

KIRTLAND CITY COUNCIL MINUTES

September 16, 2019

The meeting of Kirtland City Council was called to order at 7:02 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, Kevin Potter, Matthew Schulz, Robert Skrbis and Joseph Smolic. Absent: Richard Lowery.

Administrative personnel present were: Mayor Douglas E. Davidson, Law Director Daniel Richards, Finance Director Mary Kovalchik, City Engineer Philip Kiefer, Service Administrator Duane Martz, Fire Chief Anthony Hutton, Police Chief Lance Nosse and Economic Development Manager Monica Drake.

LAKETRAN PRESENTATION

Ben Capelle, CEO of Laketrans, thanked Council for allowing him to speak and stated he was not at the meeting to sway votes but to provide information and answer any questions.

Mr. Capelle advised that Laketrans operates on a tax levy that was passed in 1988. Since that time they have operated the same services for the community, with Dial-a-Ride being the primary focus. Since 2014 Dial-a-Ride has seen approximately an 18 percent increase each year; most riders are seniors. Laketrans has worked within their budget as best they could with the resources currently received. Unfortunately, while demand has increased, the funds received from the state of Ohio have decreased. Funding has been lost due to a program change concerning a grant received from ODOT. Funds were also lost due to a state sales tax change. For those who were not aware, Mr. Capelle informed them the state changed how managed care organizations are taxed. The state has waived taxes on all managed care organizations, which has resulted in a loss of funding.

After discussion concerning how to handle the budget deficit, the Board at Laketrans chose to bring the conversation to the community in the form of a sales tax. The proposal will request a quarter of one percent sales tax, which will result in 25 cents taxes for every \$100.00 spent. In 2019 Laketrans is spending approximately \$2.5 million as far as the budget cost without cutting services. If the levy does not pass, Laketrans will have to cut 30 percent of the services they provide. This will reduce the Dial-a-Ride services.

Mr. Capelle distributed to all present two handouts concerning the levy. Information on these handouts included a listing of meetings that will be held in the community for open discussion and various facts about the services provided and the funding that is required to run the various programs.

On a personal note, Mr. Capelle shared that because of a recent injury, he took advantage of Laketrans to get back and forth to work. He went on to say that he's learned firsthand the importance of these services.

In response to Mr. Potter's question concerning cost of services to the recipient, Mr. Capelle said the standard fare for Dial-A-Ride is \$10.00 one way, and the discounted fare for seniors and those with disabilities is \$2.50 one way. The cost to ride the buses traveling down Euclid and Mentor Avenue is \$1.75 one way, and to ride the bus to Cleveland is \$3.75 one way.

Laketrans also takes people from Lake County to the University Hospital area, and the fares for that are set at \$5.00 for a senior or a person with disabilities and the standard rate is \$20.00. The average ride is 8.9 miles, which is similar to what Uber charges for the same trip.

LAKETRAN PRESENTATION (continued)

Concerning the question of raising fares, Mr. Capelle stated the Board looked at this option. If the fare was raised 50 cents there would be a revenue increase of \$150,000.00 annually. The deficit this year is approximately \$2.5 million, so that would not make a large difference. Also, to those who depend on Laketrans, 50 cents is a significant increase. This year the county commissioners decided to pay the fare for all seniors to go to the Senior Center, and that service has increased 27 percent. The cost was a barrier to some who wanted to get out and visit the Senior Center.

Responding to Mr. Smolic's question, Mr. Capelle said this year's budget is \$18 million, and the proposed sales tax is expected to bring in about \$9 million. The capital program has been put on hold this year. He advised that the sales tax levy proposal does not have anything to do with the new facility being planned at Lakeland. Monies received from grant funding and other sources will be used for that project.

Answering Mr. Lesnick, Mr. Capelle said that currently Laketrans is funded mostly from taxes, from different sources. Sales tax received currently is roughly \$9 million; \$3 million is received from the Federal Government. State revenue has decreased to approximately \$200,000.00. Laketrans has approximately \$1.2 million in current contracts, and the balance of budget funds is comprised of passenger fares. For any person who is a Medicaid recipient, Laketrans is able to bill the state at the full cost for their trips.

Mr. Capelle said that Laketrans's Board discussed this situation for approximately one year, looking for other options; unfortunately, the options available to them were limited.

