

## KIRTLAND CITY COUNCIL MINUTES

October 5, 2020

The meeting of Kirtland City Council was called to order at 7:00 p.m. by Council President Richard Lowery. Due to the current state of emergency regarding COVID-19, the meeting was held virtually via Zoom. Mr. Schulz led the prayer which followed the Pledge of Allegiance. The members of Council present were: Scott Haymer, John Lesnick, Richard Lowery, Jeffrey Ruple, Matthew Schulz, Joseph Smolic and Kelly Wolfe.

Administrative personnel present were: Mayor Kevin Potter, Law Director Matthew Lallo, City Engineer Douglas Courtney, Service Director Joseph Fornaro, Economic Development Manager Monica Drake, Police Chief Lance Nosse and Fire Chief Anthony Hutton.

### MINUTES OF THE SEPTEMBER 21, 2020 COUNCIL MEETING:

Mr. Smolic moved to waive the reading of the minutes, with the second by Mrs. Wolfe. The motion of Council passed by unanimous vote. Mr. Smolic moved to approve the Minutes, as presented, with the second by Mrs. Wolfe. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, WOLFE, HAYMER AND LOWERY. VOTING NAY: NONE. ABSTAINING: LESNICK).**

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** answered additional questions arising from discussion during the work session concerning the purchase of a Type 1 Ford F-550 Super Duty 4x4 ambulance using CARES Act funding. The ambulance is expected in early December, which will qualify it for the funding. Responding to a question from Councilman Lesnick regarding CARES Act spending, Chief Hutton stated that the ambulance is the priority for the Fire Department.

Councilman Smolic asked about the features of the Type 1 ambulance, as it is different than the current ambulances in service. Chief Hutton noted the City is receiving a definite price break on this ambulance, and it is the most popular type ambulance currently being used in the field. Noting that it is a pickup truck type ambulance, Chief Hutton stated that historically the turn radius has not been very good on this type, however over the years it's gotten much better; five other departments are also purchasing this type ambulance. Chief Hutton said he believes this vehicle will do well in the bad weather. The Department is also looking forward to the built-in features for decontamination, including the Evergreen system which is a UVC light mounted on the ceiling inside the vehicle, with a timer. This will be helpful for COVID patient transfer, to keep the vehicle decontaminated.

Responding to Council President Lowery regarding the paint scheme and decals, Chief Hutton said the vehicle will look identical to the other vehicles in service.

Councilman Schulz asked if there would be any concerns on maintenance cost due to the vehicle being four-wheel drive, to which Chief Hutton said he believes it will be negligible. Currently all vehicles in service are commercial vehicles and have to be serviced by a heavy-duty truck repair company. This ambulance can be serviced by a Ford dealership or certified mechanic. With the vehicle being new, everything will be covered under warranty.

Chief Hutton provided a COVID update, noting there has been an uptick in cases. He stated that not all cases are accounted for in his report, as the nursing home cases are not included. There are currently 45 cases, combined with community and congregate settings. There have been several patients transported in the last month.

**DEPARTMENT REPORTS (continued):**

The two American LaFrance engines have had a good bit of mechanical issues. These vehicles are almost 19 years old, and it is hard to find replacement parts as American LaFrance went bankrupt in 2006. One of the engines (No. 1915) had a severe booster tank leak and had to be taken out of service. All equipment has been stripped and it is at Countryside Truck for a replacement tank. Chief Hutton expects to receive a cost in the next week; hopefully the tank itself will be covered under the lifetime warranty.

Concerning the shortage of part-time firefighters, the Department has hired one firefighter whose start date will be in the next couple weeks. There has also been an ad placed on Indeed, to try to bring in more part-time applicants. There were more tests given, and some of the current employees scored very high on other departments' lists, so Chief Hutton is working hard to recruit more part-timers.

Responding to a question from Councilman Lesnick concerning the number of full-time and part-time firefighters, Chief Hutton said there are 10 full-time firefighters, including him. It is preferred to have 30 to 32 part-timers and currently the department has 24.

