

## KIRTLAND CITY COUNCIL MINUTES

October 24, 2022

The meeting of Kirtland City Council was called to order at 7:04 p.m. by Council President Pro Tempore Joseph Smolic. Mr. Schulz led the prayer which followed the Pledge of Allegiance. The members of Council present were: Ronald Fenstermaker, Matthew Schulz, Joseph Smolic and Eric Ziegler. Absent: Scott Haymer, Richard Lowery and Jeffrey Ruple.

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 and Senior Center Coordinator Teresa Szary.

### MINUTES OF THE OCTOBER 3, 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 4/0 (VOTING YEA: SCHULZ, SMOLIC, ZIEGLER AND FENSTERMAKER. VOTING NAY: NONE).**

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** advised that the monthly report has been distributed. There were no questions for the Chief.

**Police Chief Brian McCallister** advised that the Department started the Thanksgiving food drive, noting that canned goods and other items can be dropped off at the table in the City Hall lobby. Chief McCallister noted the Department completed the "Dessert with Deception" program at the Community Center. He thanked Ms. Szary for hosting the event, noting there was a good turnout.

**Service Director Joseph Fornaro** advised that 500 tons of salt was delivered on Monday, and on Wednesday, October 18, the trucks were out plowing and salting. He noted they put down approximately 20 tons of salt.

Mr. Fornaro said the "shred day" was a huge success. He thanked all who came out on Saturday, noting there were approximately 150 volunteers, to clean the recreation park, the cemeteries, and help seniors and veterans. As he has stated previously, Mr. Fornaro said that Kirtland is a great city in which to work.

Councilman Schulz inquired if this year was the earliest snowfall during Mr. Fornaro's time with the city. Mr. Fornaro said he recalls one time during his career with snow around October 10.

Answering Councilman Smolic, Mr. Fornaro said that 1000 tons of salt will be ordered through December, and the remainder will be after January 1.

**City Engineer Douglas Courtney** advised that Barbica's contract for the streets is completed and quantities are being finalized. Final walk-throughs will be done in the near future. The repair work on Kirtland-Chardon under the State bid contract will be scheduled.

As a reminder, Mr. Courtney advised that the public hearing for the Old Town sewer improvements project will be held by the Lake County Commissioners on Thursday, October 27 at 7:00 p.m. at Kirtland High School. All affected residents have been notified by mail.

**DEPARTMENT REPORTS (continued):**

With regard to the Fox Hill drainage improvements project, Mr. Courtney advised that contracts have been prepared and are with the contractor for execution; once they are returned he will forward them to the Mayor for the signatures needed on behalf of the City. He noted as a reminder that this project will have a March start date.

With regard to the Parkwood area drainage improvements, Mr. Courtney advised the site assessment walk-through with Davey Resource Group was done today; he noted that Mr. Fornaro did the complete walk-through.

Mr. Courtney advised that the City is waiting for the checks from Lake County Stormwater for the Fox Hill and Rockwood projects. He has been advised it will be another one to two weeks before the checks are cut to the cities.

Answering Councilman Fenstermaker regarding a previous comment that 13 out of the 14 lots in the Parks Subdivision have been sold, Mr. Courtney said he does not know the stats on how many lots have been sold. Councilman Schulz inquired if the utilities are all in place so that building could possibly commence this fall or winter; he inquired if the City Engineer has seen any site plans yet. Mr. Courtney replied that he has not yet seen any site plans. Mr. Courtney said that to his knowledge only the gas line needs to be installed, but he is not aware when that is scheduled to be done.

**Finance Director Louis Slapnicker** advised that the City has to make application by next Monday for the senior levy funds, which he is currently working on with Ms. Szary; they will be submitting it this week. Mr. Slapnicker advised he is also working on insurance renewal for the City property.

Mr. Slapnicker noted that a Finance Committee meeting was held today at 6:00 p.m.; revenue and expenditures were reviewed as of August 31, with 2021 and 2022 comparisons.

Mr. Slapnicker noted there are a few Finance items on tonight's agenda, including the LGS contract. He advised that Local Government Services (LGS) is part of the State Auditor's office and they prepare the City's financial statements. There was a fee increase from the Auditor's office from \$50 to \$60 per hour; it is a \$12,600 fee per year. He noted that the last contract that Council authorized was \$10,500. Mr. Slapnicker advised that they do an excellent job for the City of Kirtland and he highly recommends that the City contract with them for the next two years for preparation of financial statements.

Mr. Slapnicker noted that the engineering fees are on the agenda. He said those fees were originally based on estimates, but now the City has the results; the purpose of the legislation is to align those costs with the actual cost.

