

## KIRTLAND CITY COUNCIL MINUTES

October 7, 2019

The meeting of Kirtland City Council was called to order at 7:05 p.m. by Council President Kevin Potter. Mr. Schulz led the prayer which followed the Pledge of Allegiance. The members of Council present were: David Kirek, John Lesnick, Richard Lowery, Kevin Potter, Matthew Schulz and Joseph Smolic. Absent: Robert Skrbis.

Administrative personnel present were: Mayor Douglas E. Davidson, Finance Director Mary Kovalchik, City Engineer Philip Kiefer, Service Administrator Duane Martz and Fire Chief Anthony Hutton. Police Sergeant Michael Valenti was present in the absence of Police Chief Lance Nosse.

### MINUTES OF THE SEPTEMBER 16, 2019 WORK SESSION:

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

### MINUTES OF THE SEPTEMBER 16, 2019 COUNCIL MEETING:

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

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** advised that the formal report has been distributed. Councilman Schulz inquired about the status of the claim regarding the structure fire on Route 306, south of Russellhurst Drive. Chief Hutton advised that, in accordance with City ordinance, the City is holding funds and waiting for the resident to work with the insurance company. Chief Hutton noted that unfortunately, there is no timeline specified in the ordinance; Chief Nosse and Zoning Inspector Baumgart are looking into this matter to work with the family and get this situation addressed.

**Police Sergeant Michael Valenti** did not present a formal report. Answering Councilman Smolic regarding the crosswalk, Sergeant Valenti advised that officers have been present during events, noting that information will be published in the Chronicle and posted on the Police Facebook page to help educate pedestrians and motorists. He stated there are various types of crosswalks in the area, noting that it will take a little time for people to get used to its operation. Councilman Schulz advised that the same crosswalk system is used in Lakewood; he noted that it is new to the area so there is a learning curve. Mr. Schulz noted that the Police Department has been educating the students at the school.

Councilman Lowery inquired if there is any follow-up information regarding the incident at Circle K. Sergeant Valenti stated that the Police Department is conducting its investigation, noting that he is unable to give out information at this time.

**Service Administrator Duane Martz** did not present a formal report. Councilman Smolic inquired about the work on Route 306. Mr. Martz stated that the work should be complete in approximately one more week.

**DEPARTMENT REPORTS (continued):**

Councilman Schulz inquired about work being done by Dominion on Route 306. Mr. Martz stated that they finished the work on Friday, and Aqua Ohio will be coming out in the morning to make their repairs.

Council President Potter inquired about Booth Road. Mr. Kiefer advised that the contractor will put up signs on October 18; milling will be done on October 21, paving on October 29, depending upon the amount of base repair needed. Answering Mr. Schulz, Mr. Kiefer stated that the contractor will put chip seal over the existing pavement, then the base, and finally the course, one right after each other. Mr. Kiefer stated that traffic will be maintained in one lane while the work is being done. Answering Mr. Smolic, Mr. Kiefer said it will be milled, then chip sealed, then two courses of asphalt.

**City Engineer Philip Kiefer** advised that he spoke with the contractor (Badger Transfer) regarding the drainage projects; they plan to start next Monday. Answering questions from Councilman Smolic and Councilman Lesnick, Mr. Kiefer advised that they plan to do Tibbetts and Gildersleeve first, then Fox Hill and Raccoon Hill next, and Wisner will be last; each project should take approximately three to four days. With regard to completing the projects before inclement weather, Mr. Kiefer said his only concern is Wisner Road, depending on rain and the river level. Mr. Smolic inquired about an additional issue on Tibbetts; Mr. Kiefer replied that the Service Department will address that.

Councilman Schulz stated that it was brought to his attention that the County Engineer performed chip seal on the Booth Road deck; he inquired if the City Engineer was aware of any other decks being done in the City. Mr. Kiefer replied that he was not aware the deck was done.

Answering Mr. Smolic regarding the work being done in Templeview, Mr. Kiefer stated that it is progressing.

**Finance Director Mary Kovalchik** reported that capital budget submissions for departments are due on October 11, noting that she will look at considerations for five years. She advised that she will put together a summary of the requests and provide a copy to Council. She noted that it is not a matter of asking for money to be appropriated, but it is to develop a mindset of what the various departments are requesting in the capital budget and looking at what can be funded.

