

KIRTLAND CITY COUNCIL MINUTES

May 4, 2022

The meeting of Kirtland City Council was called to order at 7:01 p.m. by Council President Jeffrey Ruple. Mr. Schulz led the prayer which followed the Pledge of Allegiance. The members of Council present were: Scott Haymer, Richard Lowery, Jeffrey Ruple, Matthew Schulz and Joseph Smolic. Absent: Ronald Fenstermaker and Eric Ziegler.

Administrative personnel present were: Mayor Kevin Potter, Assistant Law Director Thomas Lobe, City Engineer Douglas Courtney, Service Director Joseph Fornaro, Police Chief Brian McCallister and Senior Center Coordinator Teresa Szary.

MINUTES OF THE APRIL 18, 2022 WORK SESSION:

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 5/0 (VOTING YEA: HAYMER, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

MINUTES OF THE APRIL 18, 2022 COUNCIL 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 5/0 (VOTING YEA: HAYMER, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

MINUTES OF THE APRIL 25, 2022 SPECIAL COUNCIL MEETING:

Mr. Lowery moved to waive the reading of the minutes, with the second by Mr. Smolic. The motion of Council passed by unanimous vote. Mr. Lowery moved to approve the Minutes, as presented, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: HAYMER, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Police Chief Brian McCallister advised the monthly report has been distributed, noting the Department ended the month with 675 service calls. Chief McCallister advised that the Department has been increasing their residential checks. He stated they have requests from residents to increase patrols, noting they have been receiving compliments on the increased patrols. Chief McCallister stated they are preparing for the many upcoming events, including the Strawberry Festival and the Memorial Day Parade.

Service Director Joseph Fornaro thanked all those who came out on April 23 to help with the clean-up as part of Keep Kirtland Beautiful. He noted that approximately 200 lbs. of roadside trash was picked up, along with 20 lbs. of scrap. He noted there was a great turnout, and he thanked all the volunteers.

Council President Ruple inquired about recognition for a specific individual; Mayor Potter replied that he is looking into it, noting he is not sure the individual wants to be recognized.

DEPARTMENT REPORTS (continued):

City Engineer Douglas Courtney reported on the Old Town sewers, stating that 100 percent construction plans have been submitted and reviewed by Lake County. He said they are awaiting filings for deed restrictions to finalize the assessment list, noting that easements are still being negotiated with two property owners. He stated that the current timeline for the project places the formal public hearing sometime between June 15 and July 15; it is expected the project will be advertised in early September for construction start in early 2023.

With regard to street rehabilitation and maintenance, Mr. Courtney stated that design work is progressing and he expects a bid package to be ready in May. He said that drainage analysis on Fox Hill is being completed now.

Mr. Courtney stated that Parks Farm Subdivision is progressing; they are a little behind schedule due to the weather, but they are moving along well.

Mr. Courtney advised that the final grading inspection for the Carriage House at the Kirtland Barn was done on Thursday, April 28, noting he recommended temporary occupancy to the Building Department.

Councilman Schulz said that a resident who walks Billings Road sent him a picture, which he will forward to Mr. Courtney. In the vicinity of Christina Drive, there is a lot of edge cracking on the north side.

Council President Ruple stated he sent an email to the Mayor and Mr. Fornaro, noting that a Woodlake resident inquired who has responsibility for the island in the cul-de-sac and at the subdivision entrance. Mr. Fornaro stated they are looking into it, noting that problems arise when HOA's dissolve. Mr. Lobe stated that every City has this issue, noting that it depends how the HOA was written. He noted if the City reserves some rights in the HOA contracts, the City can go in and clean up the islands and assess those property owners. Mr. Lobe stated he can review a copy of the HOA if Mr. Courtney can provide it. Councilman Smolic noted that the islands are usually maintained by the property owners, not by the City. Mr. Ruple noted that has been the case in the past, but the residents are getting older and cannot do the work anymore. Mr. Lobe stated that the City should not use municipal funds to do work on private property, unless there is a municipal concern; he noted that often the islands are blocks that are dedicated to the HOA. Discussion ensued in this regard.

Mr. Ruple noted questions also have arisen in his development regarding responsibility for street signs. Mr. Fornaro stated the decorative signs were originally installed by the HOA; if the City replaces them, the City standard signs would be installed.

With regard to work done by Aqua Ohio on the fire hydrant on the island on Shadowbrook, Councilman Smolic inquired if Aqua Ohio is responsible to put the property back in the same shape it was previously. Mr. Courtney confirmed that they are responsible.

Assistant Law Director Thomas Lobe did not present a report and no questions were asked of him.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Potter thanked all those that came out to help with the clean-up for Keep Kirtland Beautiful. He noted there were seven residents of retirement age served during the community clean-up this past weekend, noting there were approximately 25 volunteers. He stated that the Kirtland Kiwanis led an effort at the community garden on Saturday morning with approximately 30 to 40 volunteers. The Mayor thanked all who participated in these efforts.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

The Mayor noted that on May 21 there will be a clean-up at the Veterans' Memorial led by the Kiwanis, the American Legion and the Garden Club. He noted there will be a tree planting that same day.

Mayor Potter stated that Public Works week will be May 16 through May 20. On May 20, there will be an event from 5:00 until 8:00 p.m. at the Service Department, for residents to come out and see the equipment and behind the scenes at the Service Department. He thanked Mr. Fornaro for organizing this event.

