

KIRTLAND CITY COUNCIL MINUTES

August 23, 2021

The meeting of Kirtland City Council was called to order at 7:03 p.m. by Council President Richard Lowery. 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, Assistant Finance Director Louis Slapnicker, City Engineer Douglas Courtney, Service Director Joseph Fornaro, Police Sergeant Jamey Fisher and Senior Center Coordinator Teresa Szary.

MINUTES OF THE JULY 7, 2021 WORK SESSION:

Mr. Lesnick moved to waive the reading of the minutes, with the second by Mr. Schulz. The motion of Council passed by unanimous vote. Mr. Lesnick moved to approve the Minutes, as presented, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

MINUTES OF THE JULY 7, 2021 COUNCIL MEETING:

Mr. Smolic moved to waive the reading of the minutes, with the second by Mr. Lesnick. The motion of Council passed by unanimous vote. Mr. Smolic moved to approve the Minutes, as presented, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

MINUTES OF THE JULY 12, 2021 WORK SESSION:

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 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

MINUTES OF THE JULY 12, 2021 COUNCIL MEETING:

Mr. Schulz moved to waive the reading of the minutes, with the second by Mr. Lesnick. The motion of Council passed by unanimous vote. Mr. Schulz moved to approve the Minutes, as presented, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

MINUTES OF THE AUGUST 2, 2021 SPECIAL MEETING WORK SESSION:

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 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

MINUTES OF THE AUGUST 2, 2021 SPECIAL COUNCIL MEETING:

Mr. Smolic moved to waive the reading of the minutes, with the second by Mr. Lesnick. The motion of Council passed by unanimous vote. Mr. Smolic moved to approve the Minutes, as presented, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

MINUTES OF THE AUGUST 3, 2021 SPECIAL COUNCIL MEETING:

Mr. Lesnick moved to waive the reading of the minutes, with the second by Mr. Schulz. The motion of Council passed by unanimous vote. Mr. Lesnick moved to approve the Minutes, as presented, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

MINUTES OF THE AUGUST 10, 2021 SPECIAL 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 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Police Sergeant Jamey Fisher advised the July report has been distributed. The Police Department has been assisting the school system on getting information out to parents since the school year began. Traffic for the pickup/drop-off lane is backing up daily, and the Police Department is making posts on Facebook to try and alleviate the problem. As a reminder to residents, Sergeant Fisher said there are no roads in Kirtland where it is legal to pass a stopped school bus.

Sergeant Fisher has been working with Mr. Fornaro in support of the new pavement plan, and the Police Department is going to begin aggressively enforcing Section 440.11, concerning commercial vehicles driving on roads on which they are not supposed to be driving. Sergeant Fisher has discussed the enforcement plan with the prosecutor, and he approved. Any commercial vehicles on non-commercial city roads that are not in the process of making/receiving deliveries will be issued citations.

Sergeant Fisher advised that he spoke with Mr. Lallo concerning review of ordinances relating to hunting and the permits that are issued.

Sergeant Fisher advised he is working on the capital requests for the Finance Director.

He noted that the "Drive Sober or Get Pulled Over" campaign will go through Labor Day weekend.

Sergeant LaTurner and Patrolman Germano have both completed their SWAT training, and Sergeant Fisher congratulated them on their accomplishment.

A vehicle inspection program began July 1, 2021. Eight citations have been issued, and only one has gone to court. The Police Department has received a lot of positive feedback from those who have been cited. Citations issued have consisted of equipment violations, expired tags, etc. There is a seven-day timeframe for those issued citations to correct the problem. The goal of the program is to make sure everything is brought up to compliance, and it is going well.

DEPARTMENT REPORTS (continued):

Councilman Smolic asked for more information regarding commercial vehicles on the roads. Discussion ensued concerning specific streets that commercial vehicles are and are not allowed to use.

Service Director Joseph Fornaro reported the road program is underway. Recycling is done on Wisner, Billings, and Springer. Pavement markings have been completed in 90 percent of the city, with Euclid-Chardon being the only road left.

Concerning the weather and rain, Mr. Fornaro mentioned this season is the second wettest summer on record. Because of this the blue tractor has made five rounds through the city cutting grass, and the crews have done a great job keeping up with the landscaping in the parks and cemeteries.