Councilman Lesnick inquired about the problem with retaining part-time firefighters, and asked if Chief Hutton believes it will level off in the next year or if it's something he believes will need to be addressed. Chief Hutton noted that COVID slowed down a lot of paramedic schools, and enrollment is currently down. Chief Hutton hopes enrollment will pick up in the next rotation of Auburn Career Center and Lakeland Community College. There are not as many students for police and fire as in the past, and there will be many jobs open. The average attendance to take full-time tests is currently 25 to 30, where it used to be 250. Chief Hutton stated an option that has been discussed is adding more full-time people, and Chief Hutton has been discussing with Captain Ponzani the writing of a Safer Grant, which is a staffing grant that will pay a portion of the wages over a period of time. If this is done, some of the part-timers could be transitioned to full-time. Chief Hutton went on to say right now he's just looking into the grant, and if it's an option he will discuss it further with Finance and the Mayor. The grant is structured into a three-year period, with 75% of wages covered the first year, 50% the second year, and 25% the third year. By the fourth year the City is 100% responsible for the wages.

**Police Chief Lance Nosse** agreed with Chief Hutton on the hiring problems the City is facing. Bill Bauckman has been hired as the School Resource Officer and is currently in training. He is a local gentleman and youth sports coach. His training is going very well, and he is expected to begin working at the school within a week or so. Chief Nosse is very pleased with the hire.

Chief Nosse congratulated Officer Victoria Godfrey, who was sworn in by Mayor Potter last week. Officer Godfrey has been with the department quite a while, beginning her career as a part-time dispatcher. She was a full-time 50/50 split, dispatcher and patrol officer, after graduating from the academy a year and a half ago, and has done a great job.

The Chief advised that Officer Null is currently in the final stages of the hiring process and is expected to move into his position in the next week.

Chief Nosse congratulated Sergeant LaTurner, who just finished a three-week executive leadership school, which is police executive and staff leadership training. Chief Nosse and Sergeant Fisher have participated in the program, and Sergeant Valenti will also be participating. Chief Nosse praised the program and the participants, saying it is an example of the continued education Kirtland Police Department participates in to remain well-trained in the law enforcement field.

There have been several calls received regarding speeding and traffic. Chief Nosse reiterated the Department is working on those issues as best they can, listing several roads that are being watched.

**DEPARTMENT REPORTS (continued):**

Councilman Schulz asked if Kirtland Police Department was involved in the high-speed pursuit recently of a motorcycle traveling southbound on State Route 306, to which Chief Nosse responded that was another department. The Kirtland Police Department has not recently participated in any pursuit.

**Pamela Mills, 8409 Billings Road**, voiced concern about vehicle activity along the power lines. For several years there have been vehicles traveling the power lines. There are typically kids with bikes and motorized bikes, and there have been horses. Recently a pickup truck drove through the power lines, using it as a cut through to Emerald Glen. Mrs. Mills' largest concern is the kids riding four-wheelers through the area, and recently a group of four teenagers on a golf cart. Typically the traffic is coming from further up on Billings Drive. Mrs. Mills stated years ago she had been told the power line was not public property. She said she is concerned with the individuals traveling the area as it has become a second route used on a regular basis for mostly teenagers.

Chief Nosse responded, stating he is aware of the situation and has received complaints. He stated that the power lines are owned by CEI, with access easements for property owned by residents. He advised that the Police Department responds to all complaints, and he encouraged Mrs. Mills to call when she sees this happening. Mrs. Mills stated that unfortunately, by the time she's taken a picture or made a call to the Police Department, they are gone. Chief Nosse suggested that Mrs. Mills call him, as there are options that can be taken to hopefully stop the activity. If the Department knows who is doing it, they will speak directly with the families and typically it stops the behavior. Chief Nosse also mentioned the power line property is posted for No Trespassing.

**Service Director Joseph Fornaro** advised the crews have finished the partial depth repairs on various roads throughout the city. The next project on schedule is the catch basin repairs, with four started, and he hopes to have them patched in by the end of the week.

Lake County Historical Society will be doing a tour Saturday, October 10, 2020 from 4:00 p.m. to 8:00 p.m. at the North Cemetery. The groups will be limited to 10 and masks will be required.

