, the Mayor stated that his approach was to review the condition of the streets that were before him as this spring's most critical streets, and then to inform Council of the plan and publish it. Mayor Davidson stated that he can commit to her that the Service Department will continue to perform maintenance on all of the streets while focusing on the list that was published. The Mayor noted that last year the City spent approximately \$100,000 more than the funds received from the levy, and it was mainly in Kirtland Lakes. The Mayor noted that the City will not be applying the top coat as desired in Kirtland Lakes this year in order to address more critical streets.

PUBLIC COMMENTS (continued):

Mrs. Dudich stated that every spring it floods in front of her house, and the street has to be closed because of all the water; she noted that it has been an ongoing problem. Mr. Catania stated that the drainage issue needs to be taken care of before any resurfacing can be done; he noted that he is hoping to address the drainage issue this year.

Noting that Bridlehurst is in his ward, Councilman Skrbis encouraged the Mayor to consider Bridlehurst whenever the list of streets is re-evaluated; he noted that the residents would appreciate patching of the street. Mayor Davidson noted that the streets will continue to be evaluated. Noting that material costs are down this year, the Mayor stated that there is a possibility that more roads can be addressed.

William Svendsen, 10822 Crestwood Drive, stated that he has been a Kirtland resident for 50 years, noting that Crestwood Drive was a dirt road when he moved here. He noted that the road was eventually tarred and chipped, and that was done for 25 to 30 years. Mr. Svendsen inquired if the City plans to use tar and chip instead of asphalt. Noting that the City is trying to be aggressive and address as many roads as possible, Mayor Davidson stated that the plan includes hot mix asphalt for some roads, and chip and seal for some roads. With regard to the chip and seal, Mayor Davidson stated that a much smaller stone is used now than in the past. The Mayor stated that there is a benefit of using chip and seal as an interim measure, noting that every crack in the road is covered and the road will be preserved for two or three more years. He noted that the chip and seal will be done by a contractor. The Mayor noted that chip and seal is a good solution for roads with traffic of less than 2,000 cars per day.

Mr. Svendsen inquired how the City can prevent in the future the problem that occurred last year (in Kirtland Lakes). Mayor Davidson stated that the engineering standards for roads have changed since Kirtland Lakes was developed.

Diane Brezec, 10792 Crestwood Drive, inquired about base repair, noting that the road is six inches below her drive and it is falling apart. Mr. Catania advised that base repair will be done before a top is put on the road. Noting that chip and seal was done on Sperry, Tibbetts and some other roads, Mr. Catania stated that it is a great solution for stopping the cracking.

Mrs. Brezec inquired how the City is choosing which streets will be asphalt and which streets will be chip and seal. Mayor Davidson noted that the City cannot obtain a loan on resurfacing of a street, but a loan can be obtained for reconstruction of a street, so they are handled differently. Mr. Catania stated that on Crestwood the City will do the base repair and then chip and seal will be done; he noted that the chip and seal will be the surface course for a couple years, and then asphalt will be done if the City has the funds.

Mayor Davidson referred to an article relating to ODOT's approach to asset management, noting that chip and seal is a very good solution for a road with less than 2,000 cars per day and speeds under 35 miles per hour. He noted that different roads are getting different treatments to be done correctly, and that the City is trying to stretch the funding as far as possible.

Rossi Giorgi, 10940 Crestwood Drive, stated that his end of the street is concrete and inquired about the transition from asphalt or tar and chip to concrete. Mr. Catania stated that, for this section, the City will most likely do a partial depth repair with a geo-tech style fabric to stop the joints from popping through, with a resurface over the top. Mr. Catania noted that if concrete slabs have broken loose, they will be removed and a concrete repair will be done. Mr. Catania stated that preliminary work was done to put asphalt on top of the concrete, but there has not been funding to do the asphalt.

Councilman Skrbis applauded the Mayor for making himself available to respond to the residents' concerns.

PUBLIC COMMENTS (continued):

For anyone that does not have internet access, Councilman Potter inquired if the road plan has been submitted to the Kirtland Chronicle. Mayor Davidson confirmed that he contacted the Chronicle regarding the plan.

ADJOURNMENT:

Mr. Eilerman moved to adjourn, with the second by Mr. Kirek. The motion of Council passed by unanimous vote and the meeting adjourned at 7:45 p.m.

President of Council

Clerk of Council