

## KIRTLAND CITY COUNCIL MINUTES

April 3, 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, Suzanne Grazia, Scott Haymer, Joseph Smolic and Eric Ziegler. Absent: Matthew Schulz and Julie Symonds.

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 20, 2024 FINANCE COMMITTEE/WORK SESSION:

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

### MINUTES OF THE MARCH 20, 2024 COUNCIL MEETING:

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

### DEPARTMENT REPORTS:

**Fire Chief Anthony Hutton** advised that the March report has been distributed. He noted that March was a busy month, with 133 calls.

**Police Chief Brian McCallister** advised that the monthly report will be ready tomorrow, and he will send it out by email. Chief McCallister noted the Department is staffed for the eclipse on April 8; there will be five officers working. He said they are not expecting any issues, other than some potential traffic issues. He noted that Lake Farmpark is holding an event with up to 1500 people, and the Holden Arboretum and some of the churches are also hosting events. They will have officers ready for traffic patrol.

Chief McCallister advised that the Department will hold the Prom Promise on April 29 at the Kirtland High School from 10:00 a.m. until 12:00 noon. Several agencies will be assisting with this annual drinking and driving campaign to educate the students about the hazards; there will be games and handouts.

Councilman Fenstermaker inquired how many citations have been issued to people driving north on Route 306 (in the construction area). Chief McCallister said they have stopped several cars, and it is on a daily basis; he said he will provide a report to Council.

**Service Director Joseph Fornaro** thanked the Service Department team for the great job they do; they bounce back and forth between winter and spring/summer duties. Mr. Fornaro provided an update on snow: in 2021/2022 there were 38 snow events; in 2022/2023 there were 31 snow events; and in 2023/2024 there have been 25 snow events to date. He noted there is some winter weather expected this weekend, reminding everyone to drive slowly and be cautious.

**DEPARTMENT REPORTS (continued):**

Mr. Fornaro advised that Waste Management was approved by the City to begin trash collection at 6:00 a.m. on April 8 so they can be off the road earlier. He advised that brush pick-up begins on April 8 in Ward 2; Ward 3 pick-up will begin on April 15; Ward 4 pick-up will begin on April 22; and Ward 1 pick-up will begin on April 29.

Mr. Fornaro advised that the Great American Clean-Up will be held on Saturday, April 20; volunteers will pick-up trash on the roadways. There will be giveaways of t-shirts and gloves, thanks to an EPA grant. He noted this is part of the Keep America Beautiful program.

Mr. Fornaro advised that the Route 306 bridge project is moving along.

He noted that the PMG report is now posted on the City website, as a result of the recent Service Department Standing Committee meeting. He thanked the Committee members for joining him at the early morning meeting. Mr. Fornaro said the PMG report on the website is titled the 2023 Road Insights.

Councilman Haymer inquired about the stakes for snow plowing. Mr. Fornaro said they use April 17 as the cut-off, and the crews will pick them up as they are doing the brush pick-up.

Council President Smolic congratulated Mr. Fornaro for the national recognition he received recently (designated as one of APWA's 2024 top ten Public Works Leaders of the Year).

**City Engineer Douglas Courtney** provided an update on the Old Town sewer project. He advised that the main line on Maple is done, and they will start work on Coudry next. The contractor will bring in crews to start doing lateral installations while they are doing the main lines.

Council President Smolic inquired if weather has been a delaying factor in the Old Town sewer project. Mr. Courtney said the contractor is a little ahead of schedule, noting that the schedule showed April 8 as the completion for Maple. He noted the contractor hit some wet ground on Maple that slowed them down a bit. There have been a couple unexpected underground issues, but nothing major.

**Finance Director Louis Slapnicker** advised that the February 2024 end-of-month reports have been distributed to Council. He advised that the audit will begin in a couple weeks. Mr. Slapnicker advised that last week the City went to market for the note issuance; the amount was \$5,147,000 as discussed during the budget process. It sold at 3.5 percent yield and a 4.5 percent coupon; he explained that it actually sold at a premium so the City receives additional premium dollars to have the interest rate a little higher. He advised that the difference between the yield and the coupon is producing an additional \$35,620.02 in premium, to be deposited into the debt service fund for payment on that bond. Mr. Slapnicker said with the 4.5 percent coupon, the interest would be \$231,615; it is net \$195,995 with the additional premium.

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

**Senior Center Coordinator Teresa Szary** thanked all those that made the egg hunt happen this year, including the crew that took care of decorating inside and outside. She noted that all of the Department Heads were in attendance, and the Easter Bunny had a wonderful procession from the school and rode in a salt/plow truck. She said that many compliments were received from parents.