The Tree City USA application was submitted last week, and the City will be notified in the spring if the application has been approved.

As a preface to Mr. Courtney's report, Mr. Fornaro reported the list of drainage issues has been completed, and construction work is ready to begin on Emerald Glen Court.

Councilman Schulz asked for an update on the chip and seal for Charlesderry Road and Glen Park Road. Mr. Fornaro responded the chip seal was part of the Aqua Ohio Project, and he is waiting for Ronyak to schedule the work. Hopefully it will be completed by year's end.

Mr. Schulz said he'd noticed there was no silt fence in place at the Cocca property and asked why it has not been in place as it was cleared and grubbed over a week ago. Mr. Fornaro deferred to Mr. Courtney to address that issue.

Mr. Schulz also mentioned the route marker at 615/306 has been knocked down, and wanted to make sure all were aware.

Mr. Schulz asked for an update on the sale of the roller. Mr. Fornaro explained the roller was up for auction a total of four times. No bids were received at the last auction, so the Department decided not to post it for auction again at this time and will re-option it in spring for better opportunities.

Mrs. Wolfe asked if Ronyak will be paid by the City or Aqua Ohio for the chip and seal, to which Mr. Fornaro responded it is being paid by Aqua Ohio.

**DEPARTMENT REPORTS (continued):**

**Economic Development Manager Monica Drake** advised that she attended a three-day Ohio Economic Development Association annual summit last week, noting that Jobs Ohio permitted all of the state's economic development practitioners to attend the summit for free. Through the various workshops attended via Zoom, Ms. Drake learned information helpful to the city. Some information has already been passed on to Mayor Potter and Law Director Lallo as they pertain to the city and would be beneficial.

Potential economic development opportunities that would be beneficial to the city have been shared with Mayor Potter and Law Director Lallo. Additional information is being gathered to be able to provide more definitive answers and clarity.

Ms. Drake addressed the isolated wetland question posed in the last Council meeting. Although the United States Army Corps of Engineers' jurisdiction has changed and isolated wetlands no longer necessarily fall under their jurisdiction, the Ohio Environmental Protection Agency still has jurisdiction over isolated wetlands. Therefore, their criteria is still in place.

Ms. Drake was not able to provide information yet concerning the auction question posed at the last Council meeting.

Council President Lowery asked Ms. Drake if she had any information on Kirtland City Tavern, to which she responded she is not aware of any updates. Councilman Smolic added he heard a rumor that it has been purchased.

**City Engineer Douglas Courtney** began by addressing Mr. Schulz's question concerning the silt fence, stating that he does not believe the silt fence has to be put up until earth moving begins. At this point the only activity has been the dropping of the trees. However, he will confirm the regulations tomorrow and follow-up with Mr. Schulz.

Mr. Courtney advised the final payment certificate has been prepared and is ready to go to Badger Transfer in the amount of \$80,355.00 and change. The total includes the deduction of \$370.19 for work that the Service Department did to finish off the restoration work at Fox Hill Drive. Once Badger approves the certificate the contract will be wrapped up.

Referring to Mr. Fornaro's comment that the 2020 Street Rehabilitation will begin shortly, Mr. Courtney added there was a pre-construction meeting on September 24 with Ronyak for Emerald Glen Court. Work is scheduled to begin with mobilization on October 15 and completion by October 27. As part of the meeting there was a site visit to Emerald Glen Court, and additional pavement deterioration was identified west of the original start point of the project, approximately 410 feet long. This is one of the areas that deteriorated quicker than expected, so he would like to add it to this project. To offset some of the additional cost, the cul-de-sac will not be included in this project, which is in better condition than this pavement. He advised that there is a Change Order on the agenda for Council's consideration in the amount of \$7,363.00 for the contract.

Mr. Courtney stated there have been no changes to the street repair and maintenance plan since his last report to Council.

Mr. Courtney stated that community meetings will be scheduled regarding the Old Town sewer project, to discuss project timelines and costs with the homeowners in the area. He noted the City is coordinating with Lake County Department of Utilities. As more information is available, it will be passed on to the public.

