

KIRTLAND CITY COUNCIL MINUTES

December 18, 2023

The meeting of Kirtland City Council was called to order at 7:02 p.m. by Council President Joseph Smolic. Mr. Ziegler led the prayer which followed the Pledge of Allegiance. The members of Council present were: Suzanne Grazia, Scott Haymer, Matthew Schulz, Joseph Smolic, Julie Symonds and Eric Ziegler. Absent: Ronald Fenstermaker.

Administrative personnel present were: Mayor Kevin Potter, Finance Director Louis Slapnicker, City Engineer Douglas Courtney, Police Chief Brian McCallister and Fire Chief Anthony Hutton.

MINUTES OF THE DECEMBER 1, 2023 ORGANIZATIONAL MEETING:

Ms. Symonds moved to waive the reading of the minutes, with the second by Ms. Grazia. The motion of Council passed by unanimous vote. Ms. Symonds moved to approve the Minutes, as presented, with the second by Ms. Grazia. **ROLL CALL: MOTION CARRIED 5/0/1 (VOTING YEA: GRAZIA, HAYMER, SMOLIC, SYMONDS AND ZIEGLER. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

MINUTES OF THE DECEMBER 4, 2023 WORK SESSION:

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

MINUTES OF THE DECEMBER 4, 2023 COUNCIL MEETING:

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

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised that the formal report has been distributed. Chief Hutton said the Department is on pace for one of its busiest years ever.

Chief Hutton advised that the engine that is being painted was supposed to be back by mid-December, but it is still out. He is hoping to have it back by the beginning of the new year. Answering Council President Smolic, Chief Hutton confirmed that it is warranty work.

Chief Hutton asked Jasmine Pierce to come forward, noting that she has been with the Fire Department for two years. She came to the Department right out of EMT school; she went on to paramedic school, where she excelled and passed the paramedic test on the first try, which is commendable. She also took the Class 1 Firefighter test for part-time and aced that test. Chief Hutton said Ms. Pierce is a hard worker, and she picks up a lot of hours. He noted that she has been part of some very difficult calls, and she has handled the situations very well. Chief Hutton said he looks forward to having her with the Department for a long time.

DEPARTMENT REPORTS (continued):

Mayor Potter thanked Ms. Pierce for stepping into the full-time position, noting that the Chief has spoken very highly of her. Mayor Potter administered the Oath of Office for firefighter/paramedic, and Ms. Pierce received the applause and congratulations of all those present.

Police Chief Brian McCallister advised that all tags were taken from the Giving Tree in the lobby, and all of those gifts have been fulfilled by the community, the Department staff, and City workers; several children will have a great Christmas this year.

Chief McCallister said he appreciates the consideration of the moratorium, noting that it will allow the Department time to find out how the marijuana laws will impact the City.

Chief McCallister said he attended an HR training course in Florida, noting that he learned more in that course than he has learned in any other HR type of training. He said he appreciates being able to take a week to attend this course and pick up some important skills.

Councilman Ziegler inquired if there is any update on the recent threat that was sent to the schools. Chief McCallister said they contacted the FBI, and it could not be determined if there was any credibility to the threat. He noted that similar threats were received in Texas, California and a lot of schools in Ohio. He noted that the FBI is looking into this on a broader scale.

Council President Smolic stated appreciation to the officers that stopped by for Coffee with Council.

City Engineer Douglas Courtney did not give a formal report and no questions were asked of him.

Finance Director Louis Slapnick noted that during the work session he reviewed the items of legislation from the Finance Department – the comprehensive insurance liability, the new phone system, the temporary budget for the first quarter of 2024, and the final 2023 amended appropriation. He noted the temporary budget is for the operations of the City, and there is no capital in that temporary budget. For the final amended appropriation, he noted that during the work session he reviewed the few significant changes; it is an overall reduction, and one major reduction is the parking lot for the Community Center which was rolled over as part of the grant for 2024. He requested that all four of these Ordinances be passed this evening.

