

KIRTLAND CITY COUNCIL MINUTES

March 20, 2024

The meeting of Kirtland City Council was called to order at 7:03 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, Suzanne Grazia, Scott Haymer, Matthew Schulz, Joseph Smolic, Julie Symonds and Eric Ziegler.

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 MARCH 4, 2024 FINANCE COMMITTEE/WORK SESSION:

Mr. Fenstermaker moved to waive the reading of the minutes, with the second by Ms. Grazia. The motion of Council passed by unanimous vote. Mr. Fenstermaker moved to approve the Minutes, as presented, with the second by Ms. Grazia. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).**

MINUTES OF THE MARCH 4, 2024 COUNCIL MEETING:

Ms. Symonds moved to waive the reading of the minutes, with the second by Mr. Fenstermaker. The motion of Council passed by unanimous vote. Ms. Symonds moved to approve the Minutes, as presented, with the second by Mr. Fenstermaker. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).**

MINUTES OF THE MARCH 12, 2024 FINANCE COMMITTEE MEETING:

Mr. Fenstermaker moved to waive the reading of the minutes, with the second by Ms. Grazia. The motion of Council passed by unanimous vote. Mr. Fenstermaker moved to approve the Minutes, as presented, with the second by Ms. Grazia. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised that he met with the Police and Fire Standing Committee last night, noting it was a good discussion on capital equipment and staffing. He noted that he looks forward to working with Council going forward.

Noting there was a lot of negativity on social media regarding a recent incident at the school, Councilman Fenstermaker stated his appreciation for the professionalism of the Chief and his department in handling the situation.

Police Chief Brian McCallister echoed Chief Hutton's comments, noting that he appreciated the meeting last night. He thanked the community for their understanding with regard to the bridge construction, noting there was a lot of confusion initially, but it now seems that everyone is figuring out the rotation. He noted there is now some additional signage, and he thanked Mr. Fornaro for his assistance. Chief McCallister said the Department will continue to monitor it, make sure the road stays safe, and do traffic enforcement where necessary.

DEPARTMENT REPORTS (continued):

Service Director Joseph Fornaro thanked the Service Department team for the great job they do. He noted this time of year they bounce back from snow and ice to regular season work. He noted they have done some improvements at the cemeteries and have completed approximately 8,000 feet of ditching since January.

With regard to the bridge project, Mr. Fornaro said there were some issues, which is normal for the first week that a major road is closed. He asked that the residents and the travelling public slow down in that area and pay attention, noting that there are many signs. He noted that ODOT has been very responsive to the City's requests.

Councilwoman Symonds said that the "one way" sign at the end of Markell is easy to follow. Mr. Fornaro said that people coming off of Route 615 still want to make a right turn to go northbound, which is causing some problems. He said they are addressing it, noting that a couple more signs went up today, which seems to be helping. He said there has been a slight delay for southbound traffic at times. For police and fire vehicles, Mr. Fornaro said there is currently a temporary zone on the west side of the bridge.

Councilman Fenstermaker said he has received five complaints about the back-up of traffic when southbound traffic is trying to turn left onto Route 615.

City Engineer Douglas Courtney said that he has the preliminary estimates for the 2024 pavement rehabilitation and maintenance repair, noting that he is waiting for the passage of the budget. He noted that proposals were also received for coring and testing firms, pending which streets will be done.

Mr. Courtney advised that the Old Town sewer work is well underway; the contractor is currently on Maple, which is closed between Coudry and Bluff due to the trench filling with water.

With regard to the Booth Road bridge project, Mr. Courtney said he is still waiting for a schedule from the County.

Finance Director Louis Slapnick advised that the City received the Auditor of State award for 2022, noting that he provided a copy for each Council member. The award reads that it is presented for excellence in financial reporting in accordance with generally accepted accounting principles and compliance with applicable laws for the fiscal year ending in 2022. Mr. Slapnick noted it will be posted on the website.

Mr. Slapnick noted that the fourth Finance Committee meeting was held tonight, noting that there has been good discussion. As a result of the last meeting, Mr. Slapnick said he made some changes to the appropriation ordinance, which include adding the dash cameras into the budget, adding a station alerting system into the budget, and removal of the fire chassis purchase from the Capital Improvement Fund. He noted that some vehicle maintenance items were added as a result of some insurance claims in the first quarter of the year. Mr. Slapnick advised that the net change from what was originally presented to Council is negative \$162,429.29. He noted that the line-item changes were reviewed in the Finance Committee meeting.

Councilman Schulz congratulated Mr. Slapnick on receiving the award; he noted that he does not see the 2022 report on the website. Mr. Slapnick said he will look into it.

Councilman Fenstermaker congratulated Mr. Slapnick on receiving the recognition, noting that the budget data and reporting is now much cleaner and easier to follow.

Law Director Matthew Lallo did not present a formal report and no questions were asked of him.

DEPARTMENT REPORTS (continued):

Senior Center Coordinator Teresa Szary thanked Mr. Slapnicker, noting that in the midst of all the budget meetings he has taken the time to answer her questions.