Mr. Fornaro commented on the outstanding teamwork between Police, Fire, Dispatch and the Service Department.

As baseball season draws to a close, the crews are preparing for fall soccer, football, and band seasons, and will be lining all those fields as well.

Mr. Fornaro stated that to date the crews have put down approximately 120 tons of asphalt on various side roads, and he met with Mr. Courtney and Mrs. Kovalchik to discuss the various drainage issues and create a list for the 2021 budget.

Councilman Smolic asked for an update on the pickleball court, saying it's looking fantastic. Mr. Fornaro said work began right after the 4th of July. The court came together quite quickly, with a lot of help and a lot of volunteers. The pavement has been completed, and the paint was received today. The pavement will need 14 days for curing, so work cannot begin again until next Wednesday or Thursday. Two temporary nets were received today, and Mr. Fornaro is hoping the court will be open for play by Labor Day.

Responding to Councilman Schulz on the cost for the pickleball court, Mr. Fornaro said the budgeted amount was \$37,000, but the project will come in under budget due to a donation for paint in the amount of \$3,500. In-kind labor was received for the asphalt, so there was no cost to the city for that labor.

Councilman Schulz asked if hours of operation for the pickleball courts had been decided, keeping in mind the neighboring residents relative to noise. Mr. Fornaro said that has not yet been discussed.

City Engineer Douglas Courtney provided an update on the Old Town sewer project, stating that a 50% design progress set was sent two weeks ago to Lake County Department of Utilities for their review. The project is on schedule to submit to the EPA in mid-September for permits. The geotechnical report has been received and is being reviewed for any impact on the design of the sewer mains. The lot assessment list is almost complete. The public information meeting is expected to be scheduled in September, with the anticipation that the formal public hearing will be held in January of 2022. These meetings will be scheduled when the assessment list is complete, the plans are nearly complete and a solid cost estimate for the project has been determined.

Concerning the road program, Mr. Courtney said the curing period for the recycled asphalt is complete and a proof roll is scheduled for this Thursday with the contractor, to put a loaded vehicle on each of those streets to look for soft spots for repair.

Noting that contractor schedules have been delayed due to the wet summer, Mr. Courtney expects all projects with end-of-year completion dates to be completed on time.

DEPARTMENT REPORTS (continued):

Referring to Resolution 21-R-48 on tonight's agenda, Mr. Courtney said it relates to participation in ODOT's cooperative purchasing program for crack seal and chip seal materials and installation. Participation in the program will allow the street maintenance work to be done. He asked that the resolution be passed at tonight's meeting. Once the resolution has been passed, it will be sent with a letter to ODOT indicating program participation for certain materials. Once this has been approved by ODOT the street maintenance can move forward.

Councilman Smolic inquired if this is done on an annual basis. Mr. Lallo responded that the legislation is written to be in effect during the tenure of Mr. Fornaro as Service Director.

Assistant Finance Director Louis Slapnicker advised the July 2021 end-of-month reports have been distributed and posted to the website.

The Finance Department was notified today the City's American Rescue Plan Act (ARPA) application has been approved, which means the City will receive \$356,782.11 in approximately 15 business days.

Mr. Slapnicker spoke on the legislation on tonight's agenda to amend the appropriations. This amendment relates to the ARPA funding that is expected.

The Finance Department submitted the first reimbursement request to the county for the senior levy in the amount of \$21,673.59. This relates to the reimbursable grant that was approved.

The 2020 financial statement audit is ongoing, and state auditors are on site. They are reviewing basic financial statements and working on the federal audit as well.

Senior Center Coordinator Teresa Szary reported this week is the first-ever Senior Summer Camp at the Senior Center. Every day this week the Center will be celebrating a different holiday missed during lockdown.

Invitations have already been sent to Council for next month's event, which will be a meet the teachers night on September 22. City staff, Administration and Council have been invited for appetizers, tours and games, such as chair volleyball and pickleball, to allow them to socialize with the seniors at the center.

The Center has been open since June, and more classes are being added and new members are joining every day. Since the middle of March, there have been over 70 new or returning members, for a total of approximately 475 members.