The OPWC application was resubmitted for fiscal year 2022. Mr. Courtney did receive questions from Lake County on the application, which were answered, and the application seems to be moving along.

**DEPARTMENT REPORTS (continued):**

Mr. Courtney stated he was open to questions concerning the drainage and stormwater issues list that was provided to Council.

Concerning the preliminary project cost on the Old Town sewer project, Councilman Lesnick asked if those costs include all the streets or if certain streets had been excluded. Mr. Courtney stated the costs reported include all streets in the area with the exception of Bluff Street, which was excluded because it was not in the original limits of the Findings and Orders issued by the EPA; after looking at the topography, Mr. Courtney is concerned about including Bluff Street into the main system by gravity. Therefore, that road is not included in the project cost. The costs in the report currently include Fairidge Drive, however Mr. Courtney is working to complete an estimate removing Fairidge. Answering Councilman Haymer, Mr. Courtney stated it does not include Timothy Lane. Further discussion ensued concerning the scope of the project.

**Law Director Matthew Lallo** updated Council on the property dispute relating to the private drive on Russellhurst extension. This is a private roadway, and when the City was deeded the Kirtland Recreation Park, there was also an easement for the City, it's agents, licensees, visitors, etc. to utilize for ingress and egress to the park through the Russellhurst extension. However, in 1985 the City passed an Ordinance that reads "No person shall enter or leave the Recreation Park except at the established entrance located at the Board of Education property." The prior Law Director had advised Council that, due to the City maintaining the private roadway, the easement also provided the ability for pedestrians and bicyclists to traverse the private drive. Mr. Lallo advised Council and indicated to all residents that the Ordinance is broad when it says no person shall enter or leave the Recreation Park aside from the Board of Education property. The Ordinance does not delineate between vehicles, pedestrians, bicycles, etc. He stated it has to be ruled against those who draft it, being the City. Therefore, as it's broad or vague it will encompass everything. For those reasons, Mr. Lallo stated it is his opinion that no person is allowed to utilize the Russellhurst extension to enter or exit the park, whether on foot, bicycle, car etc., except for those residents on the private road and their guests. In summary, Mr. Lallo stated the Russellhurst extension is a private road and no other person, or the City, is permitted to use that road for entering or exiting the park. However, he did encourage residents on the Russellhurst extension that own that private road to reach out to him for a discussion to ensure everyone is on the same page.

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Mayor Potter began by saying it was his honor and privilege to swear in Officer Victoria Godfrey into a full-time position as a result of the dispatch transition. Mayor Potter went on to congratulate Officer Godfrey.

Concerning the Old Town sewer discussion, Mayor Potter thanked Councilwoman Wolfe for her consistent willingness to stay engaged and offer any help she can, including help with the upcoming meetings to be held with the residents in the area.

In an update on the reopening of the Senior Center, Mayor Potter advised that the County has decreed that no senior center will be allowed to open prior to January 1, 2021. Therefore, the City will have the time to complete some construction, such as plumbing work, prior to reopening. The County did include an exception for one-on-one services, so the City is working through the paperwork to be approved as those services are needed for local seniors.

Later in the week, Mayor Potter will be meeting with Mrs. Kovalchik to look into road funding options. Afterwards Finance Chair Lesnick and Service Department Chair Smolic will be asked to coordinate individual and joint committee meetings related to the options that are available.

**MAYOR'S REPORT/ANNOUNCEMENTS (continued):**

Mayor Potter thanked Chief Hutton for providing details concerning the ambulance purchase that has been proposed, and for working so diligently to get the best price available. Mayor Potter stressed the importance of passing the legislation as soon as possible. CARES Act funding will be used for the purchase.

Mayor Potter also voiced support for Ordinance No. 20-O-54, as the funding will come from the CARES Act and technology upgrades are direly needed at City Hall. The quote from Cornerstone was included in the proposed legislation, although there has been no concrete decision on what portions of the quote will be purchased. Mayor Potter thanked Mrs. Kovalchik for spearheading the discussions on this legislation.