Mr. Capelle stated that Laketrans is different from traditional transit systems in the country, as they were formed in 1974 with a specific purpose, which has always been Dial-a-Ride. Unfortunately, that's also the most expensive program. Roughly \$1.4 million of the \$18 million budget is received from the riders. Mr. Capelle stated this was an estimate and he would gladly email more concrete numbers to Council.

There was discussion concerning where Laketrans picks up and drops off riders.

Council thanked Mr. Capelle for his presentation.

MINUTES OF THE SEPTEMBER 4, 2019 WORK SESSION:

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

MINUTES OF THE SEPTEMBER 4, 2019 COUNCIL MEETING:

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

DEPARTMENT REPORTS:

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

DEPARTMENT REPORTS (continued):

Police Chief Lance Nosse said the Safety Forces Day was a phenomenal event and very well attended, with huge support from the community; a great time was had by all. Chief Nosse said he's looking forward to holding the event again next year.

Council President Potter asked Chief Nosse about the situation that occurred at the Circle K recently. Without speaking too much of an ongoing investigation, Chief Nosse informed those present there was a car stolen from the city of Cleveland which came to Kirtland and rammed through the front of the Circle K. The intent was to steal the ATM, which was bolted down. There was a clerk present at the time, who assumed at first it was an accident; when he approached the vehicle three masked men approached him, making it clear the act was intentional. Chief Nosse went on to say no one was hurt, the Department has several leads, and he is looking forward to an arrest in the near future. Answering Councilman Lesnick, Chief Nosse confirmed that state legislation has been proposed relating to moving the location of ATM machines, but he does not know when it will become law. He noted that a good step stores can take is to put up cement barriers/pillars, in front of the building. The Chief noted the ATM machines can be moved to the back of the store, and they can be equipped with GPS locators or dye packs. Chief Nosse said locating the machines at the front of the store is just a convenience. Councilman Schulz inquired about making changes to the City's code to include a requirement for pillars, as there are many situations like this that are just accidents. Chief Nosse agreed it can be discussed.

Answering Councilman Smolic, Chief Nosse stated he's been getting a lot of communication regarding the crosswalk. He went on to say there are a few things that need to be understood. The light will flash yellow first, then flash red, then go to a solid red. Vehicles must stop on the solid red. Chief Nosse believes the confusion is that motorists see the flashing yellow, then the flashing red, and they're not sure what they're supposed to do. The Police Department is working with the school to educate the students. As for those who step out into the crosswalk as soon as they push the button, they need to realize they have to wait for the light to become solid red. There are two indicators on each side of the street that will show pedestrians when they can and can't walk. Chief Nosse stated that the school resource officer has been monitoring it. He said he intends to educate the public more, noting that he will be putting more posts on Facebook.

Economic Development Manager Monica Drake reported she is working on various projects. When the timing is appropriate a more formal report will be distributed, giving more depth on what will be proposed and potential requests that businesses may ask Council to consider.

Ms. Drake stated that Chagrin River Watershed Partners are applying for a Cleveland Foundation grant and are requesting a Letter of Support, which the City is supplying to them. They are also potentially creating a regional collaborative of partners for a TLCI (Transportation for Local Communities Initiative) Planning Grant, and the City of Kirtland may be asked to participate in the grant, which would be a nominal cost of \$2,000.00. Ms. Drake is in contact with them and will have more information to present to Council in the future on this opportunity.

Responding to Mr. Lesnick's question on the initiative, Ms. Drake said it will be a planning study along the Chagrin River for improving access and activity along trails, including ride safer trails connecting different downtowns of different communities along the Chagrin River through biking, pedestrian, and backpacking trails. Kirtland is one of the partners of the Chagrin River Watershed Partners, so they may request Kirtland to be a part of the initiative. The TLCI grant request is due on October 11, 2019. Ms. Drake is expecting more information on the initiative and will keep Council apprised.

Responding to Council President Potter, Ms. Drake stated that if Kirtland is interested, the City would provide the money to Chagrin River Watershed Partners if they are successful in the grant. No payments would be made unless the grant is awarded. The grant would take a look at an entire section of cities, which would participate in the grant along with Chagrin River Watershed Partners being the lead.