For Senior Center members interested in learning how to play pickleball, two members are offering lessons, rules, and techniques for an hour every week.

Responding to Councilman Lesnick, Ms. Szary stated the minimum age is 55 years to join the Senior Center.

Other upcoming events at the Senior Center are a chair volleyball tournament, and a bake-off between the City and the Senior Center members.

Law Director Matthew Lallo noted that Sergeant Fisher requested a review of some ordinances in need of updating, and Mr. Lallo has also met with Chief Hutton concerning a general ordinance review.

DEPARTMENT REPORTS (continued):

Mr. Lallo plans to do a substantial review of the ordinances, and present any necessary changes to Council before the end of the year. If Council adopts those changes, Mr. Lallo suggested that an Ordinance update with American Legal Publishing be undertaken in 2022, and the ordinances on the City's website can be updated. The cost for the update ranges from \$6,000 to \$7,000. Mr. Lallo said the last time this was done was in 2018 and there have been many changes made since that time that are not reflected in the ordinances on the website.

With regard to legislation on tonight's agenda, Mr. Lallo requested that 21-R-46 be amended to delete a particular phrase concerning opting out of PERS contributions. He noted that after discussing this with Mrs. Kovalchik, she confirmed with PERS that only elected officials can opt out.

With regard to the legislation relating to the credit card policy, Councilman Ruple inquired if the legislation should identify the authorized users by title rather than by name to lessen the need for amendments when there are personnel changes. Mr. Slapnick advised that the bank may need to associate the cards with specific names of the individuals.

With regard to legislation for the updated MOU with the Lake County Land Bank, Mr. Lallo said he spoke with John Rogers, the Executive Director, on the subject. In the late spring/early summer Mr. Rogers sent a request for an updated agreement to all the municipalities. Mr. Lallo compared the updated MOU to the current MOU and noticed no substantive changes. With many changes in administrations, Mr. Rogers felt it would be best to have an updated MOU for each of the municipalities. Mr. Lallo noted there is no need to waive the three readings on this legislation.

Answering Councilman Ruple, Mr. Lallo advised that the Lake County Land Bank helps with blighted properties and properties in danger of being auctioned for non-payment of taxes. The Land Bank will step in and purchase the property before there is need of an auction, assuming there is not a lien on the property. If the property is in need of repair or demolition, the Land Bank can have the work performed before reselling the property.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Potter began his report with sad news for the community, announcing that Mrs. Carol Bradac, a long-time teacher at the Kirtland Elementary School, passed away yesterday. Mayor Potter said that Mrs. Bradac was incredibly special, and the community's hearts, thoughts, and prayers go out to the family.

The four concerts put on by the Friends of the Library went very well, and Mayor Potter thanked all those who coordinated, supported, and volunteered during the summer concert events. He thanked Councilman Haymer for bringing the Kiwanis lemonade trailer to each of the events. He hopes to grow and expand the program next summer.

Mayor Potter briefly reviewed the legislation on tonight's agenda. With regard to 21-R-45 relating to economic development consulting services, he thanked Councilman Lesnick for sitting in on several meetings with Mr. Eckart, who will be at the September 8 Council meeting. Mayor Potter will forward Mr. Eckart's resume to Council members for review.

Mayor Potter noted that a representative of Richards Maple Products is present regarding their interest in expanding their business into the City of Kirtland.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

The Mayor said he will be looking for an endorsement tonight from City Council regarding the process as the Administration moves forward on hiring the next Chief of Police. The process will be as follows: An ad will be sent to the Ohio Chiefs Association for their website, and to the Lake County Chiefs Association, the Cuyahoga County Chiefs Association, and the Geauga County Chiefs Association for dissemination to the various departments in those jurisdictions. As applications are received they will be discussed and vetted by Mayor Potter, Chief Hutton, Council President Lowery, Councilman Smolic (Chairman of the Safety Committee), Christine Speece in HR, and a law enforcement officer from outside of the City Department. There will be a number of candidates invited to a lightning round of interviews. Those candidates will be narrowed down, and the Chiefs Association will come in for a day of assessments for up to seven candidates at a cost of \$5700. After the day of assessment, the Chiefs Association will deliver a report for each candidate. The final round of interviews will be done by the original group members and a couple of community members. Based on the outcome, Mayor Potter hopes to have the next Chief selected and ready for Council recommendation by the end of October or early November. Mayor Potter stressed the seriousness and importance of the position and the responsibility to make sure the right person is found to fill the position.