Mrs. Kovalchik stated that she met last month with Cornerstone IT and a few Department heads, as well as the administrative assistant, concerning the technological needs for the City, and they are open to preparing an outlook for the City, also as capital budget considerations forecasted for five years. Immediate needs include a new firewall and adding additional security to e-mail and e-mail attachments. She noted that technology and cyber security are in the forefront.

Mrs. Kovalchik advised that income tax collections are down two percent; however she anticipates they will meet projections for the year. She stated that the small dip seems to be that delinquencies were received a little earlier last year, and they should stabilize.

With regard to tonight's meeting agenda, Mrs. Kovalchik stated that Resolution 19-R-48 relates to the OPWC zero based loans, each being approximately \$50,000; they range from 2006 through 2014. She noted that she can provide a description of each project, if needed by Council; she requested that the legislation be passed this evening if possible.

Responding to Councilman Schulz's inquiry regarding the two percent dip in income tax collections, Mrs. Kovalchik stated that it is on a cash basis relative to last year, as of the end of August and received in September.

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Mayor Davidson stated that he and the City Engineer conducted a conference call with the Deputy Director of Government Affairs of the Ohio EPA and the Northeast District Operations Chief. The Mayor stated that a specific question he asked was whether the repair of individual systems would have been an option; they replied that because of the lot sizes, they would not have considered repair of individual systems as an option. Mayor Davidson stated that they will work with the City on the extended three-phase schedule. He stated further that they recommended a gravity system as opposed to a force main system that would pump back up the hill from Elm Street, which aligns with the desire to keep the installation and design capital cost as low as possible. The Mayor stated that he asked Mr. Kiefer, with the assistance of Helen Petersburg and the Administration, to put together a workshop on funding, for residents to speak on an individual basis with the experts to determine if they qualify for benefits.

Noting that there have been resident comments regarding soccer fields, Mayor Davidson advised that on October 24 a meeting will be held with Jane Carle and members of the Library Board regarding use of property owned by the Library (behind the Library). He noted that Justin Gollin, the Cemetery Superintendent, will attend the meeting. The Mayor stated he believes it will be a nice fit for the young children to use that property at a low cost, noting that parking and restrooms are available at City Hall. He noted that a Memorandum of Understanding will be put into place.

The Mayor stated that the Kirtland Veterinary Hospital is having a ribbon-cutting ceremony and open house on Saturday, October 26, noting that more details will be forthcoming. He congratulated Dr. Percival and his partners.

Mayor Davidson advised that County Commissioners Cirino, Hamercheck and Young extended an invitation to the ribbon-cutting ceremony at the new Lake County Administration Center on October 10. They have consolidated a number of County operations at the County Administration building.

The Mayor advised that Councilman Schulz has provided some information from ODOT regarding salting practices, which is being reviewed by Mr. Martz. He thanked Mr. Schulz for passing along the information.

With regard to the Old Town sewers, Council President Potter requested clarification of the EPA's agreement to extend the time to six years for the three phases. Mayor Davidson stated that it is specified in the original letter sent to the EPA, noting that he can provide that to Council.

**STANDING COMMITTEE REPORTS:**

Council President Potter noted that an Economic Development Standing Committee meeting will be held on October 21, 2019 at 5:30 p.m. regarding the strategic plan.

Councilman Schulz inquired whether there has been discussion about scheduling a Service Department Standing Committee meeting regarding funding the annual road plan. Mr. Smolic stated that he believes the Finance Committee should be included due to the financial nature of the matter. It was agreed that a Service Department/Finance Committee meeting be scheduled for Wednesday, November 6, 2019, immediately following the regular Council meeting.

Councilman Lowery stated that the Public Relations Standing Committee has completed their task with the new Kirtland website, noting that the website was live on September 30. Mayor Davidson thanked Councilmen Lowery, Lesnick and Skrbis, along with Julie Symonds, for their work involved with the new website. Noting that there are some features to learn, the Mayor stated that the website was up and running on time, with some help from the IT company. Mr. Lowery thanked Julie Symonds for stepping up as a volunteer, noting that her help was beneficial.