DEPARTMENT REPORTS (continued):

Ms. Drake reported that she attended the NOACA Annual Conference on September 13, 2019, and they're looking at regional collaboration and pulling communities together. This is in an effort to think bigger than the community itself, in creating a regional plan. This would include safety, providing access to residents and visitors in western Lake County.

Mr. Skrbis asked about the old "Copper Top" that is reopening as "The Well". He inquired if there is a formal process, and if Ms. Drake is aware of the reopening. Ms. Drake responded she is aware, noting there was a brief email sent out by the owner of Kirtland Plaza informing the public of the opening. Also, the new business owner came to Council regarding the request to move a liquor license into the city.

Mr. Skrbis suggested that Ms. Drake create a list of business openings. Ms. Drake agreed, saying she also believes it's a good idea to have a registry of all businesses to have an idea of the different businesses that operate in the city. Some ideas discussed were posting the listing online, having a form for people to fill out, and announcing new business openings on the website.

Chief Hutton added that the Fire Department is required to do an inspection for all new businesses before the occupancy permit is issued by the Lake County Building Department. Discussion ensued including potential improvements to the process.

Mr. Schulz mentioned to Mr. Skrbis that he was on another city's website earlier and noticed there was a section for commercial properties available, along with a link for more information. Mr. Skrbis said this is definitely something that is on the radar for implementation on the website. Mr. Potter added that at the last strategic planning meeting there was discussion on the registration of available commercial property. After inquiring about Ms. Drake's availability, Mr. Potter scheduled an Economic Development Standing Committee meeting on October 21, 2019, at 5:30 p.m. to discuss strategic planning.

Mr. Schulz inquired about the new deli that is opening in town. Ms. Drake advised that she was not involved, noting that they are not yet open. The Mayor said he has spoken with the business owner, who advised that the opening is set for late September.

Mayor Davidson advised that the beverage store will no longer be a state liquor store; it will be a beverage store that will sell pop, beer and wine. Responding to Council President Potter, Mayor Davidson stated there was an issue with the state liquor agency, noting that they want a certain amount of volume, and there was not enough volume moved to meet the target.

Ms. Drake added that she has spoken with the liquor agency, and part of the reason they moved was due to expansion. The license is actually a consignment. There is an application process, and to afford equal opportunity their consignments are not based on location; they are based on an area overall. Applications would be accepted from a geographical area to be considered to hold that consignment for the state. Therefore there is never a guarantee at a particular location. Also they are not permitted to sell the state liquor license. If there is ever an opportunity to restore the location, anyone could bid on it and have an opportunity to present credentials.

Service Administrator Duane Martz did not present a formal report.

Mr. Smolic requested an update on the Route 306 project. Mr. Martz said the work should be completed in approximately six or seven more working days.

Responding to Mr. Schulz, Mr. Martz said the culverts worked perfectly during the most recent storm; there were no flooding issues anywhere.

DEPARTMENT REPORTS (continued):

Council President Potter asked for an update on the Booth Road construction. Mr. Kiefer responded the contracts have been sent to the contractor; once they have been signed and the insurance is in order, the construction will begin. There was no particular order specified for construction, but Mr. Kiefer said he would push for Booth Road first.

Mr. Lesnick inquired about the status of the five drainage projects. Mr. Kiefer responded he spoke with the contractor last week and the project is scheduled for later in September.

Responding to an inquiry from Mr. Smolic regarding Tibbetts Road drainage, Mr. Kiefer stated he and Mr. Martz looked at it and have a tentative plan; he noted that the water line and gas line have to be marked first.

City Engineer Philip Kiefer advised that, concerning the sewers, a response was submitted to the EPA with a plan that the City would like to follow, which extends the project three years. This gives the City two more years to apply for additional grant money. The conceptual plan was distributed to Council, showing what has been proposed to the EPA.

Mr. Kiefer went on to say the report details when the project will be done and how it will be funded. He stated this does not preclude the City from applying for other funds, noting that the City has received OPWC funds for the first phase.

Answering Mr. Potter, Mr. Kiefer stated there is not a typical response time for the EPA to respond to the City's submittal; however, in the past the EPA has taken two to three months to respond. Since Kirtland is showing some progress, Mr. Kiefer doesn't believe the EPA will make it as big of a priority as other cities that simply refuse to do anything. In addition, the slow response of the EPA does not excuse the City from following the schedule that was submitted. Therefore, the City needs to get started on planning.