Councilman Lesnick voiced approval of the recommended process and suggested the same process be used for other hires for the City.

Mr. Lesnick moved to endorse the Mayor's recommended process to move forward with the selection of a new Police Chief, with the second by Mr. Smolic. Discussion ensued concerning the proposed process; it was noted that any involvement of Council members must remain within the open meetings law. Mr. Ruple inquired about the community members that would participate in the final interview, to which Mayor Potter suggested a Kiwanis member or possibly a member of the School Board or the Superintendent, along with one additional community member. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

Councilwoman Wolfe asked if there would be any further investigation concerning the other drinking that took place and/or alcohol brought into the Police Department. Mayor Potter advised he has discussed the situation with the Law Director, and the situation will be handled.

STANDING COMMITTEE REPORTS:

Councilman Ruple noted that a Planning and Zoning Standing Committee meeting was held on August 10 to get a better understanding of different municipal codes regarding the City Engineer's approval of plans, and there was discussion of possible changes to make the codes more understandable to the layman.

Councilman Lesnick stated that hopefully the result of the August 10 meeting will be the compilation of a list of items that need to be done for a project, to be made available to residents. Mr. Lesnick stated that the fees and bond requirements are in line with other cities; he noted there were minimal changes made a few years ago. Council President Lowery stated that the fee structure is somewhat confusing, and hopefully moving forward there will be some clarification.

Noting that it was his understanding that the Council meetings would not be broadcast on Zoom after the recess, Mayor Potter advised that the City received an estimate from a local IT audio/video specialist, and Jim Gibbs is working with that individual. The Mayor noted it would be a cast system, and the estimate is under \$10,000. Mayor Potter hopes to have the new system up and running by October. The Zoom account will be continued for another month, in case it is needed before the new system is put into place. Council President Lowery requested that this information be placed on the website to make the community aware. It was noted that tonight's meeting was not broadcast on Zoom; discussion ensued.

STANDING COMMITTEE REPORTS (continued):

Councilman Schulz asked Mayor Potter if the Coffee with a Cop program has begun. Mayor Potter said the program kicked off Saturday morning, and there was a social media effort to inform the community of the program. Sergeant Fisher said the Department is considering moving the program around to support other local businesses.

Councilman Lesnick asked Mr. Slapnickier if he or Mrs. Kovalchik will be able to hold a 3rd quarter summary meeting. Mr. Slapnickier replied that Mrs. Kovalchik had wanted to distribute a summary to Council, but that will need to be done after the audit has completed. It was noted tentatively that a 6:00 p.m. work session can be held on October 4 for the Finance Department to present information to Council for the first three quarters of the year.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

John Florentine, 7360 Ledgewood Drive, publicly thanked Joe Fornaro and the Service Department for filling in the concrete ditch in front of his house. He then asked about the property that was once a landfill, to which Councilman Smolic said he believes Waste Management still controls that property. Discussion ensued concerning the property.

Bill Svendson, 10822 Crestwood Drive, said he is a 55-year resident, and he and some of his neighbors have noticed a reduction in police presence in their area. In the past there have been patrols once or twice daily and he asked if there is a reason for the reduction. Sergeant Fisher said there is no specific reason, other than the Department is currently short two full-time officers. Sergeant Fisher stated the Department is hiring new officers, and they are in the background check stage.

Carol Martz, 7475 Euclid-Chardon Road, asked if the process outlined for selecting a new Chief is typical of what other cities do when looking for a Chief. Mayor Potter answered he is unsure if other cities have faced the situation that Kirtland faced recently, noting that he wants to ensure that position is filled by the correct person and that Council has an opportunity to hear the process. Ms. Martz asked Mayor Potter if he solicited input from other cities on how Chiefs are selected. Mayor Potter said he met with a Chief from another city to discuss the process as he envisioned it, and he was given some good pointers.