Ms. Szary reminded everyone that the annual egg hunt will be held this Saturday on the City Hall property, noting that she would love to see everyone come out and support the community. She noted that the egg hunt begins at 10:30 a.m.; and thanks to the Fire Department, the bunny will be coming in on the fire truck at around 10:00 a.m. Ms. Szary noted there will be crafts available at the Library.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Potter thanked everyone who helped with the Shamrock Shuffle a couple weeks ago. He thanked the Service, Police and Fire Departments for their assistance, along with all of the volunteers. He stated special thanks to Andrea Patrick from the Miracle League, noting that she kicked off the race with an unbelievable rendition of the Star-Spangled Banner.

The Mayor thanked Mr. Slapnicker for all of his hard work on the budget, noting it is on third reading tonight. He thanked the Department Heads for their patience and their willingness to make adjustments. He thanked all of Council, and he thanked Councilman Ziegler for running the Finance meeting last week, which was very productive. He said he is proud of the group for working through the issues and making some tough decisions.

Mayor Potter thanked Fairsite Technologies, noting that the new phone system is now up and running. He noted he has not heard about any issues or complaints over the last couple days.

Councilman Schulz asked if there is an update regarding Ohio Gig. Mayor Potter said he, Councilman Haymer and Mr. Fornaro met last week with representatives from Ohio Gig and Mr. Gibbs from Fairsite Technologies. He noted that the meeting was productive, and time frames and rate schedules were discussed; Ohio Gig will get back to the City with a proposal in the next couple weeks.

STANDING COMMITTEE REPORTS:

Councilman Schulz advised that the Police and Fire Standing Committee met last night at Fire Station 1 to look at overtime, capital wants, wishes and needs. He noted that both Chiefs reviewed the past history of overtime and projected overtime, and they looked at the staffing changes that were made. They looked at the vehicle fleet and the age of service of each vehicle, and replacement. He noted that Chief Hutton reviewed the fire engine he would like to purchase, and Adam Gorski, the representative from Rosenbaur, was present to answer questions about the changes in the industry relative to inflation and pricing. They discussed options, accessories, and the needs of the Department. Mr. Schulz noted that the first option was to purchase the chassis this year, which would leave the City open to price hikes for the cab in future years.

Mr. Schulz noted that the Plan B lease option was discussed; the City would lease the fire engine and lock in the price of roughly \$850,000, with an immediate \$25,000 discount. Delivery would be expected in late 2026 or early 2027, knowing the price and the payment amount. He noted the details have yet to be worked out, but the Committee made a recommendation to explore the purchase of a new fire engine using the Plan B methodology presented in the Committee meeting, given a thorough review of the financial terms and conditions of the lease by the Finance Director and pending final Council approval. Mr. Schulz noted that Chief McCallister discussed the Police Department needs relative to cruisers, and dash cameras were discussed.

STANDING COMMITTEE REPORTS (continued):

Councilman Haymer advised that the Utilities Standing Committee met to visit the wastewater treatment plants. He noted that a Public Utilities Commission meeting will need to be scheduled.

Councilman Fenstermaker noted that a Service Department Standing Committee meeting needs to be scheduled. It was agreed that the Committee will meet on Tuesday, March 26 at 6:00 a.m. at City Hall to review the final documents to post on the website.

CORRESPONDENCE:

Council President Smolic acknowledged receipt of Planning & Zoning Commission Resolution No. 24-PZ-1, relating to a recommendation for a zoning map amendment at 9501 Chillicothe Road. Mr. Lallo advised that Council needs to schedule a public hearing according to the City's Ordinance, with proper notice. Mr. Lallo advised that notice is required 15 days before the public hearing, noting that the ideal scenario is to hold the public hearing at a Council meeting. He said the next meeting would not allow for sufficient notice, and he requested that the public hearing be scheduled for the April 15 Council meeting. Mr. Lallo advised that if Council approves the rezoning, he will draft legislation for the following meeting to place it on the ballot, noting that it is mandatory referendum zoning. Mr. Lallo advised that after the public hearing, Council can deliberate and vote on it. If Council approves the rezoning as requested or approves the rezoning with modifications, legislation will be drafted. If Council denies the rezoning, it does not advance to the voters. The public hearing was scheduled for the April 15 Council meeting.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

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

None.

**ORDINANCE NO. 24-O-10
(Mayor Potter)**

- (Third Reading) - AN ORDINANCE SETTING THE
APPROPRIATION FOR THE YEAR 2024.

The legislation was read by title only. Mr. Ziegler moved to amend the legislation to incorporate the revised Exhibit A, with the second by Ms. Symonds. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE. ABSTAINING: SCHULZ).** Mr. Lallo advised that the legislation, having been amended, reverts to Second Reading.