When asked about the estimated cost, Mr. Kiefer said earlier today he did a rough analysis on the difference of the two alternate routes, using 2011 costs that were available. Therefore, the actual cost will be more due to inflation and the type of construction. Going downhill worked out to be \$302,000.00 and pumping back up to Maple and Route 306 was \$468,000.00. That is the difference in construction costs, to get from the north end of Elm to the Markell pump station; this has nothing to do with the costs within the Old Town area, and it does not include operating costs. Further discussion ensued concerning installation of the sewer system, including routing of the lines and other facets of the project.

Answering Mr. Potter's question regarding when total costs to residents will be determined, Mr. Kiefer stated at least a year. Mayor Davidson shared the timeline for sewer lines that have previously been installed as an example of the length of time these projects can last. Unfortunately, until more detailed plans are made, the cost per resident cannot be determined.

Mr. Schulz asked Mayor Davidson if information concerning the project should be placed on the website, or if it would cause more questions than answers at this stage in the process. Mayor Davidson responded he had no objections to sharing on the website, as long as it's clear the information is preliminary.

Noticing that residents in the audience wished to speak, Council President Potter opened the meeting for comments from the public.

David Rorapaugh, 7723 Fairview Drive, was curious if the current project was going to be a migration of the sewer throughout the city, to eventually include other residents along Eisenhower and Saxon. If the system will need to be expanded in the next 5 to 10 years, the City could plan ahead and install the complete system at less long-term cost. Mr. Rorapaugh went on to say he believes the residents should be made aware of the option and be given the opportunity to speak on it.

DEPARTMENT REPORTS (continued):

Mr. Potter responded, stating the option has been discussed at Council in the past. Mr. Kiefer said Eisenhower and Saxon are vulnerable because of the small lots. Mr. Kiefer went on to say there is at least one system in that area that failed in the past, and that is a sign that more will fail in the future. There was brief discussion.

Robert Genovese, 7719 Joseph Street, stated he's been through the entire process as long as he's lived in his home. He stated at the first meeting there was discussion on receiving grants to help determine the cost.

Mr. Kiefer responded, stating there was a grant received from Lake County Stormwater for \$50,000.00 to pay for the pre-planning and other investigations.

Mr. Genovese stated he was under the impression the grant was to be \$190,000.00 to \$200,000.00, to which Mr. Kiefer explained for 2019 the City applied for \$250,000.00 in grant money and \$150,000.00 in zero percent loans. The \$50,000.00 grant has paid expenses up to this point in the process. Mr. Genovese then asked if there is a state law that requires homes which have passed the EPA/Health inspection to tie into the sewage system, to which Mr. Kiefer explained state law and city ordinances require residents to connect.

Mr. Skrbis asked Mr. Kiefer if there was an update on his and Mr. Martz's visit to Jason Washburn's property, or any findings that need to be communicated to Mr. Washburn. Mr. Kiefer responded he and Mr. Martz spoke directly to Mr. Washburn; they looked at the situation and informed Mr. Washburn there is not much the Service Department can do. Answering Mr. Skrbis, Mayor Davidson directed Mr. Kiefer to send a letter to Mr. Washburn with the findings from the visit, to give the resident the analysis and some closure. Mr. Skrbis thanked Mr. Kiefer and Mr. Martz for taking time to go out and visit personally with the resident.

Finance Director Mary Kovalchik stated that on September 11 she received an email inquiring into missing funds. Ms. Kovalchik wanted to clarify and ensure the Council that should she ever encounter anything that she would determine to be missing funds, no matter the dollar value, she would have requested a forensic audit from the State Auditor, immediately after advising the Mayor and Council of the findings. However, there has been a good bit of terminology concerning how the money was allocated. Ms. Kovalchik stated the funds are not missing. They were deposited and then transferred into what was called the State Route 306 fund. She stated the year began in the negative by approximately \$77,000.00. Ms. Kovalchik went on to say when Council sees the August reporting, due to the City's prefunding request from Stormwater Management, there is a buffer and the fund will be brought back into a positive. Until there is an actual final accounting and the project is closed, it is next to impossible to provide any more detail than what is in the system which has been provided. Ms. Kovalchik feels there is a disconnect concerning where it is and why it's there, and she is aware that the City continues to incur costs and interest. Ms. Kovalchik reiterated there are no missing funds, and the terminology should not be used as it creates problems. Ms. Kovalchik went on to say she hopes this explanation will suffice until a final close out and reporting from the engineer's office on final cost and in-kind contributions. Mr. Smolic said he appreciated the clarification.

