

KIRTLAND CITY COUNCIL MINUTES

February 23, 2022

The meeting of Kirtland City Council was called to order at 7:06 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 and Eric Ziegler. Kelly Wolfe was absent.

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

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Council President Ruple advised that he would entertain a motion to suspend Council rules for the presentation of awards. Mr. Smolic so moved, and Mr. Ziegler seconded. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, ZIEGLER, FENSTERMAKER AND HAYMER. VOTING NAY: NONE).**

Chief McCallister presented two awards, the Officer of the Year award and the Department's first Distinguished Service award.

Officer Aleashia Tapia was asked to join Chief McCallister at the podium to receive the Officer of the Year award. Chief McCallister spoke about his thoughts in deciding to present Officer Tapia this award, saying her work, demeanor, and treatment of others exemplified the traits any Chief of Police would want in an officer. Officer Tapia is a very hard worker, and sets the bar of expectations for the Department. Officer Tapia was awarded the OVI award for 2021 for the most OVI arrests. Chief McCallister noted that OVI offenses cost countless lives and significant amounts of property damage every year.

Chief McCallister read aloud a letter he had prepared commending Officer Tapia. He thanked her for her dedication and commitment to service, saying he looks forward to working with her in the future. Chief McCallister presented the award, and Officer Tapia received the applause and congratulations of all those present.

Sergeant Jamey Fisher was asked to approach the podium for presentation of the Police Department's first Distinguished Service award. Chief McCallister began by saying Sergeant Fisher was also nominated for Officer of the Year, however as Chief McCallister reviewed the purpose of the awards he decided to look for a higher award to present to Sergeant Fisher. Chief McCallister noticed there was not a Distinguished Service award for the Kirtland Police Department, and one of the first things he did when he took office was to instate such an award.

Chief McCallister said in light of everything Sergeant Fisher did for the Police Department over the past year, he was able to come into the Department, excel and implement things in a way he does not believe would have been possible otherwise. The partnership and friendship that Chief McCallister and Sergeant Fisher have is beneficial to the City and the personnel.

Within his first couple of weeks in office, the Lake County Blue Coats Foundation sent Chief McCallister a nomination for their Distinguished Service award. Chief McCallister nominated Sergeant Fisher for this award; unfortunately he didn't receive the award due to their specific qualifications or expectations.

Chief McCallister read aloud a letter he prepared nominating Sergeant Fisher for the Distinguished Service award. Chief McCallister thanked Sergeant Fisher for his service and his contributions and presented him with the Kirtland Police Department's first Distinguished Service award.

Sergeant Fisher thanked Mayor Potter for trusting him with the privilege of leading the Department during the transition. He went on to thank the men and women of the Kirtland Police Department for their support during that time, saying they were all willing to do more.

Sergeant Fisher humbly accepted the award for the entire Department, saying he did not accomplish it alone. Sergeant Fisher also thanked Christy and Jillian for their support and understanding during all the long hours he worked.

Sergeant Fisher told Chief McCallister he looks forward to the next chapter, because he believes the Department is on the right path. Sergeant Fisher received the applause and congratulations of all those present.

MINUTES OF THE JANUARY 19, 2022 COMBINED MEETING:

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

MINUTES OF THE FEBRUARY 7, 2022 FINANCE COMMITTEE MEETING:

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

MINUTES OF THE FEBRUARY 7, 2022 COUNCIL MEETING:

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

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton reported since the last Council meeting there have been three reported structure fires in the City, one a serious fire on Martin Road that displaced a family for quite a while.

The Fire Department also responded to several mutual aid and MABAS structure fires, including DeMilta in Willoughby. That fire was quite significant, and it went out to 18 fire departments. Chief Hutton said everyone did a great job working together to get all the fires handled.

Chief Hutton congratulated Officer Tapia and Sergeant Fisher, saying the awards they received were well deserved.

DEPARTMENT REPORTS (continued):

Zoning Inspector Rick Loconti advised that in October the zoning office began sending out violations for existing residential violations that had been on the books for the past few years. Mr. Loconti said all the violations were reviewed and notices were sent to 17 residents; 7 ended up in Court, and Mr. Lallo has been handling those cases. There are probably still four or five unresolved violations, with the rest in various stages of litigation. These violations are on the residential level, and were complaint-driven by residents. Since the first of the year, he has concentrated on existing violations of signage such as temporary signs, banner signs, and pole signs. Signs in disrepair have not yet been addressed. There were 32 separate signs in violation, and they are already receiving responses on the letters sent out to the businesses last Thursday.