Concerning the Change Order on the Emerald Glen east end rehabilitation, Mayor Potter stated he believes this is a good opportunity at a good cost. The degradation continues to advance in the area, and he is glad it was identified as an opportunity even though it comes at an additional cost. As the scheduled start date for construction is October 19, Mayor Potter requested the legislation be passed tonight.

Concerning other CARES Act funding opportunities, Mayor Potter deferred to Chief Nosse for explanations on the slated \$23,000 purchase for MDTs and e-Citations.

Chief Nosse explained each vehicle will be outfitted with the most up-to-date technology, where internet access is available across the board with no interruptions or sharing of Wi-Fi hotspots. This will help minimize the intermingling and multiple use contact. This will also help with the transition to Willoughby dispatch, whose system has more functionality and options, by streamlining and creating much better communication and contact via computers. This will allow the department to respond to the community quicker, with more access.

Concerning the e-Citations, Chief Nosse stated the court has upgraded their system to paperless communications. This means citations will be handled directly through the computer system. Criminal complaints will eventually be handled in this fashion as well. This will remove the need to handwrite tickets and will also allow automatic citations to be sent directly to the court and violator, eliminating middle-man processes. Chief Nosse believes this will be a huge benefit across the board.

Mayor Potter mentioned that other projects will benefit from the CARES Act funding, including the community center plumbing upgrades. City Hall will be eligible for plumbing upgrades, however there will be prioritization concerning eligible expenses. The Senior/Community Center is the main focus, as more public gathers there.

With regard to the legislation for technology upgrades, Mayor Potter stated it has not been fully determined which of those would proceed.

Councilman Lesnick asked if there have been technology considerations to improve the virtual Council meetings, to which Mayor Potter said quotes have been received concerning an upgrade to the audio and visual in Council chambers. This will help broadcast meetings out to residents, which will allow Council to have in-person meetings with public attendance but with the option for residents to view the meetings live virtually. This may not be a project for the current CARES Act funding and may have to be delayed until the second round of funding is received, but it is on the priority listing.

Councilman Schulz inquired about the commitment to install a pickleball court at the Community Center. He also stated he's noticed Graylock Drive has been paved in Willoughby Hills and asked if the City could begin discussions with neighboring municipalities concerning joint road work that can be done on roadways with shared borders. Mr. Schulz hopes combined larger contracts will result in lower construction costs. Mayor Potter responded he's already opened discussions with the Mayor of Willoughby Hills on this subject and hopes next year to work towards a couple of combined projects.

**MAYOR'S REPORT/ANNOUNCEMENTS (continued):**

Concerning the pickleball court, Councilman Smolic asked if it would be contracted out or installed by the Service Department. Mayor Potter was unsure if he and Mr. Fornaro have discussed it since Mr. Fornaro had taken the position, but the money is still appropriated in this year's budget, and he hopes the project can be handled by the Service Department in the spring. Mr. Fornaro added that building assessments have begun, and with some relocating of generators in the near future there are some mapping and design issues to work out for installation of the pickleball court. However, the project is still on the radar.

**STANDING COMMITTEE REPORTS:**

Councilman Schulz advised that he and Mr. Fornaro have discussed Ward 3's serviceability and reliability from CEI's power, and Mr. Fornaro has been in contact with the local representative. Once there is more information available, Mr. Schulz will reach out to members of the Utilities Standing Committee and solicit ideas. Discussion ensued on utility issues.

Councilman Lesnick advised that the Finance Department will meet following the October 19 Council meeting.

**CORRESPONDENCE:**

None.

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

**Pamela Mills, 8409 Billings Road**, stated that Chief Nosse has answered her questions concerning the power lines. Her only other concern is the amount of speeding traffic on Billings Road. Unfortunately, she does not consider it safe to walk or jog on Billings Road anymore, as she was able to do a few years ago. Chief Nosse responded his department does get complaints from Billings Road residents. The Chief stated that certain people have been spoken to about their speeding, and hopefully that will help. Otherwise when they are caught they will be ticketed.

