

KIRTLAND CITY COUNCIL MINUTES

January 19, 2022

The meeting of Kirtland City Council was called to order at 7:05 p.m. by Council President Jeffrey Ruple. Mr. Ziegler led the prayer which followed the Pledge of Allegiance. The members of Council present were: Ronald Fenstermaker, Scott Haymer, Jeffrey Ruple, Matthew Schulz, Joseph Smolic, Kelly Wolfe and Eric Ziegler.

Administrative personnel present were: Mayor Kevin Potter, Law Director Matthew Lallo, Finance Director Louis Slapnick, City Engineer Douglas Courtney, Service Director Joseph Fornaro, Police Chief Brian McCallister, Fire Chief Anthony Hutton and Senior Center Coordinator Teresa Szary.

MINUTES OF THE JANUARY 5, 2022 WORK SESSION:

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

MINUTES OF THE JANUARY 5, 2022 COUNCIL MEETING:

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

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised the monthly report has been distributed.

Chief Hutton said there were no major storm-related calls or injury accidents due to the recent snow, however there were several EMS calls. Chief Hutton thanked Mr. Fornaro and the Service Department for responding quickly to clear the road when necessary. As always, there was a great teamwork effort by the Police, Fire, and Service Departments.

Chief Hutton reported the Fire Department's reserve engine is back in Willoughby Hills on loan and expected to return by the end of the week.

In response to Councilman Schulz's question, Chief Hutton said the Department's newest unit, which was purchased last year with COVID funding, is a four-wheel-drive unit and was very useful.

Police Chief Brian McCallister advised the monthly report has been distributed, including a monthly and yearly reporting. The Police Department received over 560 service calls, and handled those well. Chief McCallister echoed Chief Hutton's sentiments, saying the departments worked very well together on Monday and things were fairly seamless considering the weather conditions.

Chief McCallister advised that two detectives were appointed on January 15 - Zach Petric and Clyde Null.

Answering Councilman Ziegler, Chief McCallister stated that the fireworks complaints noted on the report were on New Year's Eve, and into January 1.

DEPARTMENT REPORTS (continued):

Councilman Fenstermaker asked Chief McCallister to pass along his appreciation for the officers who came out to his home on Sunday and helped the Amazon truck get out of the ditch. The officers were professional and allowed the driver to sit in the cruiser while he waited for the tow truck.

Service Director Joseph Fornaro said it has been a challenging few days for his Department, and he thanked his crews who did a great job during the recent weather.

Mr. Fornaro said that Kirtland is very unique, and the teamwork is incredible. Mr. Fornaro expressed his appreciation to the Police and Fire Departments for working so well with his Department, and thanked the residents for their patience and understanding. Mr. Fornaro went on to say some of the residents even brought the crew coffee while they worked, which he has not seen happen anywhere else.

Mr. Fornaro advised that the Department used 700 gallons of fuel during the last few days.

Councilman Fenstermaker said he received a request from a resident on Briar Hill for a Slow/Children Playing caution sign to be placed on their road in the spring. Mr. Fornaro said he has one in stock, and will be happy to put it up.

Mr. Fenstermaker said he has received questions from residents regarding whether there are enough employees in the Service Department to handle these type of weather events. Mr. Fornaro said that all seven 2-1/2 ton trucks were on the road, and including himself there are nine full-time employees and three part-time employees in the Department. Mr. Fornaro confirmed there are enough employees in the Service Department to handle these storm events.

Mr. Fenstermaker said the question concerns the side roads and the attention they have received during the past few snowstorms. Mr. Fenstermaker noted that during the past two years the Service Department personnel was reduced, and the residents are concerned with the impact on the Department during these storms. The prioritization of the secondary roads has become a concern for the residents since the staffing reduction. He went on to say no one is criticizing the Service Department, and that they do a phenomenal job. However, the question has been posed concerning the impact on the Department due to the reduction in personnel.

Mr. Fornaro said he cannot comment on how things were done prior to his employment with the City. However, all seven of the Department's trucks were on the road and in use during the storm. During the last storm, the hill on Route 306 was closed for 15 minutes; other than that, no other roads were closed. Mr. Fornaro stated that the storm last year saw a great number of trees down, which created a completely different situation.