Mayor Potter brought up the possibility that Council members may receive phone calls from those who received letters, noting the importance of enforcing the codes evenly. He noted these codes have been on the books for years, with no previous action taken.

Mayor Potter noted that if there are changes that should be considered in the code, this is something Council will need to discuss. However, the code will need to be applied as it currently reads until any such changes are approved.

Mayor Potter thanked Mr. Loconti for taking on such a challenging position and making himself available to have some very difficult conversations with the residents and business owners concerning code violations.

Mr. Loconti explained all letters sent out concerning violations were warranted. To avoid the accusation of selective enforcement, all letters were mailed at the same time. Mr. Loconti saw this as an important step in the Department's credibility.

Councilman Schulz asked if the ordinances account for schools, churches, and other organizations. Mr. Loconti said they do, and in fact four churches received notices, along with the community center. He noted that the signs that are in disrepair have not yet been addressed, but will be soon.

Councilman Fenstermaker asked for specifics on the letter that was sent out, stating he is already receiving calls. Mr. Loconti explained the letter notifies the recipient they are in violation of the city ordinance and lists the ordinance number; it informs them they have a certain amount of days to come into compliance, typically 10 days. If the recipient is working in good faith to bring the situation into compliance, extensions on these time frames can be given. Mr. Loconti stressed the Department is not interested in taking people to court; the goal is to reach compliance.

Mr. Loconti stated that typically two letters will be sent regarding the violation, after which Mr. Loconti will inspect again. If the situation is still out of compliance, it is forwarded to Mr. Lallo.

Mr. Lallo stated the goal is compliance. The City wants structures and aesthetics of the City to meet the City's codes. With regard to fines, the City would rather see funds allocated to bring issues into compliance.

Further discussion ensued concerning the enforcement process and working with residents and business owners to help them come into compliance.

Mr. Loconti stressed that the ordinances on the books must be followed as written, but the ordinances can be changed or re-worded if Council believes they are too stringent in some way. Council President Ruple requested that it be brought to Council's attention if there is a pattern or an issue that seems to be unclear or difficult to follow.

Police Chief Brian McCallister did not present a report and no questions were asked of him.

DEPARTMENT REPORTS (continued):

Service Director Joseph Fornaro summed his report up with three words; snow, ice, and rain. He stated that during the warmer days, the Service Department has been doing some work with the skid steer, some ditching and berm work.

City Engineer Douglas Courtney began his report with an update on the Old Town Sewer improvements. Mr. Courtney met with the County in February, and they are working through the comments on the 90 percent plan. The 100 percent plan set will be submitted to the County by March 15.

Mr. Courtney stated he continues working to finalize the assessment list, making a few adjustments of late regarding property owners who have indicated if they will or will not deed restrict their property. There is another meeting scheduled with the County on the 9th to review the project schedule and plan progress. Mr. Courtney suspects after that meeting there will be a more formal project schedule.

Mr. Courtney reported recommendations have been made to Mayor Potter for the 2022 Street Rehabilitation and Maintenance Program. Streets recommended for rehabilitation include Prelog, Shadowbrook, Loreto Ridge and Fox Hill. The maintenance streets will include State Route 306 for crack seal, and Kirtland Chardon Road for spot asphalt patching and repairs.

Mr. Courtney and Mr. Fornaro are now working on updating the 10-year street plan, as not everything was scheduled that was initially planned for 2022. Mr. Courtney hopes to present the updated plan at the next Council meeting.

The 2022 drainage projects will include improvements to the Parkwood area, Rockwood/Ledgewood area, and a number of culverts. Mr. Courtney will meet with Mr. Fornaro to determine which culverts will fit into the budget for the stormwater fund.

Council President Ruple suggested pairing up with surrounding communities when getting quotes for street projects, in the hopes of reducing the cost.