Mr. Slapnick advised that the month of November is closed, and he was in the process of running those reports. He will provide those reports to Council later tonight or tomorrow morning.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Potter thanked the Police, Fire and Service Departments for their hard work on the roads today and tonight, with the continuing snowfall. He thanked new Kirtland Firefighter Jasmine Pierce, noting she is a great addition to the City of Kirtland; he thanked Chief Hutton for his hard work in bringing Ms. Pierce aboard.

Mayor Potter wished everyone a Merry Christmas, Happy New Year and Happy Holidays.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

PUBLIC COMMENTS ON AGENDA ITEMS OF OLD BUSINESS:

None.

RESOLUTION NO. 23-R-81 - **(Second Reading) - A RESOLUTION AUTHORIZING THE
(Councilman Haymer) MAYOR TO NEGOTIATE TERMS FOR CITYWIDE
BROADBAND INTERNET SERVICES.**

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Haymer. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: GRAZIA, HAYMER, SCHULZ, SMOLIC, SYMONDS AND ZIEGLER. VOTING NAY: NONE).** Mr. Schulz moved to adopt, with the second by Ms. Grazia. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: GRAZIA, HAYMER, SCHULZ, SMOLIC, SYMONDS AND ZIEGLER. VOTING NAY: NONE).**

ORDINANCE NO. 23-O-82 - **(Second Reading) - AN ORDINANCE AUTHORIZING THE
(Mayor Potter) MAYOR TO ENTER INTO A CONTRACT WITH THE OHIO
PATROLMEN’S BENEVOLENT ASSOCIATION, AND
DECLARING AN EMERGENCY.**

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Ziegler. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: GRAZIA, HAYMER, SCHULZ, SMOLIC, SYMONDS AND ZIEGLER. 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: GRAZIA, HAYMER, SCHULZ, SMOLIC, SYMONDS AND ZIEGLER. VOTING NAY: NONE).**

NEW BUSINESS:

PUBLIC COMMENTS ON AGENDA ITEMS OF NEW BUSINESS:

None.

RESOLUTION NO. 23-R-83 - **A RESOLUTION ESTABLISHING STANDING
(Council President Smolic) COMMITTEES OF COUNCIL, AND DECLARING AN
EMERGENCY.**

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

NEW BUSINESS (continued):**ORDINANCE NO. 23-O-84**
(Mayor Potter)

- **AN ORDINANCE CONFIRMING THE RE-APPOINTMENT OF MATTHEW A. LALLO AS DIRECTOR OF LAW, ESTABLISHING A WAGE AND FEE ARRANGEMENT WITH MATTHEW A. LALLO, AND DECLARING AN EMERGENCY.**

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

RESOLUTION NO. 23-R-85
(Mayor Potter)

- **A RESOLUTION CONFIRMING THE REAPPOINTMENT OF DANIEL LAUX TO THE PLANNING AND ZONING COMMISSION, AND DECLARING AN EMERGENCY.**

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

RESOLUTION NO. 23-R-86
(Mayor Potter)

- **A RESOLUTION CONFIRMING THE REAPPOINTMENT OF DENISE QUIGGLE TO THE BOARD OF ZONING APPEALS, AND DECLARING AN EMERGENCY.**

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

RESOLUTION NO. 23-R-87
(Mayor Potter)

- **A RESOLUTION CONFIRMING THE APPOINTMENT OF GREGORY KESSLER TO THE CIVIL SERVICE COMMISSION, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Council President Smolic noted that Mr. Kessler is in the audience tonight, and he asked to hear from him. Mr. Kessler said he moved into Kirtland in 1982. He noted that he just finished his 25th year in fire service for the City of Willoughby Hills. He said he has worked with Civil Service Commissions and he has been a part of the hiring process for new firefighters. He said he is familiar with the minimum requirements for police officers and firefighters. Mr. Kessler said he looks forward to working with the Chiefs and everyone involved to make sure the City hires the best possible people and that they are performing at their best level. Mayor Potter thanked Mr. Kessler for his willingness to fill this position.