Councilman Smolic asked if ATVs have ever been used for patrolling, to which Chief Nosse responded the department does not have access to any ATVs and additional training would be needed if they did. He stated he would have to look for funding to purchase two four-wheelers or something of that nature to be able to more actively patrol the power lines. Mr. Smolic asked if the Police Department would be able to patrol the parks or other properties if ATVs were purchased, to which Chief Nosse said the parks have their own ATVs for patrolling, but it would be helpful to be able to work jointly with them in that capacity. A memorandum of understanding would be positively received by CEI to allow the Department to patrol the power lines.

**Mary Ellen Struze, 10518 Briar Hill Drive**, applauded the Fire Department's concern over emergency vehicles. She and her sister currently live together on Briar Hill, and the Fire Department has responded to their home numerous times, always with the greatest of care and compassion. Ms. Struze shared her concern over safety issues on Election Day, and as a supporter of the Police Department asked if the police department has training for conflict resolution or de-escalation training. Ms. Struze said she is a retired public servant and that often the Police Department and the Fire Department don't get enough funding for training. She went on to explain due to the current climate in the country it would be beneficial for the officers to receive such training, noting it will protect the city from liability issues. Ms. Struze encouraged Chief Nosse and the Police Department to look into additional training opportunities, including mental illness issues and senior citizen mental issues such as dementia, etc.

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

Ms. Struze stated she is most concerned about safety issues at the polls and intimidating of voters by armed individuals, which she states is a concern shared by many residents. Ms. Struze hopes to see election laws enforced, to include that those campaigning will be kept the required distance from the polling places. She also asked if Council has the ability to pass an ordinance restricting weapons within a certain distance from the polls. Ms. Struze closed by thanking Chiefs Hutton and Nosse for their hard work, saying Kirtland is one of the most wonderful communities to live due to everyone's hard work.

Chief Nosse thanked Ms. Struze for her comments, adding she is more than welcome to come and speak to him any time. Concerning training, Chief Nosse said the City does allow an extensive training budget for the Department to continue the yearly training protocols in place. Years back the state mandated that a minimum of 80 hours of continuing professional training be completed yearly. When it comes to crisis intervention training, the majority of the department goes to CIT (Crisis Intervention Training) which deals with all types of situations. This is an extensive training, and the minimum is 40 hours. The Department also goes to de-escalation training yearly, along with conflict resolution training. This year, of course, it has been difficult to attend training as the state shut down some of the in-classroom sessions. However, they have attended online training regularly. Chief Nosse went on to say he's proud to report there have been very few use of force reports to come through since he's been employed at the City of Kirtland.

Addressing Ms. Struze's concerns for Election Day, Chief Nosse said his Department tries to be as visible as possible at both polling stations. They work to make sure everything is as peaceful as possible and take action when the law is violated. There are signs posted for all to see that there are no firearms allowed in the building. If anyone were to violate that rule, appropriate action will be taken. Chief Nosse stated the Police Department will be posted as frequently as possible to deter any possible problems, and he encouraged anyone who sees a problem to call the Police Department.

Ms. Struze again thanked everyone on Council and in the Departments for all their hard work in making Kirtland a wonderful place to live.

**OLD BUSINESS:**

None.

**NEW BUSINESS:****PUBLIC COMMENTS ON AGENDA ITEMS OF NEW BUSINESS:**

None.

**ORDINANCE NO. 20-O-52**  
**(Mayor Potter)**

- **AN ORDINANCE DESIGNATING FINANCIAL INSTITUTIONS AS PUBLIC DEPOSITORIES.**

The legislation was read by title only. Mayor Potter noted that he spoke with Mrs. Kovalchik, and she advised that this is the same ordinance that has been in place year after year and nothing in the language has changed; it is not required that the legislation be adopted tonight, but it is no problem if Council decides to adopt it tonight. The legislation was placed on First Reading.

