

KIRTLAND CITY COUNCIL MINUTES

July 11, 2016

The meeting of Kirtland City Council was called to order at 7:02 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, City Engineer Philip Kiefer, Service Administrator Carm Catania, Police Chief Wayne Baumgart and Fire Chief Anthony Hutton.

MINUTES OF THE JULY 6, 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 6/0/1 (VOTING YEA: EILERMAN, KIREK, SCHULZ, SKRBIS, SMOLIC AND UMHOLTZ. VOTING NAY: NONE. ABSTAINING: POTTER).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised that the Fire Department received official confirmation of the grant for two power cots and load systems; he thanked Captain Ponzani for doing a great job writing the grant application.

Police Chief Wayne Baumgart did not present a formal report. Chief Baumgart mentioned the newspaper article regarding the new dog at the Lake County Courthouse, noting that Mrs. Umholtz was mentioned in the article as the dog's facilitator.

Service Administrator Carm Catania advised that, weather permitting, milling is tentatively scheduled next week on Eagle Road from Deerfield to Route 306; he noted that this section of Eagle Road will be resurfaced. Mr. Catania stated that the striping is being delayed until some other projects are completed, to save on the cost of the contractor. He noted that he hopes to have the striping done before Labor Day.

Mr. Catania noted that the City received a good price on the road salt for next season.

Noting that Mr. Koeth of 10015 Hobart Road is in attendance at tonight's meeting, Councilman Potter stated that Mr. Koeth has a drainage issue that is undermining his driveway. Mr. Catania stated that he will visit the property tomorrow.

Referring to the donation bins located at the intersection of Route 6 and 306, Councilman Kirek stated that items are being dumped all over the ground surrounding the bins. Mr. Catania stated that he will contact the owner of the bins to determine whether permission has been obtained from the property owner. He noted that donation bins were previously removed from that property.

Councilman Schulz inquired about semi-tractor trailer trucks parking at the southeast corner of the Route 6 and 306 intersection adjacent to the Circle K. Noting that the trucks are there all night, Mr. Schulz inquired if the City can restrict this. Mr. Catania stated that he will look into this with the Police Chief.

DEPARTMENT REPORTS (continued):

Councilman Skrbis reminded Mr. Catania about two issues: re-visiting Mr. Washburn's property and slope protection on Wisner Road.

Noting that a couple of Martin Road residents attended the last Council meeting with regard to the condition of the road following the chip and seal, Councilman Skrbis stated that he visited Martin Road and agrees that the condition is poor. Mayor Davidson stated that the contractor has committed to come back to Martin Road to correct that surface treatment.

Councilman Smolic stated that he also visited Martin Road and noticed a lot of binder down the center and not much aggregate; he noted that in certain spots it did not appear to be more than 1/4" thick. Mr. Smolic inquired if the same contractor will be doing all of the chip and seal work in the City. Mr. Catania replied affirmatively, noting that Wrenwood turned out great. Responding to Mr. Smolic regarding the amount of aggregate, Mr. Catania stated that it was bid using ODOT specifications.

Councilman Schulz stated that he visited Killdeer, noting that it came out very nice. Noting that there was one negative response from a Killdeer resident, Mayor Davidson stated that the fog coat will make a difference. Mayor Davidson stated that he appreciates Council's and the residents' feedback. Noting that he is not on Facebook, the Mayor stated that the best way for residents to provide feedback is to attend a Council meeting, contact their Councilman, or contact him directly. He noted that the feedback indicates that the residents would like hot mix asphalt, but it is not feasible economically this year. The Mayor noted that the chip and seal will provide a good base for hot mix asphalt when funds are available, and it will prevent deterioration of the roads.

Councilman Smolic inquired about the difference in the stone on Killdeer, compared to Martin and Wrenwood, noting that there seems to be substantially more loose aggregate on top. Mr. Catania stated that Martin and Wrenwood were done with a cement treated base; he noted that there was not as much base failure on Killdeer, which was addressed in the areas needed. Mr. Catania stated that the size of the stone was adjusted because of the road surface.

City Engineer Philip Kiefer gave no formal report and no questions were asked of him.

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

MAYOR'S REPORT/ANNOUNCEMENTS:

Referring to legislation on tonight's agenda to confirm the appointment of Suzanne Grazia to the Board of Zoning Appeals, Mayor Davidson advised that he received a letter of resignation from Deloris Parsons, effective June 28, 2016. He noted that a Resolution will be drafted to thank Mrs. Parsons for her many years of service on the Board of Zoning Appeals.

Mayor Davidson stated that he received a packet of dog related materials from an animal lover in Illinois, including a video. Although it does not specifically relate to the dog ordinance, he noted that he will share this information with Councilman Smolic and the Police Chief.

The Mayor noted that correspondence has been copied for Council with regard to the upcoming Republican National Convention and the difficulties that will be experienced with traffic downtown.

In light of the recent events in Dallas, Mayor Davidson stated his appreciation for Kirtland's police officers and all they do for the City.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

Noting that the budget provided for one police car, Mayor Davidson stated that two police vehicles are needed due to the catastrophic failure to the rear end of one of the Crown Victoria cruisers. The Mayor noted that the lease amount for the two vehicles is \$25,627.29 for the first year, which exceeds his signature authority. The Mayor stated that the vehicles are being obtained through the State bid at the lowest price; he noted that some of the existing equipment will be re-used and some equipment is additional. The Mayor requested that Council pass a Motion declaring an emergency or a motion of intent so that the vehicles can be ordered.

