

## KIRTLAND CITY COUNCIL MINUTES

January 16, 2024

The meeting of Kirtland City Council was called to order at 7:00 p.m. by Council President Joseph Smolic. Mr. Ziegler led the prayer which followed the Pledge of Allegiance. The members of Council present were: Ronald Fenstermaker, Scott Haymer, Matthew Schulz, Joseph Smolic, Julie Symonds and Eric Ziegler. Absent: Suzanne Grazia.

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 JANUARY 3, 2024 WORK SESSION:

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: HAYMER, SCHULZ, SMOLIC, SYMONDS, ZIEGLER AND FENSTERMAKER. VOTING NAY: NONE).**

### MINUTES OF THE JANUARY 3, 2024 COUNCIL 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: HAYMER, SCHULZ, SMOLIC, SYMONDS, ZIEGLER AND FENSTERMAKER. VOTING NAY: NONE).**

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** advised that the formal report has been distributed; no questions were asked of him.

**Police Chief Brian McCallister** advised that the December stats report has been distributed; no questions were asked of him.

**Service Director Joseph Fornaro** advised that there have been four more snow events, and the Department placed its first order for salt this year, for 750 tons. He noted that an additional 750 tons will probably be ordered next week. Mr. Fornaro thanked the crews for working through the recent cold weather and keeping up with the snow. He also thanked the Police and Fire Departments for their help; and he thanked First Energy for dealing with the cold weather and getting power back to the residents quickly. Answering Council President Smolic, Mr. Fornaro said the power outage was primarily Kirtland Chardon in Regency Woods.

**City Engineer Douglas Courtney** said he is still working on estimates for streets in order to make the list for 2024.

Mr. Courtney advised that the bid opening is tomorrow at 11:00 a.m. for Phase 2 of the Old Town sewer improvements. Answering Council President Smolic, Mr. Courtney said the bid has been open for approximately one month. Answering Councilman Schulz, he advised there were a few pre-bid questions, but nothing significant; there were a couple addenda issued for clarification.

**DEPARTMENT REPORTS (continued):**

Council President Smolic inquired if there were any sewer issues related to the cold weather. Mr. Fornaro responded there were none.

**Finance Director Louis Slapnick** advised that the two changes to the amended temporary budget were discussed during the work session, both of which are related to grant funding – one relating to the outdoor bathrooms and the other relating to the ARPA premium pay for firefighters. He requested the legislation to amend the temporary budget be passed this evening so the City can move forward with those items.

Mr. Slapnick advised that the December 2023 end-of-year financials have been sent to Council and posted on the City website.

**Law Director Matthew Lallo** advised that the Judgement Entry was received today on the administrative appeal relating to the Singlefoot property. The Judge affirmed the Planning and Zoning Commission's decision to deny the issuance of a permit to build an accessory structure. He noted there is a right to appeal, so public comments will be deferred until that appellate period has run.

Mr. Lallo advised that collective bargaining agreement negotiations with the Fire Department were successfully completed. They met last week and were able to form a tentative agreement; and he expects that legislation will be on the next Council agenda. He noted he will try to send it to Council ahead of time for review, and he will ask that the three readings be waived so the Department employees can receive their updated pay.

Mr. Lallo advised that Attorney Mark Marong is present in regard to Ordinance 24-O-2 on tonight's agenda, appointing Mr. Marong as Assistant Law Director. He stated that Mr. Marong is a distinguished and accomplished attorney; he is a Law Director in another jurisdiction. Mr. Lallo said that Mr. Marong will primarily handle the zoning aspects for the City, noting that he will still be available to help Mr. Marong as necessary. Noting that Council members met with Mr. Marong during the executive session, Mr. Lallo welcomed any additional questions.

**Senior Center Coordinator Teresa Szary** said she has no updates but was open to questions. No questions were asked of her.

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Mayor Potter recognized and welcomed Scout Troop 286G in the audience. He welcomed Frances Mae Potter, witnessing her first full City Council meeting. Mayor Potter stated his thanks to the Police, Fire and Service Departments for their work during this cold weather, noting they have all done a phenomenal job.

The Mayor noted that the combined meeting of Council, the Planning and Zoning Commission, and the Board of Zoning Appeals will follow the regular Council meeting. He said it is a great opportunity for City government to coalesce around some of the endeavors of the City, many of which come through Planning and Zoning.

Mayor Potter thanked outgoing Assistant Law Director Tom Lobe, noting that he did a phenomenal job for the City over the last four years. The City went through some tough events, and Mr. Lobe did a tremendous job assisting Mr. Lallo. Mayor Potter said Mr. Lobe provided great counsel, and it seems that no one knows the Ohio Revised Code as well as Mr. Lobe.

Referring to legislation on the agenda, Mayor Potter said Mr. Slapnick mentioned the amendments to the temporary budget during the work session. He said he looks forward to getting Mr. Marong on board this evening.

**STANDING COMMITTEE REPORTS:**

It was noted that a Service Department Standing Committee meeting had been scheduled for February 5. Mr. Courtney advised he would not be available. Upon discussion, it was agreed that the meeting be rescheduled to Saturday, February 10 at 11:00 a.m. The purpose of the meeting is to review the PMG report update.

**CORRESPONDENCE:**

None.

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

None.

**OLD BUSINESS:**

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

None.

**ORDINANCE NO. 24-O-2** - (Second Reading) - **AN ORDINANCE ACCEPTING THE APPOINTMENT OF MARK B. MARONG AS ASSISTANT LAW DIRECTOR, ESTABLISHING A WAGE AND FEE ARRANGEMENT WITH MARK B. MARONG AND MATTY, HENRIKSON & GREVE, 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 Mr. Fenstermaker. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: HAYMER, SCHULZ, SMOLIC, SYMONDS, ZIEGLER AND FENSTERMAKER. 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: HAYMER, SCHULZ, SMOLIC, SYMONDS, ZIEGLER AND FENSTERMAKER. VOTING NAY: NONE).**

**NEW BUSINESS:**

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

None.

**ORDINANCE NO. 24-O-6** - **AN ORDINANCE AMENDING ORDINANCE NO. 23-O-91 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. Fenstermaker. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: HAYMER, SCHULZ, SMOLIC, SYMONDS, ZIEGLER AND FENSTERMAKER. VOTING NAY: NONE).** Mr. Schulz moved to adopt, with the second by Mr. Fenstermaker. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: HAYMER, SCHULZ, SMOLIC, SYMONDS, ZIEGLER AND FENSTERMAKER. VOTING NAY: NONE).**

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**COUNCIL COMMENTS:**

None.

**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. Schulz moved to adjourn, with the second by Ms. Symonds. The motion of Council passed by unanimous vote and the meeting adjourned at 7:17 p.m.

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President of Council

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Clerk of Council