Ms. Kovalchik stated there is more than \$1 billion in custody of the Ohio Division of Unclaimed Funds. Ms. Kovalchik advised Council and residents to take the time to do a search on the site of Missingmoney.com and claim any money in their name. These funds are comprised of insurance claims, apartment deposits, and other such monies due to them that were not claimed and have been forwarded to the state.

DEPARTMENT REPORTS (continued):

Mr. Smolic inquired if a link can be put on the website, to which Ms. Kovalchik said she hopes to be able to provide timely reporting on similar subjects along with other announcements. However, if the City decided to do a web-type newsletter the information would be placed in the newsletter.

With regard to the Route 306 project, Mr. Smolic asked for clarification on what funds will be paid back, to which Ms. Kovalchik stated she was confident that everything has been paid in association with the project. Mr. Smolic asked about repayment of the loan, which Ms. Kovalchik stated would be paid with funds expected from the county.

Mr. Lesnick asked for information on the negative funds balances on the July 31st report, and if there is funding expected to cover these negative balances or if the City truly is in the negative. Ms. Kovalchik stated there is funding expected, and explained how in previous years this was common practice. The Old Town sewer project will be positive on the August report due to prefunding. The State Route 306 project will be a positive number also, due to requested prefunding; also the Route 306 realignment and signals will be positive numbers. The only remaining negative will be Templeview. Ms. Kovalchik is researching how to bundle these together in the financials so the negatives can be absorbed.

Mr. Skrbis referred to the Council meeting in which a piece of legislation was passed in anticipation of a check for some repair work on Charlesderry. Mr. Kiefer stated it is still anticipated, noting that the City was asking for payment ahead of time.

Law Director Daniel Richards gave no formal report.

Mr. Smolic inquired about the newly hired prosecutor. Mr. Richards said he's had discussions with Chief Nosse about the newly appointed prosecutor and believes it is a good hire.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Davidson stated most of his notes were covered in the Work Session.

The Mayor thanked Pastor Ian Lynch at Old South United Church of Christ for inviting him to the 200 year anniversary of the church. Mayor Davidson mentioned that the 50-year-old City gave the 200-year-old congregational church a proclamation. Afterward, the church joined other congregations in the Crop Hunger Walk, which raised \$5,000.00 for charity. Mayor Davidson congratulated the church on its accomplishments.

STANDING COMMITTEE REPORTS:

Council President Potter confirmed that on October 21 there will be an Economic Development Standing Committee meeting related to the strategic planning.

Mr. Skrbis stated that following tonight's Work Session he was updated on some technical issues with the website, but the target date for rollout is still the end of September.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:**RESOLUTION NO. 19-R-43
(Mayor Davidson)**

- (Second Reading) - A RESOLUTION CONFIRMING THE APPOINTMENT OF WAYNE BAUMGART AS THE INTERIM ZONING INSPECTOR FOR THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.

The legislation was read by title only. Mr. Lesnick moved to waive the rules of Council in order to discuss this legislation further in an Executive Session later in the meeting. Mr. Smolic provided the second. Upon clarification of Council's intent, it was determined that the legislation can proceed to Third Reading at the next meeting; therefore there is no need to waive the rules of Council to move this legislation to the end of the agenda. The motion and second were withdrawn, and the legislation was placed on Second Reading. It was agreed that Council will adjourn into Executive Session later in the meeting.

NEW BUSINESS:**RESOLUTION NO. 19-R-45
(Mayor Davidson)**

- A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

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

**RESOLUTION NO. 19-R-46
(Mayor Davidson)**

- A RESOLUTION TO AUTHORIZE AND APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND #100; SAID FUNDS TO BE TRANSFERRED BY OR BEFORE NOVEMBER 30, 2019 TO GENERAL OBLIGATION BOND FUND #600; IN THE AMOUNTS AND FOR THE PURPOSES SPECIFIED.