With regard to the road paving, Mayor Davidson stated that he appreciates the Shetler's attending the last meeting; he noted that he contacted the contractor directly and impressed upon them the importance of following up on their work.

With regard to the police vehicles, Councilman Smolic inquired if there is a buy-out at the end of the lease. Mayor Davidson advised that there is a \$1 buy-out at the end of three years.

STANDING COMMITTEE REPORTS:

Councilman Smolic stated that the Safety (Police and Fire) Standing Committee met last Wednesday and that the Law Director will review the recommendations. Mr. Richards stated that an updated draft with comments will be provided by the time Council returns from summer recess.

As Chairman of the Public Relations Standing Committee, Councilman Potter stated that he would like to schedule a meeting next month; he advised that he will send an e-mail in this regard.

CORRESPONDENCE:

Council President Umholtz acknowledged correspondence that was received by certified mail. Noting that he read through the entire packet of information, Mayor Davidson advised that the correspondence relates to a Kirtland Hills matter. The Mayor advised that he gave a copy to Law Director Richards, and that Council does not need to respond.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Elder William Wynder of the Church of Jesus Christ of Latter-day Saints stated that the Church is part of the 2016 Lake County Organizing Committee to attract delegate and media attention to Lake County during the Republican National Convention. He advised that they put together bags for the 1,000 delegates that will be housed in Lake County during the convention; each of those bags contains information relating to the City of Faith and Beauty and Historic Kirtland in order to encourage visitation to Lake County, the City of Kirtland and Historic Kirtland. Elder Wynder stated that they are in the second week of a musical that tells the story of pioneer Kirtland. He presented flyers and extended an invitation to Council members to attend the production, which was held July 7 through July 9 and continues July 14 through July 16, noting that it is free and open to the public. Elder Wynder stated that this Saturday is the annual Historic Kirtland 5k run and walk, noting that the Mayor has graciously agreed to start the race. He presented handouts announcing this event and extended an invitation to Council members to participate.

Elder Wynder stated that this is their busy season, and they are averaging approximately 1,000 visitors per week. He stated that during the month of July, they expect 20,000 visitors to their sites; he noted that they are distributing materials promoting Kirtland's businesses to all of their visitors.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA (continued):

Council President Umholtz thanked Elder Wynder for addressing Council and for promoting Kirtland's businesses.

Police Chief Baumgart advised that the Police Department has information on its Facebook page regarding the closing of roads in downtown Cleveland during the convention.

Council President Umholtz stated that, as noted earlier by Chief Baumgart, the Lake County Courthouse dog is now officially part of his family and lives in Kirtland with his wife and him.

OLD BUSINESS:

None.

NEW BUSINESS:

Council President Umholtz noted that the Mayor has requested Council authorization regarding approval of the payments for the police vehicles, and he inquired of the Law Director whether Council can address this tonight by motion. Mr. Richards advised that this should be handled formally by written Council legislation. It was agreed that a special Council meeting be scheduled for Monday, July 18, 2016, at 6:15 p.m. to consider legislation relating to the two police vehicles. The Mayor and Council President agreed that the Department Heads do not need to attend the special meeting.

RESOLUTION NO. 16-R-20
(Mayor Davidson)

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A RESOLUTION CONFIRMING THE APPOINTMENT OF SUZANNE M. GRAZIA TO THE BOARD OF ZONING APPEALS TO FILL THE UNEXPIRED TERM OF DELORIS C. PARSONS, AND DECLARING AN EMERGENCY.

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

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CONTINUING CONCERNS:

Councilman Skrbis inquired whether Council needs to authorize the City Engineer to issue zoning permits during Council's recess for new houses in subdivisions with roads not yet accepted by the City for maintenance. Mr. Kiefer advised that it is not necessary this year because the roads in the subdivisions have already been accepted for maintenance.

COUNCIL COMMENTS:

Councilman Potter advised that "Coffee with Council" will be held this Saturday at City Hall. Mr. Potter also advised that the Willoughby Planning Commission will meet on Thursday, July 14, at 7:00 p.m. at Willoughby City Hall. Although there will not be an opportunity to be heard, Councilman Potter encouraged attendance at this meeting since the vote will likely be taken regarding the skeet shooting. Mr. Potter stated that he will note this meeting on Facebook.

With regard to the recent events in Dallas and the ongoing protests, Council President Umholtz expressed his appreciation for Kirtland's Police and Fire Departments, noting that he is proud of the Departments' employees and leaders. Mr. Umholtz thanked the Police Chief, the Fire Chief, and all of the safety personnel.

Councilman Skrbis noted that often people do not see the person behind the uniform. Mr. Skrbis suggested that it would be nice to see articles in the Kirtland Chronicle featuring the officers and their families and backgrounds, noting that it would provide a personal touch.

Councilman Kirek encouraged prayer for the Police and Fire Department employees, as well as all City employees.

PUBLIC COMMENTS:

With regard to the tragic events in Dallas, Chief Baumgart stated that a video will be posted on the Facebook page showing a lady talking about the officer who was trying to shield her and her family. He noted that the officers were trying to shield the protesters, not realizing that they were the targets.

ADJOURNMENT:

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

President of Council

Clerk of Council