The Mayor noted he forwarded to Council an email from Mr. Slapnicker relating to the current debt and potential road program. He noted if Council chooses to put something on the ballot in the fall, it shows what the financing will look like for a wide scale future road program. Also referenced in the email was an analysis with note issuances for the first several years, rolled into a bond in the fourth or fifth year. Mayor Potter requested that Council formally schedule a special meeting date for next Tuesday, May 10, so that all of Council can attend and participate in that meeting.

Councilman Lowery noted that Jim Gotch of the Boy Scouts will be working on his project this Saturday at the Veterans' Memorial, from 9:00 a.m. until 1:00 p.m.

Councilman Schulz noted that several years ago the lighting was changed to LED lighting at the Senior Center. He noticed that the parking lot lights are all on at 6:00 a.m. and inquired if there is an ability to have those lights on timers. Mayor Potter stated that from a safety standpoint, it is a good idea to have that parking lot lighted; he deferred to the Police Chief regarding safety and the Service Director regarding the benefit of having the lot lighted for plowing, etc. Chief McCallister stated he believes it is beneficial for the lot to be lighted as a preventative measure, noting that it also makes it easier to monitor.

Councilman Schulz inquired about the status of the energy audit being done by Mr. Godwin. Mayor Potter stated that he just requested a meeting with Mr. Godwin. The Mayor noted it is a larger scale project, including the energy audit and working with the Law Director on updating the ordinance. Mr. Godwin has been in touch with the Mayor and Mr. Fornaro to request information regarding energy use and costs, and he is covering every City property, including the wastewater treatment facilities. The Mayor noted that he will request an update from Mr. Godwin about the next steps and the schedule.

Councilman Schulz inquired about the status of the Cocca development project. Mayor Potter noted that Mr. Eckart received an email request from them to set the maximum engineering fees at \$1200, which was the request made last summer. He noted that after several Council members met with Mr. Courtney and Mr. Lallo to discuss what is needed to get the project moving, no one was comfortable with setting a \$1200 cap on engineering oversight. The Mayor noted the other part of the request was that the City set a maximum; however based on the City's ordinances and concern about setting a precedent going forward, the Mayor stated it is his recommendation that the City not set a maximum. He noted that the project could involve a lot more of the Engineer's time, leaving the City responsible for those costs. The Mayor noted he has requested a meeting with Mr. Courtney, Mr. Fornaro and Mr. Lallo in this regard.

Councilman Smolic inquired if there have been any issues with engineering fees for other recent projects, such as the Parks Farm Subdivision and recent new builds. Mayor Potter stated that the Parks Farm Subdivision has followed all approval procedures, and a pre-construction meeting was held where some of the bonds and fees were set. The applicant promptly paid all fees and deposits in accordance with the ordinances. The Mayor noted the same for a recent new building for Mr. DiFranco.

Answering Councilman Lowery, Mayor Potter noted that the Church of Latter-day Saints held a groundbreaking ceremony at the Visitors' Center regarding their project. He noted that when the project was first brought to the Planning and Zoning Commission, there were some residents from the Conley area that had some objections to the scope of the project, such as location of parking and the restroom building.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

Mayor Potter noted that the Church listened to those concerns, and went back to their engineering team and redesigned that project so the residents would be satisfied and support the project. The Mayor noted this will be a great project for the City.

Councilman Schulz inquired about the Waste Management contract. Mayor Potter noted that a meeting was held with Mr. Crawford approximately one month ago; he noted the contract expires in 2023.

Councilman Schulz inquired about possible legislation relating to fireworks. Mayor Potter stated that Chief McCallister has been looking into other cities' responses in this regard. Chief McCallister stated he sent an email to the other Police Chiefs; he noted that a lot of cities are choosing to forego the new legislation and be more restrictive with their city ordinance out of a safety consideration. He noted there has been a lot of debate about the harmful effects of fireworks. Chief McCallister stated he is looking at some of the drafts from other cities. Mayor Potter noted that if the City is going to address this with legislation, there are three meetings prior to the July 4th holiday. Mr. Lobe stated he can provide information on how other cities are addressing this matter; he noted many cities are adding a clause specifically rejecting the State bill.

Senior Center Coordinator Teresa Szary advised there are two upcoming special events. The Center will be hosting the regional mind challenge trivia. She noted there are 40 to 60 senior centers in northeast Ohio participating in the trivia competition; the Kirtland Senior Center will be hosting the eastern Lake County region this month. She noted the winner will receive \$5,000 for their senior center.

Ms. Szary stated that on May 27, the Center will be hosting a Memorial Day picnic; she extended an invite to all Council members and Department heads. She said there are approximately 80 new members this year that have not been members in the past, which is about 17 percent of total membership this year to date.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

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COUNCIL COMMENTS:

Mr. Lowery moved to schedule a special Council meeting on May 10, 2022 at 7:00 p.m. regarding future road funding consideration. Mr. Smolic provided the second. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: HAYMER, LOWERY, RUPLE, SCHULZ AND SMOLIC. VOTING NAY: NONE).**

CONTINUING CONCERNS:

It was 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. Schulz moved to adjourn, with the second by Mr. Smolic. The motion of Council passed by unanimous vote and the meeting adjourned at 7:42 p.m.

President of Council

Clerk of Council