

KIRTLAND CITY COUNCIL MINUTES

January 20, 2021

The meeting of Kirtland City Council was called to order at 7:00 p.m. by Council President Pro Tempore Jeffrey Ruple. 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, Jeffrey Ruple, Matthew Schulz, Joseph Smolic and Kelly Wolfe. Absent: Richard Lowery.

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

MINUTES OF THE JANUARY 4, 2021 COUNCIL MEETING:

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

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised both the December and Year End reports have been distributed. He noted that the year ended with approximately the same amount of calls as last year.

Concerning the COVID-19 vaccine, Chief Hutton said he hopes the 1-A group will be completed by this Saturday. Lake County has received 500 doses of the vaccine and will be rolling that out soon to allied health workers. The firefighters that were vaccinated last month are due for their second dose, which will likely be administered next Tuesday. Chief Hutton expects there to be a semi-open pod at Mentor Public Works and Fire Chiefs will be assisting at that location.

Residents who wish to receive the vaccine may register on the Lake County General Health District website (link on Kirtland's website), at local pharmacies, and with their primary care physician. The Governor has mentioned he would like to begin vaccinating teachers in early February, and Chief Hutton is hoping open pods will be rolling out in February. All career paramedics have been trained and will be available to assist in administration of the vaccine. Chief Hutton will be keeping a record of personnel hours spent administering the vaccine, in hopes of some reimbursement.

Chief Hutton mentioned that Resolutions 21-R-3 and 21-R-4, on tonight's agenda, are for the Volunteer Firefighters Dependent Fund. The purpose of the fund is to help families of the part-time firefighters if they are injured or killed in the line of duty.

Councilman Lesnick requested Chief Hutton run down the list of apparatuses. Chief Hutton advised that 1900 is a chase car, 1910 is the shift commander vehicle, 1911 is the chase car that responds to most EMS calls, 1912 is the Station 1 ambulance, 1913 and 1915 are Station 1 fire engines, 1917 is the brush fire truck, 1921 is a utility vehicle, 1922 is Station 2's ambulance, 1923 is Station 2's engine, 1927 is a rope rescue/tech truck, and 1932 is the backup squad.

Councilman Smolic asked for an update on the new ambulance, to which Chief Hutton said it has been used quite a bit for COVID cases, with the benefit of easy decontamination. He noted it provides a very smooth ride.

DEPARTMENT REPORTS (continued):

Answering Councilman Smolic, Chief Hutton stated originally Lake County had only the Moderna vaccine, but 100 doses of Pfizer have been delivered. This will need to be tracked, as both doses received need to be from the same company.

For the benefit of those new to Council, Chief Hutton spoke on behalf of the two individuals up for reappointment. He stated both have held the position for approximately four years.

Police Chief Lance Nosse advised both the December and the 2020 Year End report have been distributed. Chief Nosse advised Council there have been some computer difficulties in the last few weeks, so he is unable at this time to compare this year's numbers to last year. The calls for service were down a little due to COVID-19.

Concerning house checks, those listed on the report consist of house checks that required further investigation.

In the coming year the reporting system will be changing as a result of the merge with Willoughby. Chief Nosse is looking forward to the changes, stating it will streamline a lot of things internally in the department.

The Police Department will be continuing the "no shave" charity indefinitely, with a month to month determination by Chief Nosse. Beards are expected to be kept in good shape, with those participating retaining a professional look.

Willoughby has indicated to Chief Nosse that the CallWorks system is in the building and being utilized currently. There have been some difficulties in learning the system, but nothing that can't be worked through. CommServe is helping with the transition and training is going well.

Councilman Haymer inquired about the "DOA and body found" category listed on the December report, noting he does not recall seeing that in past reports. Chief Nosse stated that a report is done for such instances, depending on the circumstances.

Answering Mr. Haymer regarding business checks, Chief Nosse stated the numbers reported are for situations when the Police Department was called in for a special reason; he noted they are internally keeping track separately of the number of business checks, rather than putting those over the radio.

Service Director Joseph Fornaro stated to date there have been 15 snow events, and the Department has used roughly 1200 tons of salt; the first shipment of salt is expected tomorrow.

Mr. Fornaro advised that between snowfalls the crews have been trimming trees on Wisner Road.

Councilman Schulz asked if there have been any changes to the salt delivery schedule, to which Mr. Fornaro advised that salt delivery will be between 7:30 a.m. and 3:30 p.m.