**NEW BUSINESS (continued):****ORDINANCE NO. 20-O-53**  
**(Mayor Potter)**

- **AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY AND FIRE CHIEF TO ENTER INTO A CONTRACT TO PURCHASE A 2020 MCOY MILLER AMBULANCE FROM BURGESS AMBULANCE SALES, INC., AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mr. Ruple moved to waive the three readings, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mrs. Wolfe. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

**ORDINANCE NO. 20-O-54**  
**(Mayor Potter)**

- **AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO UPGRADE THE TECHNOLOGY AND I.T. SERVICES WITHIN THE CITY, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mr. Smolic moved to waive the three readings, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mrs. Wolfe. Responding to an inquiry from Mr. Ruple, Mr. Lallo explained this will give the authority to contract with Cornerstone or another vendor, not to exceed the \$35,000. Mayor Potter said he would inform Council as purchase orders are requested in this regard. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

**ORDINANCE NO. 20-O-55**  
**(Mayor Potter)**

- **AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 236.07(d) RELATING TO THE FEES, PROFESSIONAL CONSULTING AND RELATED EXPENSES FOR THE PROCESSING OF APPLICATIONS FOR A VARIETY OF PURPOSES AND REASONS, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Upon Council President Lowery's request that he speak on the legislation, Mr. Courtney explained that he and Mr. Lallo reviewed the fee structure for plan review deposits. There were a lot of "To Be Determined" (TBD) amounts shown in the listing, which Mr. Courtney explained is out of the ordinary and not very efficient. Plans would have to be delivered to the City with a permit application, which then are forwarded to Mr. Courtney to determine what the review fee will be and notify the zoning office the amount of the deposit needed. Mr. Courtney stated he cannot begin the review until the deposit has been received. Therefore, Mr. Courtney has gone through the ordinance and suggested dollar amounts that can be taken for deposit when the plans arrive at City Hall. This will streamline the process, as the review can begin as soon as the plans are delivered to City Hall with a deposit. Mr. Lallo added this will bring more transparency and clarity to the applicants. Answering Council President Lowery, Mayor Potter stated the legislation does not have to be passed tonight, but the current process is time consuming and can hold up applications and someone's ability to get placed on the Planning and Zoning Commission agenda. Mr. Schulz asked if the legislation is passed that it be added to the City's website. Mr. Smolic moved to waive the three readings, with the second by Mr. Lesnick. Mr. Courtney informed Council there were still a few TBD amounts on the listing, generally relating to the construction phase category of a project such as a subdivision or large development, as those are harder to estimate. Mr. Lesnick asked that Mr. Courtney highlight the items he would like to remain as TBD and relay that information to Council.

**NEW BUSINESS – ORDINANCE NO. 20-O-55 (continued):**

Voting began on the motion to waive the three readings **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Smolic. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

**RESOLUTION NO. 20-R-56** - **A RESOLUTION AUTHORIZING A CHANGE ORDER WITH RONYAK PAVING, INC. TO PAVE AN ADDITIONAL AREA OF EMERALD GLEN COURT FOR \$7,363.00, AND DECLARING AN EMERGENCY.**  
**(Mayor Potter)**

The legislation was read by title only. Mayor Potter confirmed that adoption of the legislation is requested tonight, as the mobilization date of the project falls before the next Council meeting, and the start date is the date of the next meeting. Responding to Mr. Ruple’s request for clarification, Mr. Lallo explained the bid award for the legislation authorized \$52,000 and change, and the Finance Director requested language stating that any amount above that figure must receive Council approval. Noting that the \$52,180 from the County was a grant, Mr. Schulz inquired if the additional funds will be paid out of the rollover road levy funds. Mayor Potter confirmed that is correct. There was discussion on the total footage, before and after the change order. Mr. Smolic moved to waive the three readings, with the second by Mrs. Wolfe. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mr. Schulz. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

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**COUNCIL COMMENTS:**

None.

**CONTINUING CONCERNS:**

Council President Lowery noted that this is an opportunity for the public to address Council about any continuing concerns. There were no comments from the public.

**ADJOURNMENT:**

Mr. Ruple moved to adjourn, with the second by Mr. Schulz. The motion of Council passed by unanimous vote and the meeting adjourned at 8:49 p.m.

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President of Council

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Clerk of Council