Ms. Martz then asked about the pickleball courts' maintenance plan and the cost associated, to which Mr. Fornaro stated maintenance has not yet been discussed. Ms. Martz said with all the historical problems with asphalt in the city that she would expect that maintenance would have been considered when deciding to cover them with asphalt. Mr. Fornaro explained how the asphalt court was designed to make the pavement last for a long time.

Catarina Cocca-Fulton spoke on behalf of the property for the senior development at 9327 Chillicothe Road. Ms. Fulton stated several members of Council have reached out to her and her parents (the property owners), and she wanted to provide further background information on the current situation. She stated that January 11, 2021, when the permit was requested, was the first time the owners were made aware of the listing of fees. Ms. Fulton went on to say she believes they have been assured that moving forward the process will be more straightforward in the future. With that being said, her parents still believe a senior community for 55 and over with maintenance-free living for seniors to age in place is something the residents of Kirtland have been wanting for a while.

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

Ms. Fulton thanked Council for reaching out, and she said they are still trying to figure out a way to move forward. Council President Lowery thanked Ms. Fulton for speaking, saying the project is important and Council owes it to the community to make sure there is a response when such situations arise.

Jen Freeman of Richards Maple Products, 545 Water Street in Chardon, said at the Planning and Zoning meeting a couple weeks ago they presented an expansion of their business into Kirtland. The maple shop was opened in 1910 in Chardon, and there were plans for expansion in Chardon until they found the former Endura Plastics building on Chardon Road in Kirtland. The plans are to open a retail shop, with processing and smoking of meats, along with bottled wine and manufacturing maple goods. Council President Lowery noted that Council has received copies of the plans. Responding to Mr. Lowery, Ms. Freeman said that the business in Chardon will remain open; the retail shop can sustain itself. Ms. Freeman said they have already been contacted by individuals looking to apply for jobs, noting they are expecting to hire for approximately 35 positions. All Council members thanked her for considering Kirtland for the expansion and asked that she reach out to any of them with any questions or concerns during the process.

OLD BUSINESS:

None.

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

Carol Martz, 7475 Euclid-Chardon Road, asked that during discussions on 21-R-45 and 21-R-46 that there will be discussion on the increase in salary and any significant changes in the role that would justify a significant increase; she also asked why the legislation needs to be passed as an emergency.

Mr. Lallo explained the emergency relates to the effective date of the legislation. Once Council approves legislation, it goes into effect 30 days after approval, unless it is passed as an emergency with five out of seven votes. He noted that passing the legislation as an emergency would allow the newly hired individual to begin work sooner. Mayor Potter spoke on the salary inquiry, stating the Economic Development Director's salary will increase by a couple thousand dollars, noting that the increase is reflective of an increase that was being discussed with Wickliffe and Willowick for Ms. Drake in this position. Mayor Potter said he is happy with Mr. Eckart's abilities and what he will bring to the city in terms of economic development.

Concerning the position for zoning inspector, Mayor Potter noted there is a lack of qualified applicants. He advised that Mr. Loconti is highly qualified, and the salary was adjusted accordingly. Mr. Loconti is a local resident and current member of the Planning and Zoning Commission, and he has an impressive resume and is very well qualified for the position. Ms. Martz inquired if the salary offered is market rate for the position, to which Mayor Potter replied affirmatively.

Answering Ms. Martz concerning sharing Mr. Eckart's services, Mayor Potter stated his time will not be shared and will be divided between the business he currently owns and the City of Kirtland.

Mayor Potter said the issue can be further discussed at the next reading, if necessary.

NEW BUSINESS (continued):

- ORDINANCE NO. 21-O-44** - **AN ORDINANCE AMENDING ORDINANCE NO. 21-O-41**
(Mayor Potter) **RELATING TO THE APPROPRIATION FOR THE YEAR**
2021.

The legislation was read by title only. Answering Mr. Lesnick, Mr. Slapnicker confirmed that the only change is to Fund 217 for the ARPA funds. Mr. Ruple moved to waive the three readings, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).** Mr. Lesnick moved to adopt, with the second by Mrs. Wolfe. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

- RESOLUTION NO. 21-R-45** - **A RESOLUTION HIRING EDWARD J. ECKART AND**
(Mayor Potter) **NORTH SHORE ASSOCIATES LLC TO PERFORM**
ECONOMIC DEVELOPMENT CONSULTING SERVICES
FOR THE CITY OF KIRTLAND, AND DECLARING AN
EMERGENCY.