City Engineer Douglas Courtney updated Council on the Old Town sewers loan application. Ohio EPA submitted questions concerning the application, and after a few meetings Mr. Courtney believes there is now a course of action which will make them comfortable in releasing the loan agreement. Due to the delay the loan date has now changed to 2/25/2021.

DEPARTMENT REPORTS (continued):

Mr. Courtney advised there will be an amendment to the City's MOU Agreement with Lake County Department of Utilities stating the City will own the sewers throughout the term of the loan and Lake County will operate and maintain them through the term of the loan. Upon the loan being paid off, the City will transfer ownership of the sewers to Lake County Department of Utilities. The expected loan term is 20 to 30 years.

Mr. Courtney advised that the amendment also relates to security on the loan. The EPA is concerned that if they issue the design loan and the project doesn't get constructed there is no security on the design loan. Therefore the amendment will allow a surcharge to the City's sewer rates for the purpose of serving that debt, if necessary.

This amendment is expected to be ready for the next Council meeting, as the EPA would like the draft amendment as soon as possible, with a signed resolution and amendment by February 15 to maintain the February 25 loan date.

The interactive Zoom meeting with the residents in the Old Town area has been scheduled for Saturday, January 30 at 10:00 a.m. Letters are being sent to residents announcing the meeting.

Mr. Courtney is working with the Finance Department on funding for the Wisner Streambank Stabilization project and will present it to Council once the numbers have been finalized.

Councilman Schulz asked if the Police Department's monthly/end of year accident reports are utilized to try and determine countermeasures for areas that have a high rate of accidents. Chief Nosse explained that a lot of past issues were corrected through engineering and design, reducing the number of accidents to one-third of previous numbers. He noted that currently when accidents occur, the officers investigating the accident evaluate the area and, if needed, the Department focuses on deterring speeding, tailgating, distracted driving, etc. Mr. Courtney stated he is available if engineering assistance is needed.

Law Director Matthew Lallo added to Mr. Courtney's report concerning the loan on the sewer project. He and Mr. Courtney attended a Zoom meeting with the County, the EPA, the Mayor, and others as it relates to the issue. Mr. Lallo stated he will draft the MOU, noting that time is of the essence on this legislation due to the deadline, not only for the loan, but with the EPA Director's Findings and Orders.

Answering Councilman Ruple, Mr. Lallo stated that Resolution 21-R-2 was introduced at the suggestion of the Finance Department. As a result of the most recent audit, the Finance Department has developed policies concerning the disposal of property obtained through Federal funding. All Department heads have already received a copy of these policies, which consist of proper auditing principles. Mr. Ruple noted that a lot of the policies are already contained in the City's ordinances. Discussion ensued regarding the purpose of the policies.

Councilman Lesnick requested more information concerning the Old Town sewer loans. Mr. Courtney responded that the City has applied for two loans - a design loan and a construction loan. The design loan is \$351,300 and includes the amount initially applied for along with a contingency of \$33,000 added by the EPA. The construction loan will be applied for once the City has a construction start date and a good cost estimate. At that point the design loan will be rolled into the construction loan, to combine the two into one loan. The cost of that loan, minus any necessary road paving, will be assessed to the benefiting property owners. Mr. Courtney stated that generally if the road is torn up due to installation of sewer systems the EPA will reimburse those costs, however it is not guaranteed.

DEPARTMENT REPORTS (continued):

Councilman. Schulz asked for further explanation on when the surcharge for construction will be assessed. Mr. Lallo explained that according to the current MOU if the City defaults and construction doesn't occur, the EPA wants assurance the County will be authorized to assess a surcharge to the affected City residents to cover the loan as there is no other security for the loan. Therefore, if the City defaults on the loan the EPA wants protection against loss of the funds. Further discussion ensued concerning design costs and loan specifics.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Potter began by commending the road crews for keeping the roads clean, and he stated it has been great having a new mechanic keeping the fleet up and running.

As the Finance Department was not able to attend tonight's meeting, Mayor Potter advised that he and Mrs. Kovalchik met with each department head over the last couple weeks concerning budget requests. He will be meeting with Mrs. Kovalchik next week in hopes of finalizing the budget for first reading on February 1, or for the second meeting in February if necessary. The Mayor suggested that Finance Committee meetings be scheduled after both regular Council meetings in February to discuss the budget.