Mayor Potter stated that the amendment to the temporary appropriations on tonight's agenda accounts for a change of \$65,000 toward the bid book. He said with the hopeful passing of the proposed budget, the City will be able to release the bid book and award contracts so work may begin earlier in the season. He noted that the next step will be to authorize Mr. Courtney's company to develop the bid book

Mr. Ruple inquired if an MOU needs to be put in place to allow negotiation for partnering with surrounding cities on projects. Mr. Lallo said there is not a need for an MOU at this time, as there is no agreement for shared services or cost at this point. However, there will need to be legislation to authorize the Mayor to solicit bids.

Finance Director Louis Slapnick reported the GAAP conversion is still ongoing, to prepare the basic financial statements. The auditors have contacted Mr. Slapnick and plan to be on site next week to begin work on the 2021 audit.

Mr. Slapnick submitted the 2022 budget worksheets to Council this past week, and also posted them on the City's website. He noted he and the Mayor held follow-up meetings with Department Heads regarding the 2022 budget. The first of three Finance Committee meetings was held earlier this evening, and Mr. Slapnick looks forward to more discussion.

Concerning the five items that the Finance Department has on tonight's agenda, Mr. Slapnick asked that only the amended temporary appropriation be passed tonight; the rest may all go three readings.

DEPARTMENT REPORTS (continued):

Mr. Slapnicker advised that the changes to the temporary appropriations are also incorporated into the 2022 budget that is currently in discussion. Mr. Slapnicker will review those changes when the legislation is read.

The U.S. Department of Treasury issued a final ruling regarding allowable uses of the ARPA funding. The most significant change was related to revenue replacement. In the final ruling there is a standard allowance of \$10 million for cities to use instead of the previous calculation. This allows for easier use of the funding for government services, which includes road improvement funding. The effective date of the ruling is April 1, 2022. Although the City's budget will hopefully be passed before that date, Mr. Slapnicker said there is a section that will allow the City to take advantage of the final rulings ahead of the April 1 effective date.

The legislation for ARPA funding that is being presented tonight is Council's authorization and acknowledgement of the City's intent to utilize the standard allowance as given in the final rule, along with authorizing and acknowledging the projects to be funded with the ARPA monies received. As this legislation works hand-in-hand with the 2022 budget, it also can go the full three readings.

There is another agenda item that is related to the City's debt renewal for the short-term notes. As discussed in tonight's Finance Committee meeting, the City has two short-term notes. One is the road improvement note, which comes due in April 2022, and the various purpose notes come due in June 2022. Mr. Slapnicker explained the Finance Department would like to combine those under one debt issuance renewal under a note for a couple of reasons, one being the rising interest rates. The Finance Department would like to avoid the higher rates expected throughout 2022. Additionally, by combining the notes the issuance cost will be consolidated into one. The amount of \$3,603,000 reflects a combination of the \$2,000,000 road improvement outstanding balance and the \$2,008,000 various purpose notes, \$405,000 of which will be paid down. There are no additional new borrowings related to this funding.

Mr. Slapnicker advised Council the OMAP application was submitted this evening prior to the Finance Committee meeting. For those not familiar with the program, Mr. Slapnicker explained the City is not currently debt rated. Therefore, in order to receive a solid rating, the Finance Department has applied to attach the State of Ohio's credit rating to the City of Kirtland's at SP1+. This rating is the highest municipal short-term rating. Mr. Slapnicker expects to hear back on the application prior to the passing of the legislation, and he expects it to be approved.

Law Director Matthew Lallo advised Council he met with Mr. Aaron Godwin, who is an expert in the alternative energy field, concerning his task of proposing a rewrite of the ordinances as it relates to alternative energy. The meeting took place last night, and Mr. Godwin has already made good progress. They hope to have a plan in place and a working document together in the next month or so for discussion.

Mr. Lallo is in discussion with the Church of Latter-day Saints concerning a parcel of property they are interested in that is owned by the City. The parcel is landlocked and very small, but the church owns the surrounding parcels. Part of the discussions has been the coordination with Lake County Port Authority to perfect the conveyance. The lawyer for the Port Authority gave Mr. Lallo some sample documents, and Mr. Lallo said the process seems to be very straightforward. Mr. Lallo is waiting on a response from the church.

Concerning legislation on tonight's agenda that will modify the newly enacted comp time ordinance, Mr. Lallo explained there was an unintended consequence affecting some of the employees caused by how the ordinance was passed. Therefore there are two changes proposed; one change increases the amount of comp time an employee can bank from 80 hours to 104 hours, giving the employee more time to cash

the time in throughout the course of the year. The second change will affect the fiscal year for comp time purposes, changing it to August 1 through July 31.