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

- RESOLUTION NO. 21-R-46** - **A RESOLUTION CONFIRMING THE APPOINTMENT OF**
(Mayor Potter) **RICK LOCONTI AS THE ZONING INSPECTOR FOR THE**
CITY OF KIRTLAND, AND DECLARING AN
EMERGENCY.

The legislation was read by title only. Mr. Lallo asked that Council amend the legislation by striking the following language in the second sentence of Section III: "nor will it include any contributions into the Ohio Public Employee Retirement System." Therefore the sentence will read as follows: "Loconti agrees that this position will not entitle him to any medical insurance benefits." Mr. Lesnick moved to amend the legislation as stated by the Law Director, with the second by Mr. Smolic.

Mr. Schulz asked if there was any discussion concerning having Mr. Loconti as a 1099 employee, to which Mr. Lallo explained that according to the City Ordinance he is considered an employee and cannot be considered a contractor. Mr. Schulz noted that as an employee this would increase the cost to the City for Medicare and additional pension payments. Concerning amending the ordinance to allow the zoning inspector as a 1099 employee, Mr. Lallo cautioned against it, referencing the process that applies to the position with regard to hiring and removal. Mr. Lallo advised that if this is something Council is considering, then the City's Ordinance must be modified before Mr. Loconti is hired. Mr. Lallo will research the idea further and report back to Council. Further discussion ensued concerning salary and benefits the City will be responsible for with Mr. Loconti classified as an employee.

Voting began on the motion to amend the legislation. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).** The legislation was placed on First Reading.

- ORDINANCE NO. 21-O-47** - **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER**
(Mayor Potter) **INTO AN UPDATED MEMORANDUM OF**
UNDERSTANDING WITH THE LAKE COUNTY LAND
REUTILIZATION CORPORATION RELATING TO
VACANT, ABANDONED, TAX-FORECLOSED OR OTHER
REAL PROPERTY.

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

NEW BUSINESS (continued):

RESOLUTION NO. 21-R-48
(Mayor Potter)

- **A RESOLUTION AUTHORIZING THE PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM, 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: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mrs. Wolfe. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

Upon discussion, Mrs. Wolfe moved to reconsider the adoption of the legislation, with the second by Mr. Ruple. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mrs. Wolfe. **ROLL CALL: ADOPTED 6/0/1 (VOTING YEA: WOLFE, HAYMER, LESNICK, LOWERY, RUPLE AND SMOLIC. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

RESOLUTION NO. 21-R-49
(Mayor Potter)

- **A RESOLUTION RATIFYING AND ADOPTING THE CITY'S CREDIT CARD POLICY, AND DECLARING AN EMERGENCY.**

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

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COUNCIL COMMENTS:

Mrs. Wolfe inquired about the septic permits document being sent out to residents. Mayor Potter stated that a few years ago the Ohio EPA mandated that each county must have an inspection process for all septic systems. This is an unfunded mandate, so the Lake County Health Department created a fee schedule. In approximately 2015 the county began the program, requiring every homeowner of each septic system to have that system inspected. The inspections began with the more complex, and now have progressed to the basic systems. This is why the notifications for inspection are being received now. Mr. Smolic noted that residents can contact the Lake County Health Department if they have questions. Mayor Potter advised that he has checked with the county to determine if there are any programs offering relief to property owners, especially for the senior population, but there is not a program available through the Lake County Health Department.

Mr. Lowery read the following statement that was provided to him: Residents of Ward 1 are finalizing a recall petition seeking to remove Ms. Wolfe from her Council position. If anyone has any questions, or would like to assist in gathering signatures, contact Cathleen Knaack, email cathleenknaak@gmail.com. phone 440-476-5900.

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. Lesnick moved to adjourn, with the second by Mr. Smolic. The motion of Council passed by unanimous vote and the meeting adjourned at 8:37 p.m.

President of Council

Clerk of Council