Mayor Potter added that he returned home from a treacherous drive from Bay Village on Sunday, and the Route 306 hill in Kirtland was wet pavement. On Monday afternoon he was driving on Route 306 and Route 6; there were times the road was partially snow covered, but in far better shape than the roads in neighboring communities. He noted that by 6:00 that evening, only five hours after the storm stopped, every road was wet pavement. Mayor Potter assured that the Department is fully staffed.

Responding to Councilman Schulz regarding a resident on Monterey, Mr. Fornaro advised that the mailbox was fixed the next day. Mr. Fornaro noted that the mailbox policy is on the City's website.

Councilman Smolic thanked Mr. Fornaro for responding to the residents' requests to repair their mailboxes.

City Engineer Douglas Courtney advised there is no update on the Old Town Sewer project, but it is progressing.

DEPARTMENT REPORTS (continued):

Mr. Courtney is working with Mr. Fornaro on a recommendation to present to Council for the 2022 Repair and Maintenance Program, and Mr. Courtney hopes to present it to Council in the next couple weeks.

Mr. Courtney is also working with Mr. Fornaro on a recommendation for drainage projects for 2022, which they would like to submit to Lake County Stormwater for funding. As of December 14, 2021, Lake County Stormwater indicated the City of Kirtland has \$316,000 available in the stormwater fund.

Responding to Councilman Schulz concerning the resident request for a cost breakdown for each road, Mr. Courtney explained he has entered all the information he has available, however there are a few outstanding items. He went on to say he will be happy to report partial numbers at the next Council meeting, with the understanding that the final numbers may be different by a few percentage points.

Finance Director Louis Slapnicker reported this is one of the busiest times of the year for the Finance Department, explaining his absence at the last Council meeting.

The Finance Department has closed the 2021 year, and reports have been distributed. Compared to year end 2020, in which the City was going through a debt conversion, the Finance Department closed the year a month sooner. All reports have been distributed and posted to the City's website.

The first round of budget meetings with the Department heads have occurred, with the Mayor in attendance.

There has been new guidance released on the ARPA funds and how they may be used, which will affect this year's budget. Mr. Slapnicker and Mayor Potter are currently researching the new ruling.

The GAAP conversion has begun. For those not familiar with this process, Mr. Slapnicker explained the City is on a cash basis accounting system. In order to have the City's financial reports audited by the state, there must be a GAAP conversion to modify the cash basis accounting into full accrual and modified accrual. Mr. Slapnicker has already begun releasing the necessary reports to LGS (Local Government Services) through the State Auditor's office.

The reporting on the 2020 COVID funds previously received has been finalized within the deadline.

With regard to closing of the 2021 year and the estimated fund balances, Mr. Slapnicker noted that the fund balance is \$2,032,000. This ending balance is higher than projected. He noted that, on the revenue side, the City has received additional income tax dollars over and above the amount previously budgeted. Also, on the expense side, items have come in under budget. Mr. Slapnicker will be reporting to Council in more detail concerning these items at the next meeting.

Law Director Matthew Lallo stated he has been working with Mr. Courtney and Mr. Aveni (attorney), along with Mr. DeLeone from the Lake County Prosecutor's Office, regarding the deed restriction process for the Old Town Sewer district. Mr. Lallo said he is comfortable with the language on behalf of the City. The County is working through their concerns with Mr. Aveni, who is assisting some of the homeowners. Mr. Lallo stated he does not foresee any major issues.

Mr. Lallo referenced Resolution 22-R-7, the Memorandum of Understanding with the Police Department as it relates to an employee in the bargaining unit working overtime on a holiday. Mr. Lallo explained this resolution would address that issue, essentially giving the employee double-time pay during that period.

DEPARTMENT REPORTS (continued):

Also on the agenda, Ordinance 22-O-8 concerns compensatory time for non-bargaining unit full-time employees, and Mr. Lallo said he would be more than happy to answer any questions on this or the legislation (20-R-9) relating to the MOU for the school district for the shared mechanic services.

Answering Council President Ruple regarding having the Ordinances codified, Mr. Lallo stated the funds will be allocated in the budget process so this can hopefully be done in the spring.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Potter reminded those present of the joint meeting with Planning and Zoning and the Board of Zoning Appeals this evening.