DEPARTMENT REPORTS (continued):

With regard to the bid book for road improvements, Mr. Lallo advised that the City will need legislation passed authorizing Mr. Courtney's company to do the design work. Mr. Lallo can have that presented to Council at the next meeting.

Mr. Lallo also expects to present legislation at the next meeting concerning the stop light on State Route 306.

With regard to the parcel of land being discussed with the Church of Latter-day Saints, Councilman Schulz asked if the land will be a donation or if market value will be paid. Mr. Lallo said the appraised value of the property is approximately \$2,000, and after reviewing prior deals with the Port Authority the purchase price is a nominal figure but the purchaser pays for all related costs. However, the final decision on selling price will be left to Council.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Potter thanked the Police Department, Fire Department, and Service Department for their hard work throughout this snow season.

Concerning the house fire on Martin Road, Mayor Potter praised the Fire Department for the way the situation was handled, and voiced appreciation for the mutual aid response. This particular fire had its challenges, including the narrow road and extreme weather conditions. These types of fires are always devastating, this one displacing a family, and Mayor Potter's thoughts and prayers are with them.

Mayor Potter announced there will be a 5k run, the "Shamrock Shuffle", hosted at City Hall at the end of March. Details will be provided on the City website and Facebook page, and the amended temporary appropriation on tonight's agenda will appropriate \$5,000 for the event. Mayor Potter stated the goal is that donations and sponsorships will offset the appropriation.

With regard to the budget process, Mayor Potter thanked everyone on Council, the Department Heads, and specifically Mr. Slapnickner for his hard work and responsiveness during budget discussions. Mr. Slapnickner has built a solid budget, helping Mayor Potter get the road funding in place.

Councilman Schulz asked if there have been any discussions on planning meetings for the 2032 comprehensive plan. Mayor Potter said there is \$20,000 allocated in the proposed budget for the hiring of outside agencies and firms to assist in that effort. Mayor Potter said he believes it would be important to have the Chair of the Economic Development Standing Committee, the President of Council, and the Planning and Zoning Commission Chairman work with the Economic Development Director to launch this effort.

Regarding the road program, Councilman Schulz inquired if the Mayor is still considering a community task force. Mayor Potter said after consideration he believes community forums will be more effective in informing the community and getting their perspective. Mayor Potter said he believes it is important to hold these meetings to give all residents an opportunity to voice their opinions and ideas instead of a select few.

Mayor Potter advised there will be a survey placed in the Kirtland Chronicle in March, along with a SurveyMonkey posted on the City website and Facebook page. Hopefully this will help administration understand how people feel about the current internet in the city.

STANDING COMMITTEE REPORTS:

Councilman Haymer stated that the Utilities Standing Committee met last Saturday and began conversations about options for internet in the community.

Noting that a tentative Finance Committee meeting was scheduled for March 9 before the regular Council meeting, Councilman Schulz (committee Chair) advised that he will not be available on March 9. It was agreed that the Finance Committee meeting be rescheduled to March 7 at 6:00 p.m. in the conference room. For security purposes, Mr. Lallo asked that no one enter Council Chambers that evening. It was noted there is no Council meeting on March 7.

Mr. Lallo advised that there is a new law effective February 17 that modifies the open meeting law and permits the members of a public body to meet and vote by tele-conference, video conference, or similar electronic means; it is in effect until July 31, 2022.

Councilman Smolic noted that he will send an email regarding a possible upcoming Service Department Standing Committee meeting to discuss the Service Department budget.

CORRESPONDENCE:

Mr. Lallo noted that Council received a staff report from the Public Utilities Commission relating to the proposed rate hike from Aqua Ohio, which will average to a 12 percent increase. In conjunction with this matter, there was a staff report on the audit of services and associated costs. A copy is sent to every jurisdiction serviced by Aqua Ohio. There is no action required by Council.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Matt Kahley, 7375 Ledgewood Drive, began his comments by commending the Service Department employees for doing their best with what they have to work with. Mr. Kahley said he is a road foreman for the City of Willoughby Hills and has eight guys in his department. He said there are approximately 62 lane miles, and Kirtland has 72 to 76 miles. He said that in a previous meeting, Mr. Fornaro stated there were 12 to 13 employees in the Service Department, which included part-time employees.