With regard to the amendment to the appropriation on tonight's agenda, Mr. Slapnicker said it is a net effect of zero. This is to account for some increased labor costs in the wastewater treatment plants.

Mr. Slapnicker advised that his contract is on the agenda for renewal. He noted the dollar amount is the same, but since the contract is for six months, the Law Director thought it would be best to be written as a monthly rate. Mr. Slapnicker said the contract is through April 30, with the purpose of aligning the contract with the budget process.

**Senior Center Coordinator Teresa Szary** reported that Veterans' Day will be celebrated on Thursday, November 10, with a Thanksgiving lunch open to all members of the senior center (free for veterans).

**DEPARTMENT REPORTS (continued):**

Noting that December can be a tough time for seniors, Ms. Szary advised that they will be doing a random act of kindness every day the center is open throughout the month of December. She will be talking to various organizations regarding possibly sponsoring one of those days. She noted that many organizations have already asked how they can support the seniors during this holiday season.

Ms. Szary said she has received a lot of questions about Issue 5 on the November ballot. She explained this is the county-wide senior services levy; it supports 15 different agencies in Lake County, including home delivered meals, adult protective services, etc., as well as the nine area senior centers. It is not an increase, and it passed with 65 percent affirmative votes in 2017. This is the same levy that was first approved in 1992. It funds approximately \$4.5 million in support and services every year throughout the County. For the senior centers and agencies, the goal is to help provide quality of life for the seniors so they can stay in their homes and remain active in their communities. Ms. Szary said that in 2016, seniors 60 and older made up 22 percent of the population; today it is about 27 percent; and by 2030 it is believed that one in three of the population will be age 60 or older. Noting that costs are increasing, Ms. Szary stressed the importance of this renewal levy.

Councilman Smolic thanked the Mayor and Ms. Szary for their work in organizing the yard clean-up this past Saturday.

**Law Director Matthew Lallo** advised that the City and its officials were named as parties to a complaint filed by the former Police Chief. Noting that not all parties have been served, Mr. Lallo said he will defer comments until a later date.

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Mayor Potter advised that "Trunk or Treat" will be held Wednesday evening from 6:00 to 8:00 p.m.; the locations are City Hall, the Community Center, the Church of Latter-day Saints, and both visitor centers.

As mentioned by Mr. Courtney, the Old Town sewer meeting will be held on Thursday at 7:00 p.m. in the high school gymnasium. Mayor Potter noted that he attended a pre-meeting by phone last Friday with the Commissioners, Lake County Utilities, Mr. Courtney, and Mr. Fornaro, in preparation for the public meeting. The Mayor advised that the meeting will be put on the City's You Tube channel as soon as possible after the meeting.

Mayor Potter said there were approximately 200 volunteers from Kiwanis, Divine Word, the Church of Jesus Christ of Latter-day Saints, along with city officials and community members. The Mayor thanked Councilman Smolic for his help and participation, and he thanked Councilman Haymer for providing his yard equipment and instructions for use. He also thanked Councilman Ziegler and Councilman Lowery for coming out to help. The Mayor noted that Divine Word already has a goal of 200 volunteers for next year.

The Mayor requested that the legislation for Mr. Slapnicker's contract be passed at the next meeting.

With regard to Resolution 22-R-69, Mayor Potter noted that at the last meeting Chief Hutton mentioned the potential grant award, if the City chooses to accept it, for hiring up to three new firefighters. He noted there was an article yesterday in the News-Herald. The Mayor stated that he believes it would be appropriate to hold a Finance Committee meeting and a Police and Fire Standing Committee meeting, or a combination of the two, prior to the next Council meeting, to discuss the grant award of almost \$600,000. He commended Chief Hutton for his work involved in the award of this grant. Mayor Potter stated the importance of due diligence, since there is a long-term additional cost to the City budget. He noted that the Chief has been speaking the past few years about the need.

**MAYOR'S REPORT/ANNOUNCEMENTS (continued):**

Noting that he will be unable to attend the Old Town sewer meeting, Councilman Fenstermaker inquired if Council can get the information in case they receive questions from a resident that could not attend the meeting. Mayor Potter said that the letter that was sent to the Old Town residents has good information; Ms. Szary noted it is on the City website.

Mr. Courtney said the meeting is a formal public hearing required by state law for an assessment project. At the meeting, there will be brief discussion about the cost of the project and the tentative assessments. The public will be given the opportunity to speak in favor or against the project; there will be very little discussion during the meeting about anyone's individual property. Mr. Courtney said that currently the final cost estimate on the final plans is \$13.8 million, and the tentative assessment that was sent to each affected resident is \$19,557. Lake County Commissioners committed \$1 million toward the project from their ARPA funds, and the City has a grant from OPWC in the amount of \$250,000. Mr. Courtney stated that 132 parcels are affected. There is also up to \$250,000 from CBDG for which the County will apply; this would help qualifying residents offset the cost of abandoning their septic system and connecting to the sewer.