**CORRESPONDENCE:**

Council President Potter reported that a notice was received from the Ohio Division of Liquor Control regarding the request for a new C1 liquor permit for SRIJI, Inc., dba Capitol Beverage (at 9270 Chillicothe Road). Responding to Mr. Potter, Police Sergeant Valenti stated that he is not aware of any issues relative to the Capitol Beverage permit issuance. Mr. Lesnick noted that it is not the same owner, and the permit will be only for beer and wine. Mr. Smolic stated that liquor is no longer included on the license. Council did not request a hearing in this regard.

**PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:**

**Dan Ockuly, 9347 North Star Road**, addressed Council regarding the water line improvement (on Charlesderry and Glen Park), noting that he was hoping North Star could be included in that improvement and that it would have been the perfect time to put fire hydrants on that street. Mr. Kiefer stated that the existing line on North Star Road is a 2-inch line and cannot support a hydrant; a minimum 6-inch line to the hydrant would be needed. Mr. Kiefer stated that it is Aqua Ohio's water line; he noted that residents can petition Aqua Ohio for a fire service line. Mayor Davidson stated that he will contact Aqua Ohio and ask if they would consider an improvement for a hydrant on North Star while they already have their equipment there. The Mayor noted that Aqua Ohio informed the City they would be doing the water line improvement on Charlesderry and Glen Park, but the City cannot force them to improve the water line on North Star.

Mr. Ockuly stated concern that the existing fire hydrant closest to North Star will be eliminated. Chief Hutton stated that he will talk to Aqua Ohio to make sure the hydrant stays as close as possible to North Star. Chief Hutton added that the Fire Department has plenty of supply line, noting that there are several streets in the City that are 1,000 feet long or more, but they have the hose capacity to reach the last house on the street. Chief Hutton stated the Department would prefer a water line and hydrant, but it is not the City's decision to make; it is Aqua Ohio's decision.

**OLD BUSINESS:**

**RESOLUTION NO. 19-R-43** - **(Third Reading) - A RESOLUTION CONFIRMING THE APPOINTMENT OF WAYNE BAUMGART AS THE INTERIM ZONING INSPECTOR FOR THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.**  
(Mayor Davidson)

The legislation was read by title only. Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Lowery. **ROLL CALL: ADOPTED 5/1 (VOTING YEA: LESNICK, LOWERY, POTTER, SCHULZ AND KIREK. VOTING NAY: SMOLIC).**

**NEW BUSINESS:**

**RESOLUTION NO. 19-R-48** - **A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; TEMPLEVIEW SEWER PROJECT #503; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE DECEMBER 15, 2019 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.**  
(Mayor Davidson)

**NEW BUSINESS – RESOLUTION NO. 19-R-48 (continued):**

The legislation was read by title only. Mr. Kirek moved to waive the three readings, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: LESNICK, LOWERY, POTTER, SCHULZ, SMOLIC AND KIREK. VOTING NAY: NONE).** Mr. Kirek moved to declare an emergency and adopt, with the second by Mr. Lowery. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: LESNICK, LOWERY, POTTER, SCHULZ, SMOLIC AND KIREK. VOTING NAY: NONE).**

**RESOLUTION NO. 19-R-49**  
**(Mayor Davidson)**

- A RESOLUTION AUTHORIZING THE CITY OF KIRTLAND, OHIO TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED FOR THE OLD TOWN SEWAGE IMPROVEMENTS PHASE I PROJECT, AND DECLARING AN EMERGENCY.

The legislation was read by title only. Mr. Kiefer stated that the application is due Friday, and he would like the documents in his office on Thursday so they can be reviewed; then they will be delivered to the County on Friday. Answering Mr. Lesnick, Mr. Kiefer stated that this is for application for grant funds for Phase I of the Old Town Sewage Improvements project, which will get the sewer to Elm and Maple. Mr. Lowery moved to waive the three readings, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: LESNICK, LOWERY, POTTER, SCHULZ, SMOLIC AND KIREK. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Kirek. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: LESNICK, LOWERY, POTTER, SCHULZ, SMOLIC AND KIREK. VOTING NAY: NONE).**

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**CONTINUING CONCERNS:**

None.

**COUNCIL COMMENTS:**

None.

**PUBLIC COMMENTS:**

None.

**ADJOURNMENT:**

Mr. Lesnick moved to adjourn, with the second by Mr. Lowery. The motion of Council passed by unanimous vote and the meeting adjourned at 7:40 p.m.

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President of Council

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Clerk of Council