Mr. Kahley referenced the storm on February 17-18, two employees were on night shift, and the snow began around 9:45. Mr. Kahley stated he has four employees on each shift. On February 17-18 Mr. Kahley said he plowed the east side of Willoughby Hills. He stated that from 9:45 p.m. to 3:00 a.m. Route 6 was not plowed once. Mr. Kahley has pictures of Willoughby Hills' portion of Route 6 and Kirtland's portion of Route 6. He stated that Worrell Road is split between the two cities, and Kirtland's side of the road was not plowed until 3:30 to 3:45 a.m. Mr. Kahley said he has been instructed by his supervisor to not plow Kirtland's side of the road as it is Kirtland's responsibility.

Mr. Kahley referenced the storm prior, in which 12-13 inches were received, stating his Mayor accompanied him as he plowed his route, and noticed the poor job done on Kirtland's side of Worrell Road. Mr. Kahley said that while going down the hill on Worrell Road, in a 36,000 pound truck loaded with salt, with six inches of snow on the road, his vehicle went sideways. Mr. Kahley said he sent pictures to Mr. Fenstermaker and Mr. Haymer, showing them the condition of the roads on February 17-18.

Mr. Kahley inquired if the Mayor is covered under the City insurance to assist in the plowing of the roads. Mayor Potter deferred to the Law Director, noting this was discussed last year. Mr. Lallo said the City's insurance company will insure the Mayor in this situation. Mr. Kahley asked if Mr. Lallo believes Mayor

Potter should be plowing snow, to which Mr. Lallo responded in an ideal world, the Mayor should not have to do that job. Mr. Kahley said that experienced people should be in plow trucks.

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

On another matter, Mr. Kahley advised everyone present he has stepped down as the baseball president, and Jeff Collins took over the position, with Scott Mason as the vice president. Mr. Kahley stated that baseball registration is open until March 15, noting that he will be staying on this season to help Mr. Collins in the transition. He stated that announcements are posted on their website, kirtlandyouthsports.com; and anyone who has registered for sports in the past will receive notifications on registration dates. There are also postings on Facebook and other social media.

Mayor Potter responded to Mr. Kahley, saying he believes it comical that Route 6 would not have been plowed for seven hours, as contended. He stated he does not appreciate the mischaracterization to what the Service Director has stated. He also stated he finds it bizarre that a member of another city's Service Department would make these assertions and claims; however, he respects the right of Mr. Kahley to voice his concerns as a resident of Kirtland.

Addressing the question of him driving a plow truck, Mayor Potter stated that on a Sunday afternoon or on Christmas Eve morning, when there are City employees who want to get home to their children, he does not believe it is inappropriate for him to assist with the plowing, as he has many years' experience driving a snow plow. He stated that if he has the opportunity to help the employees get home sooner to spend time with their children, he will do it.

Nick Angie, 8013 Gildersleeve Drive, stated he plows part-time for the City of Kirtland. As the Service Department personnel are not here to defend themselves, Mr. Angie said he's never seen a bunch of guys care more about what they do, and he will stand up in defense of them at any time, especially Mr. Fornaro. Mr. Angie said the Service Department personnel are top-notch and he is proud to work with them.

OLD BUSINESS:

None.

NEW BUSINESS:

PUBLIC COMMENTS ON AGENDA ITEMS OF NEW BUSINESS:

None.

ORDINANCE NO. 22-O-12
(Mayor Potter)

- **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$3,603,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF RETIRING, TOGETHER WITH OTHER FUNDS AVAILABLE TO THE CITY, THE CITY'S OUTSTANDING (i) STREET IMPROVEMENT NOTES, SERIES 2021, DATED APRIL 21, 2021, AND (ii) VARIOUS PURPOSE NOTES, SERIES 2021, DATED JUNE 16, 2021, AND DECLARING AN EMERGENCY.**

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

NEW BUSINESS (continued):

ORDINANCE NO. 22-O-13 - **AN ORDINANCE AMENDING ORDINANCE NO. 21-O-75**
(Mayor Potter) **PROVIDING TEMPORARY APPROPRIATIONS FOR THE**
THREE-MONTH PERIOD ENDING MARCH 31, 2022.