Mr. Schulz moved to waive the three readings, with the second by Ms. Grazia. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: GRAZIA, HAYMER, SCHULZ, SMOLIC, SYMONDS AND ZIEGLER. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Ms. Grazia. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: GRAZIA, HAYMER, SCHULZ, SMOLIC, SYMONDS AND ZIEGLER. VOTING NAY: NONE).**

NEW BUSINESS (continued):

RESOLUTION NO. 23-R-88 - **A RESOLUTION REAPPOINTING DANA DENNIS AS A MEMBER OF THE KIRTLAND BOARD OF TAX REVIEW, AND DECLARING AN EMERGENCY.**
(Council as a Whole)

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

RESOLUTION NO. 23-R-89 - **A RESOLUTION REAPPOINTING PAUL RUPERT AS A MEMBER OF THE KIRTLAND BOARD OF TAX REVIEW, AND DECLARING AN EMERGENCY.**
(Council as a Whole)

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

RESOLUTION NO. 23-R-90 - **A RESOLUTION IMPOSING AN IMMEDIATE MORATORIUM ON THE ISSUANCE AND PROCESSING OF PERMITS ALLOWING RETAIL DISPENSARIES, OF ADULT USE MARIJUANA WITHIN THE CITY OF KIRTLAND, OHIO, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

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

ORDINANCE NO. 23-O-91 - **AN ORDINANCE PROVIDING TEMPORARY APPROPRIATIONS FOR THE THREE-MONTH PERIOD ENDING MARCH 31, 2024.**
(Mayor Potter)

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Ziegler. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: GRAZIA, HAYMER, SCHULZ, SMOLIC, SYMONDS AND ZIEGLER. VOTING NAY: NONE).** Mr. Schulz moved to adopt, with the second by Ms. Symonds. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: GRAZIA, HAYMER, SCHULZ, SMOLIC, SYMONDS AND ZIEGLER. VOTING NAY: NONE).**

ORDINANCE NO. 23-O-92 - **AN ORDINANCE AMENDING ORDINANCE NO. 23-O-72 RELATING TO THE APPROPRIATION FOR THE YEAR 2023.**
(Mayor Potter)

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Ms. Grazia. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: GRAZIA, HAYMER, SCHULZ, SMOLIC, SYMONDS AND ZIEGLER. VOTING NAY: NONE).** Mr. Schulz moved to adopt, with the second by Ms. Grazia. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: GRAZIA, HAYMER, SCHULZ, SMOLIC, SYMONDS AND ZIEGLER. VOTING NAY: NONE).**

NEW BUSINESS (continued):

ORDINANCE NO. 23-O-93 - **AN ORDINANCE LEVYING LIENS FOR DELINQUENT SANITARY SEWER CHARGES, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

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

ORDINANCE NO. 23-O-94 - **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH FAIRSITE TECHNOLOGIES TO PURCHASE A NEW PHONE SYSTEM AND PHONES FOR CITY BUILDINGS, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

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

ORDINANCE NO. 23-O-95 - **AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO ACCEPT A PROPOSAL FOR THE PURCHASE OF COMPREHENSIVE LIABILITY INSURANCE FOR THE CITY, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

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

* * * * *

COUNCIL COMMENTS:

Councilwoman Symonds inquired about the time frame for the installation of the new phone system. Noting that the hardware will come from various sources, Jim Gibbs of Fairsite Technologies said it could take up to six weeks for it to be delivered. Mr. Gibbs advised that the new phone system should be implemented by the end of the first quarter of 2024, if not sooner.

CONTINUING CONCERNS:

This is an opportunity for the public to address Council about any continuing concerns. There were no comments or questions from the public.

ADJOURNMENT:

Mr. Ziegler moved to adjourn, with the second by Ms. Symonds. The motion of Council passed by unanimous vote and the meeting adjourned at 7:35 p.m.

President of Council

Clerk of Council