Mr. Courtney said that for a period after everything is finalized, the residents will have the option to pay in full, in part, or none. If they pay in full, there will be no assessment on their taxes; if they pay part, then the balance will be assessed to their taxes; and if they pay none, the full amount will be assessed on their taxes, over 20 years.

Mayor Potter said that thanks to Congressman Joyce's office, there is another \$820,000 that is earmarked in the Federal budget for the project. After the Congressional elections, it is hoped that Congress stays committed to earmarks. He said it is in the Federal budget, but it has not yet been officially passed.

**STANDING COMMITTEE REPORTS:**

Councilman Schulz noted that a Finance Committee meeting was held at 6:00 p.m. today. He noted that the Finance Director reviewed the end-of-month balances, revenues and expenditures; and he also provided a memorandum in response to Mr. Schulz's idea of providing a financial dashboard to Council, and the merits were discussed. Mr. Schulz noted this will likely be looked at in depth at the beginning of next year. He requested that the Finance Director's memorandum be posted on the City website.

Mr. Schulz stated that as of August 31, 2022 the City's budget is currently up \$1.23 million, the vast majority being income tax of \$495,559, property tax increase of \$121,176, and ARPA funds second payment of \$360,363.

Councilman Schulz inquired about the paper copies of pay stubs that are mailed to Council members. Following discussion, Mr. Slapnicker said he will have the pay stubs available for pick-up at City Hall rather than being mailed.

Upon discussion, a combination meeting of the Finance Committee and the Police and Fire Standing Committee was tentatively scheduled for 5:30 p.m. on Wednesday, November 9.

Chief Hutton said he has already put together a lot of information, noting he will share that information with Council prior to the meeting.

**CORRESPONDENCE:**

None.

**PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:**

**Sharon Vyskocil, 8415 North Locust Drive** inquired if regular trick or treating will be held on Halloween night. Mayor Potter responded that it will be held from 6:00 p.m. to 8:00 p.m. on October 31.

**OLD BUSINESS:**

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

None.

**RESOLUTION NO. 22-R-65** - (Second Reading) - A RESOLUTION AUTHORIZING THE  
**(Mayor Potter)** MAYOR TO ENTER INTO A CONTRACT WITH LOCAL GOVERNMENT SERVICES FROM THE OHIO AUDITOR OF STATE’S OFFICE TO PROVIDE ASSISTANCE IN THE PREPARATION OF BASIC FINANCIAL STATEMENTS FOR THE CITY, AND DECLARING AN EMERGENCY.

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

**RESOLUTION NO. 22-R-66** - (Second Reading) - A RESOLUTION MEMORIALIZING  
**(Mayor Potter)** THE FEES OF THE C.W. COURTNEY COMPANY FOR ALL OF ITS ENGINEERING SERVICES FOR THE 2022 STREET REPAIR AND MAINTENANCE PROJECT, AND DECLARING AN EMERGENCY.

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

**NEW BUSINESS:**

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

None.

**ORDINANCE NO. 22-O-67** - AN ORDINANCE AMENDING ORDINANCE NO. 22-O-45  
**(Mayor Potter)** RELATING TO THE APPROPRIATION FOR THE YEAR 2022.

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

**RESOLUTION NO. 22-R-68** - A RESOLUTION CONFIRMING THE RE-APPOINTMENT  
**(Mayor Potter)** OF LOUIS SLAPNICKER AS THE PART-TIME FINANCE DIRECTOR FOR THE CITY OF KIRTLAND, PURSUANT TO CONTRACT AND TO THE EXTENT OF THIS CONTRACTUAL ARRANGEMENT ONLY, AND DECLARING AN EMERGENCY.

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

**NEW BUSINESS (continued):**

**RESOLUTION NO. 22-R-69**  
**(Mayor Potter)**

- A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE STATE OF OHIO FROM THE SECOND ROUND OF THE OHIO FIRST RESPONDER RECRUITMENT, RETENTION, AND RESILIENCE PROGRAM, AND DECLARING AN EMERGENCY.

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

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**COUNCIL COMMENTS:**

Councilman Fenstermaker inquired how the date is established for Coffee with Council, noting that he believes all of Council should be made aware ahead of time. Councilman Smolic said it will be determined if the second or third Saturday of the month works best for everyone; he noted it is just getting started again after not being held for two years.

**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. Fenstermaker moved to adjourn, with the second by Mr. Ziegler. The motion of Council passed by unanimous vote and the meeting adjourned at 7:42 p.m.

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President of Council

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Clerk of Council