Mayor Potter expressed his appreciation to Mr. Fornaro and the Service Department, the Police Department, and the Fire Department for all of their hard work during the recent weather.

Mayor Potter said the meetings he and Mr. Slapnicker have had concerning budgets have been focused on what each department needs and wants for budget year 2022. In the next couple weeks Mayor Potter will meet with Mr. Slapnicker to determine what budget requests can be included for each department.

There will be a Finance Committee meeting before the next Council meeting, and Mayor Potter suggested Council members touch base with Mr. Schulz on what topics they would like to cover during that meeting.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

Council President Ruple advised that a notification was received from Ohio Division of Liquor Control regarding a permit transfer from Tyseco Catering & Event Planning LLC, dba Kirtlander Party Center to Sausalito on Kirtlander LLC, dba Sausalito on Kirtland. Council did not request a hearing in this regard.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

None.

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

None.

NEW BUSINESS (continued):

- RESOLUTION NO. 22-R-4** - A RESOLUTION APPOINTING PAUL RUPERT AS A
(Council as a Whole) MEMBER OF THE KIRTLAND BOARD OF TAX REVIEW,
AND DECLARING AN EMERGENCY.

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

- RESOLUTION NO. 22-R-5** - A RESOLUTION CONFIRMING THE REAPPOINTMENT
(Council as a Whole) 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 Mr. Smolic. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, RUPLE, SCHULZ, SMOLIC, WOLFE, ZIEGLER AND FENSTERMAKER. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Fenstermaker. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: HAYMER, RUPLE, SCHULZ, SMOLIC, WOLFE, ZIEGLER AND FENSTERMAKER. VOTING NAY: NONE).**

- RESOLUTION NO. 22-R-6** - A RESOLUTION CONFIRMING THE REAPPOINTMENT
(Council as a Whole) OF AMY BUCHANAN TO THE VOLUNTEER
FIREFIGHTERS' DEPENDENTS BOARD, AND
DECLARING AN EMERGENCY.

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

- RESOLUTION NO. 22-R-7** - A RESOLUTION AUTHORIZING THE CITY TO ENTER
(Mayor Potter) INTO A MEMORANDUM OF UNDERSTANDING WITH
THE KIRTLAND POLICE DEPARTMENT AND THE OHIO
PATROLMEN'S BENEVOLENT ASSOCIATION FOR THE
RESOLUTION OF A PAY DISPUTE, AND DECLARING
AN EMERGENCY.

The legislation was read by title only. Mr. Smolic moved to waive the three readings, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: HAYMER, RUPLE, SCHULZ, SMOLIC, WOLFE, ZIEGLER AND FENSTERMAKER. 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: HAYMER, RUPLE, SCHULZ, SMOLIC, WOLFE, ZIEGLER AND FENSTERMAKER. VOTING NAY: NONE).**

- ORDINANCE NO. 22-O-8** - AN ORDINANCE ADOPTING SECTION 254.29 OF THE
(Mayor Potter) CODIFIED ORDINANCES OF THE CITY OF KIRTLAND
REGARDING COMPENSATORY TIME, AND DECLARING
AN EMERGENCY.

NEW BUSINESS – ORDINANCE NO. 22-O-8 (continued):

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

RESOLUTION NO. 22-R-9 - **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE KIRTLAND LOCAL SCHOOL DISTRICT FOR THE SHARED SERVICES OF THE CITY’S MECHANIC, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only and placed on First Reading. Responding to Councilman Schulz, Mr. Fornaro confirmed that the mechanic also plows roads. Answering Councilman Ziegler, Mayor Potter said the allotted time would be four hours straight time and two hours overtime.

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COUNCIL COMMENTS:

Councilman Schulz confirmed that the Finance Committee meeting scheduled before the next Council meeting (February 7) will begin at 6:00 p.m.

CONTINUING CONCERNS:

It was noted that this is an opportunity for the public to address Council about any continuing concerns. There were no questions or comments from the public.

ADJOURNMENT:

Mr. Smolic moved to adjourn, with the second by Mr. Schulz. The motion of Council passed by unanimous vote and the meeting adjourned at 7:38 p.m.

President of Council

Clerk of Council