Ms. Szary advised that the first spring tea and concert was held today at the Senior Center. She thanked Nancy Cervi, who works for Community of Christ, for organizing the event; she did a wonderful job. The concert was performed by Selah, provided by the Church of Jesus Christ of Latter-day Saints. She stated her appreciation of different organizations and different faiths coming together to support the seniors and residents.

**DEPARTMENT REPORTS (continued):**

Ms. Szary advised that the Senior Center will close at noon on Monday, April 8 (eclipse day), so the seniors can stay safe.

She advised that the Great American road clean-up will be on April 20; and the annual spring yard clean-up for seniors and veterans will be on April 27. She asked that anyone who knows of seniors or veterans that need assistance in their yards this spring to please have them contact her. She noted that all help is much appreciated.

**MAYOR'S REPORT/ANNOUNCEMENTS:**

Referring to legislation on tonight's agenda, Mayor Potter said there are a couple formality resolutions, along with the two closeout projects and new projects. He noted that he is requesting that all of the legislation on the agenda be passed tonight.

Councilman Fenstermaker inquired about the status of Richards Maple Products, noting that the landscaping company is still on the property. He said that June is right around the corner, and the privacy fence will need to be installed. Mr. Lallo advised that in January he emailed Mr. Ahrens of Richards Maple Products, advising him that since the landscaper was on the premises and subletting the property as of December 31, the fence is now a requirement to be installed, and it must be installed by June 30, 2024. Mr. Lallo noted that Mr. Ahrens replied to the email, confirming receipt, on January 10, 2024.

**STANDING COMMITTEE REPORTS:**

Councilman Ziegler confirmed that a Finance Committee meeting has been scheduled for Monday, April 15 at 6:00 p.m.

**CORRESPONDENCE:**

None.

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

None.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

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

None.

**NEW BUSINESS (continued):****RESOLUTION NO. 24-R-20 - ARBOR DAY PROCLAMATION  
(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 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).** Mr. Ziegler moved to adopt, with the second by Ms. Grazia. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).**

**RESOLUTION NO. 24-R-21 - A RESOLUTION RECOGNIZING AND APPRECIATING  
(Mayor Potter) THE CITY OF KIRTLAND'S PUBLIC WORKS PROFESSIONALS AND DECLARING NATIONAL PUBLIC WORKS WEEK TO BE MAY 19-25, 2024.**

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 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).** Mr. Ziegler moved to adopt, with the second by Ms. Grazia. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).**

**RESOLUTION NO. 24-R-22 - A RESOLUTION AUTHORIZING THE CLOSEOUT OF THE  
(Mayor Potter) ROCKWOOD DRIVE DRAINAGE PROJECT CONTRACT WITH ECLIPSE COMPANIES, LLC, 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 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).** Mr. Ziegler moved to declare an emergency and adopt, with the second by Mr. Fenstermaker. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).**

**RESOLUTION NO. 24-R-23 - A RESOLUTION AUTHORIZING THE CLOSEOUT OF THE  
(Mayor Potter) FOX HILL DRAINAGE PROJECT CONTRACT WITH GRADE LINE, INC., 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 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).** Mr. Fenstermaker moved to declare an emergency and adopt, with the second by Ms. Grazia. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).**

**RESOLUTION NO. 24-R-24 - A RESOLUTION ACCEPTING THE BID OF PAT FLOWERS  
(Mayor Potter) INC. FOR THE STRIPING OF LONG LINES AND PAVEMENT MARKINGS ON THE CITY OF KIRTLAND'S ROADS, 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 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).** Ms. Grazia moved to declare an emergency and adopt, with the second by Mr. Fenstermaker. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).**

**NEW BUSINESS (continued):**

**RESOLUTION NO. 24-R-25**  
**(Mayor Potter)**

- **A RESOLUTION ACCEPTING THE BID OF COLJOHN MASONRY, LLC FOR FOOTERS AND BLOCK WORK ON THE OUTDOOR COMMUNITY CENTER BATHROOM PROJECT, 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 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).** Mr. Ziegler moved to declare an emergency and adopt, with the second by Ms. Grazia. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).**

**RESOLUTION NO. 24-R-26**  
**(Mayor Potter)**

- **A RESOLUTION AUTHORIZING THE MAYOR TO RETAIN THE SERVICES OF THE C.W. COURTNEY COMPANY AS ENGINEERS FOR THE DESIGN AND CONSTRUCTION ADMINISTRATION OF THE 2024 STREET REPAIR AND MAINTENANCE PROJECT, 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 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).** Mr. Ziegler moved to declare an emergency and adopt, with the second by Mr. Fenstermaker. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, GRAZIA AND HAYMER. VOTING NAY: NONE).**

**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. Fenstermaker moved to adjourn, with the second by Ms. Grazia. The motion of Council passed by unanimous vote and the meeting adjourned at 7:23 p.m.

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President of Council

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Clerk of Council