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

NEW BUSINESS (continued):**RESOLUTION NO. 19-R-47**
(Mayor Davidson)

- A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE DEPARTMENT OF HOMELAND SECURITY PURSUANT TO THE FISCAL YEAR 2018 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM TO FUND THE OPERATING AND SAFETY PROGRAM, AUTHORIZING THE EXPENDITURE OF THE LOCAL SHARE, AND DECLARING AN EMERGENCY.

The legislation was read by title only. Mr. Lesnick moved to waive the three readings, with the second by Mr. Schulz. Upon Mr. Smolic's request, Chief Hutton provided some general information on the grant, noting that the City was awarded \$83,000 for a diesel exhaust system for Station 2; he noted there is a 5 percent match by the City. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: KIREK, LESNICK, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Smolic. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: KIREK, LESNICK, POTTER, SCHULZ, SKRBIS AND SMOLIC. VOTING NAY: NONE).**

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CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

Councilman Skrbis advised that he will not be available for the October 7 Council Meeting.

Councilman Lesnick thanked Chief Hutton and the Fire Department paramedics for all of their help and support with a recent difficult situation that he faced.

Councilman Schulz read a prepared statement addressed to fellow Council members; the statement is attached to the meeting minutes.

PUBLIC COMMENTS:

None.

ADJOURN INTO EXECUTIVE SESSION:

Mr. Lesnick moved to adjourn into executive session pursuant to Article I, Section 7(a) of the City Charter, to discuss employment of personnel. Mr. Schulz provided the second. The motion passed by unanimous vote. The executive session convened at 8:44 p.m.

RETURN TO REGULAR SESSION:

Mr. Lesnick moved to adjourn the executive session and reconvene the regular meeting, with the second by Mr. Potter. Upon the affirmative vote of Council, the executive session was adjourned, and the regular City Council meeting reconvened at 9:19 p.m.

ADJOURNMENT:

Mr. Lesnick moved to adjourn, with the second by Mr. Skrbis. The motion of Council passed by unanimous vote and the meeting adjourned at 9:20 p.m.

President of Council

Clerk of Council

ATTACHMENT TO COUNCIL MINUTES
September 16, 2019

September 16, 2019

Dear Fellow Councilmen,

Over the course of the past two years we have made strides to improve the process of what we would call our Annual Road Plan. On August 20th 2018 this council passed the Annual Road Plan legislation, 18-O-18 (sponsored by Council President Potter). This plan stated in exhibit "A" Sub Section 236.12 part d, "Annually, the administration and city council shall determine the method and funding to accomplish the work set forth in the Annual Road Plan."

Resolution 19-R-15 presented by the administration was defeated on May 29th, 2019 by a vote of 4 to 3 (nays Smolic, Lowery, Lesnick and Potter). This legislation would have requested the Auditor of the county to determine how many dollars a renewal 2 mill levy would garner given the real property re-valuation. Furthermore, council would then need to pass separate renewal road levy legislation (not a tax increase) to authorize the Lake County Board of Elections to place the issue on the ballot before the voters this November. As of today it has been 4 months since 19-R-15 failed and there has not been any consideration of what the next steps are. I ask you all now what are we going to do as a legislative body to fund the Annual Road Plan? Mr. Smolic, as the Chair of the Service Standing Committee would you please schedule a meeting as soon as possible so that we can brainstorm on how to tackle the lack of funding for our Annual Road Plan?

Regardless of who is serving on this council in 3 months time we must first obey the laws we passed (18-O-18), be good stewards of tax dollars, serve our electorate and provide the administration council's version of a funding plan. We do not have the luxury of time on our side. Delaying critical decisions on this very important topic only further exacerbates the poor condition of many of our roadways along with countless drainage issues. Before we know it winter will have come and gone and the phone calls will begin inquiring about patching, paving and flooding. We must have a funding package to care for our infrastructure. Looking ahead at best, given we consider requesting a special election in August 2020(\$6,000 additional cost to city). The revenue collected will lag roughly 6 months in time, therefore, those dollars will be available for planning, engineering and construction in spring of 2021, nearly 19 months away. I hope that we can all commit now to having a consensus built funding package in place before council as a whole and the administration at the October 21st council meeting.

Thank you for your time and consideration,

Matt Schulz, PE
Council at Large