The legislation was read by title only. Mr. Slapnicker spoke on the proposed changes. This is an overall increase from the original temporary appropriations of \$162,847.22. Included in this amount is a police retirement estimate of \$28,500 and increases in the overall amount of SRO wages for additional hours that are fully reimbursed. Fire wages increased in the General Fund and decreased in Fund 204 offset each other and are associated with the reserve of the cash flow in the first quarter of 2022. Also included in this amendment is a \$5,000 increase in the General Fund for the 5k run, as the Mayor explained earlier, looking to be offset dollar for dollar with donations. There is a \$2500 increase in the General Fund Road Department for pavement tech report. There is an \$8500 increase in the General Fund Legal Department, of which \$7500 is related to the Nosse deductible. There is a \$5,000 increase in the General Fund Service Department for snow and ice truck repairs, and an increase of \$10,969 in the General Fund related to the Willoughby court invoice. This is a statutory invoice, but has been received earlier than last year. There is a \$4,950 increase in the General Fund relating to the comprehensive insurance plan, mainly cyber insurance. Mr. Slapnicker noted that many companies don't cover cyber insurance anymore, and if they do, there is typically a significant increase. There is a \$13,271 increase in the General Fund related to engineering fees for the event barn and CAPA Builders. The \$2,536 increase in police operating fund was discussed in the Finance meeting and is associated with increased overtime. There is a \$2,800 increase in the SCMR fund for plow blades, a \$9,523 increase in the senior rec building fund, and \$65,560 increase in Fund 460 for the road improvement bid book, which will come from the change order reduction that Council previously passed from the previous road improvement plan.

Mr. Smolic moved to waive the three readings, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, ZIEGLER, FENSTERMAKER AND HAYMER. VOTING NAY: NONE).** Mr. Schulz moved to adopt, with the second by Mr. Ziegler. Moving forward, Mr. Schulz requested that Mr. Slapnicker attach an exhibit to the legislation in lieu of reading it aloud into the record. Noting that the changes were provided by line item, Mr. Slapnicker stated he can also provide the descriptions. He noted that this amendment will not increase the budget that has been proposed, as this funding has already been incorporated. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: RUPLE, SCHULZ, SMOLIC, ZIEGLER, FENSTERMAKER AND HAYMER. VOTING NAY: NONE).**

ORDINANCE NO. 22-O-14 - **AN ORDINANCE SETTING THE APPROPRIATION FOR**
(Mayor Potter) **THE YEAR 2022.**

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

RESOLUTION NO. 22-R-15 - **A RESOLUTION AUTHORIZING TRANSFERS OF**
(Mayor Potter) **FUNDS, AND DECLARING AN EMERGENCY.**

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

RESOLUTION NO. 22-R-16 - **A RESOLUTION ADOPTING THE STANDARD ALLOW-**
(Mayor Potter) **ANCE OF REVENUE LOSS PURSUANT TO THE**
AMERICAN RESCUE PLAN ACT OF 2021, AND
DECLARING AN EMERGENCY.

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

NEW BUSINESS (continued):

ORDINANCE NO. 22-O-17
(Mayor Potter)

- **AN ORDINANCE AMENDING SECTION 254.29 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND REGARDING COMPENSATORY TIME, AND DECLARING AN EMERGENCY.**

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

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COUNCIL COMMENTS:

Councilman Smolic addressed Mr. Kahley, saying he's seen his posts on Facebook concerning the snow this year, including when someone slid past his home. Mr. Smolic said he drove down there and had no problems. Mr. Kahley responded that Joseph Coleman almost went into the ditch.

CONTINUING CONCERNS:

It was noted that this is an opportunity for the public to address Council about any continuing concerns.

Matt Kahley, 7375 Ledgewood Drive, addressed Mayor Potter's comments concerning his statement on the number of employees in the Service Department. He referenced the Minutes from the January 19 Council meeting in which Mr. Fornaro stated including himself there are nine full-time employees and three part-time employees. When asked the purpose of his statement, Mr. Kahley said he believes if eight men can plow 65 miles, he would hope 12 men placed in a proper shift schedule could handle 72 or 76 miles.

Mayor Potter expressed appreciation of Mr. Kahley's experience and understanding of plowing roads, however he considers the City has had a successful winter. Mr. Kahley said he's spoken to many police personnel who have said the roads are worse in the last two years than they have been in the last fifteen.

ADJOURNMENT:

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

President of Council

Clerk of Council