The Finance Department is up and running in the new system, and they are currently processing the W-2's and 1099's. This saved the subcontractor cost the City has paid in previous years.

The letter to affected Old Town residents was mailed today concerning the Zoom meeting, including a bulleted listing of what will be covered in the meeting and a Q&A section answering some questions that have been posed thus far. Information will be available on the city website along with the PowerPoint presentation. There will also be printed information on hand at City Hall for residents. Those who are unable to view online can call City Hall and request a PowerPoint packet, which is all the information in printed form.

Mayor Potter noted that he looks forward to meeting with Councilman Schulz regarding the road funding program for 2021 and beyond.

With regard to the Old Town sewer project, Councilwoman Wolfe asked about the deadline for residents who would like to consolidate their properties. Mayor Potter noted this would be a subject covered in the meeting, however mid-summer/July is a tentative deadline. This will allow the information to be collected before tentative assessments are done. Mr. Fornaro noted that the deadline is 60 days before the public hearing in the Fall. Councilman Schulz noted that the County process to consolidate properties and have it recorded may be slowed down due to COVID.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

Receipt was confirmed of a copy of a letter dated January 12, 2021 from the Planning and Zoning Commission to Mr. and Mrs. Thomas Carkhuff regarding approval of a zoning permit, with two conditions, for a new residence pursuant to the Environmental Quality Overlay District.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

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

None.

**RESOLUTION NO. 21-R-1
(Mayor Potter)**

- (Second Reading) - A RESOLUTION DECLARING INTENT TO CONDUCT AN INTERNET AUCTION FOR THE SALE OF UNNEEDED, OBSOLETE OR UNFIT PERSONAL PROPERTY OF THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.

The legislation was read by title only and placed on Second Reading.

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

None.

**RESOLUTION NO. 21-R-2
(Mayor Potter)**

- A RESOLUTION AUTHORIZING THE MAYOR AND HIS FINANCE DIRECTOR TO ADOPT UNIFORM GUIDANCE COST PRINCIPLES, AUDIT AND ADMINISTRATION REQUIREMENTS NECESSARY TO COMPLY WITH FEDERAL COST PRINCIPLES, INTERNAL CONTROLS, PROCUREMENT STANDARDS, PROGRAM INCOME REQUIREMENTS IN OBTAINING FEDERAL GRANTS, AND DECLARING AN EMERGENCY.

The legislation was read by title only. Answering Councilman Lesnick, Mayor Potter stated this is an amalgamation of what other cities already have in place concerning internal controls on receipt and expense of Federal monies. Further discussion ensued, and Mayor Potter stated he will ask Mrs. Kovalchik and Mr. Lallo to provide a summary for Council to review. Councilman Ruple requested Mrs. Kovalchik attend the next meeting to answer questions. The legislation was placed on First Reading.

**RESOLUTION NO. 21-R-3
(Mayor Potter)**

- A RESOLUTION CONFIRMING THE REAPPOINTMENT OF CHRISTINE SPEECE TO THE VOLUNTEER FIREFIGHTERS' DEPENDENTS BOARD, AND DECLARING AN EMERGENCY.

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mrs. Wolfe. ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE). Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Smolic. ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).

NEW BUSINESS (continued):

RESOLUTION NO. 21-R-4
(Mayor Potter)

- A RESOLUTION CONFIRMING THE REAPPOINTMENT OF AMY BUCHANAN TO THE VOLUNTEER FIREFIGHTERS' DEPENDENTS BOARD, AND DECLARING AN EMERGENCY.

The legislation was read by title only. Mrs. Wolfe moved to waive the three readings, with the second by Mr. Schulz. ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE). Mrs. Wolfe moved to declare an emergency and adopt, with the second by Mr. Smolic. ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).

* * * * *

COUNCIL COMMENTS:


None.

CONTINUING CONCERNS:

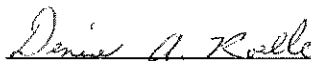
Council President Pro Tempore Ruple noted that this is an opportunity for the public to address Council about any continuing concerns. There were no comments from the public.

ADJOURNMENT:

Mr. Lesnick moved to adjourn, with the second by Mr. Schulz. The motion of Council passed by unanimous vote and the meeting adjourned at 8:00 p.m.



President of Council



Clerk of Council