Mr. Ziegler moved to waive the three readings, with the second by Ms. Symonds. Mr. Schulz advised that the reason he is abstaining is because this budget includes dollars for a project that affects his property. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE. ABSTAINING: SCHULZ).** Mr. Ziegler moved to adopt, with the second by Ms. Grazia. **ROLL CALL: ADOPTED 6/0/1 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

OLD BUSINESS (continued):

RESOLUTION NO. 24-R-11 - (Third Reading) - A RESOLUTION AUTHORIZING TRANSFERS OF FUNDS, AND DECLARING AN EMERGENCY.
(Mayor Potter)

The legislation was read by title only. Mr. Ziegler moved to amend the legislation to incorporate the revised Exhibit A, with the second by Mr. Fenstermaker. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE. ABSTAINING: SCHULZ).** The legislation, having been amended, reverts to Second Reading.

Mr. Ziegler moved to waive the three readings, with the second by Ms. Grazia. **ROLL CALL: MOTION CARRIED 6/0/1 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE. ABSTAINING: SCHULZ).** Ms. Symonds moved to declare an emergency and adopt, with the second by Ms. Grazia. Mr. Schulz advised that he is abstaining because this budget includes dollars for a project that affects his property. **ROLL CALL: ADOPTED 6/0/1 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

ORDINANCE NO. 24-O-12 - (Third Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,647,000 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 VARIOUS PURPOSE NOTES, SERIES 2023, DATED APRIL 19, 2023, AND DECLARING AN EMERGENCY.
(Mayor Potter)

The legislation was read by title only. Mr. Fenstermaker moved to declare an emergency and adopt, with the second by Ms. Symonds. **ROLL CALL: ADOPTED 6/0/1 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

ORDINANCE NO. 24-O-13 - (Third Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,500,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING STREETS BY RECONSTRUCTING, RESURFACING, GRADING, DRAINING, PAVING AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.
(Mayor Potter)

The legislation was read by title only. Ms. Grazia moved to declare an emergency and adopt, with the second by Mr. Fenstermaker. Mr. Schulz advised that this Ordinance includes dollars for a project that affects his property, therefore he will abstain. **ROLL CALL: ADOPTED 6/0/1 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE. ABSTAINING: SCHULZ).**

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

None.

NEW BUSINESS (continued):**ORDINANCE NO. 24-O-19**
(Mayor Potter)

- **AN ORDINANCE EXTENDING THE AGREEMENT FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES BETWEEN EDWARD J. ECKART OF E SQUARED STRATEGIES LLC AND THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mayor Potter said it would be helpful if Council adopts this legislation tonight, since the current contract expires at the end of this month. Ms. Symonds moved to waive the three readings, with the second by Ms. Grazia. Councilman Fenstermaker said that when the renewal of Mr. Eckart's contract was last discussed, Council had requested quarterly reports from him to see the projects he is working on. Mr. Fenstermaker said he would still like to see those reports. To review, Mayor Potter said that Mr. Eckart was instrumental in receiving the grant for the Old Town sewer project; he is working on opportunities for business and development at Route 6 and 306, expansion of sewers, and downtown development. Mayor Potter said that Mr. Eckart is currently working on a grant through Congressman Joyce's office to extend sanitary sewers. He noted that Mr. Eckart has also been making calls and vetting community development firms to discuss ideas and concepts for the downtown area. Mayor Potter said he will arrange to have Mr. Eckart attend an upcoming meeting to provide a report to Council.

Councilman Schulz echoed Mr. Fenstermaker's sentiments, noting that this ordinance references 21-R-45, and page 2, paragraph 2 of Exhibit A of that legislation states that he will provide monthly reports on his activities.

Voting began on the motion to waive the three readings. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SCHULZ, SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).** Ms. Grazia moved to declare an emergency and adopt, with the second by Ms. Symonds. Mr. Schulz noted that the Mayor had indicated there is no increase in salary. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SCHULZ, SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).**

COUNCIL COMMENTS:

Councilman Fenstermaker thanked all of the Department Heads and Council for the conversation during the budget process. He said there were some challenges, but the conversation remained respectful and there were good discussions. With regard to the legislation that was adopted for the \$2.5 million note, Mr. Fenstermaker said that from his perspective, he hopes this is the last time the City borrows to pay for roads and that Council and the Administration work to find some secure source of revenue to take care of the roads. He said that although this is the best option today, it is not the long-term fix.

Councilman Ziegler suggested that Council set their priority in the fall to review capital expenses for the next year. He also suggested that conversation begin in May or June this year regarding a road funding strategy to come up with a long-term plan. Mayor Potter suggested that discussion begin in April, noting that if something would be going to the voters in the fall, legislation would need to be drafted in early June.

CONTINUING CONCERNS:

Chad VanArnhem, Superintendent of Kirtland City Schools, said he wanted to come before Council tonight to thank the City's first responders. He said there was a medical emergency of the worst kind on March 13 at the school. The school staff responded as well as humanly possible and did everything they could. The first responders came in and took over with one of the school nurses. Mr. VanArnhem said he is proud to say the student is doing well, noting that he had the opportunity to talk with the student this evening. He said the training that the Police and EMT's receive enabled them to come in and make a difference, noting that the collaborative training of the first responders and the school staff saved someone's life.

ADJOURNMENT:

Mr. Haymer moved to adjourn, with the second by Mr. Fenstermaker. The motion of Council passed by unanimous vote and the meeting adjourned at 7:51 p.m.

President of Council

Clerk of Council