

KIRTLAND CITY COUNCIL MINUTES

April 15, 2024

The meeting of Kirtland City Council was called to order at 7:02 p.m. by Council President Joseph Smolic. Mr. Schulz 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 Slapnick, City Engineer Douglas Courtney, Service Director Joseph Fornaro and Senior Center Coordinator Teresa Szary.

PUBLIC HEARING

Application for Zoning Map Amendment 9501 Chillicothe Road

Council President Smolic opened the public hearing at 7:03 p.m. on the application for zoning map amendment submitted by Andrew Pisorn for property located at 9501 Chillicothe Road. Law Director Lallo explained the process to be followed for the public hearing and subsequent legislation if Council approves the proposed rezoning; if approved, it would be submitted to the Board of Elections to be placed on the ballot. He confirmed it would require 55 percent passage by the voters. The Clerk of Council read the legal notice of the public hearing.

Andrew Pisorn, 3774 Judy Drive, Syracuse, New York, addressed City Council regarding his application for zoning map amendment. Mr. Pisorn noted that he now resides in Syracuse, New York, but he grew up on this property and his parents and sister currently reside on this property; it is their family property. Mr. Pisorn said his father purchased this property in 1995 and they took up residence on the property; he and his sisters graduated from Kirtland High School. He said regardless of the outcome of this application, his family plans to continue to reside on the property; they are not a developer who will leave town once it has been developed.

Mr. Pisorn said the property is currently zoned R-2A, minimum one acre, and they are requesting it be rezoned to R-1, which is 12,000 sq. ft. minimum lot size. He said that after a year of discussions with the Planning and Zoning Commission, the Mayor, and the City Engineer, and after reading through the city's comprehensive plan, they envision the development to be a quality, low-maintenance development, a walkable community. He said the target for the development would be the aging population of Kirtland; statistically Kirtland has one of the more aging communities in the state. He said they would love for this community to be an opportunity for those folks to stay in Kirtland, but have a smaller lot with less maintenance.

Mr. Pisorn said their goal is to utilize a few local builders; they do not plan to bring in a large national builder. His family would retain some lots and build in the neighborhood. He said the development would be a high revenue generator for the city, based on the amount of road and the amount of maintenance required per taxable property. He noted that approximately half of the property to the east is currently forest and will remain natural forest. He said half of the property is difficult to access because of the ravine.

Noting that the lots would not be sized to handle septic systems, Mr. Pisorn said his family will work to extend the sewer southbound on Route 306, approximately 1600 feet, to tie this neighborhood into the existing gravity sewer. Mr. Pisorn presented a concept drawing of the development, noting that the Templeview development to the north has some lots approaching one-half acre, but there are many lots that are much smaller. He noted the lots they are proposing would approach one-third acre, which is a little larger than some of the lots in the Templeview development; the neighborhood would have a sidewalk and a community

PUBLIC HEARING (continued)

mailbox area. He noted the development would be a horseshoe shape, with two entrances and exits on Route 306.

Answering Councilman Fenstermaker, Mr. Pisorn said approximately 15 acres are involved, with 30 new homes projected. He noted there is an existing house that would potentially remain; it is not a family home but is currently occupied. Councilman Schulz inquired if they would connect to the existing sidewalk on Route 306 in the Charlesderry area. Mr. Pisorn said it is definitely something they would consider.

Answering Councilman Ziegler, Mr. Pisorn said there would be a homeowners' association, noting it is required for stormwater, the sign, and the shared community mailboxes.

Mr. Lallo advised that if the application for zoning map amendment is approved by Council and passed by the voters, the development plan will still need to be brought before the Planning and Zoning Commission as required for the subdivision process and will need to be further evaluated.

Mr. Pisorn said that the community would be open to everyone, noting that the target would be the aging community in Kirtland. He said it would be done through deed restrictions; they would not seek HUD or grant money and it would not be exclusive to those 65 and older. It would provide an opportunity to retain Kirtland residents that are looking to downsize.

Council President Smolic inquired about the projected price range. Mr. Pisorn said he does not have an answer yet, noting there are a lot of variables. He said they are proposing a high-value, high-quality neighborhood.

Answering Councilman Fenstermaker regarding a proposed timeline, Mr. Pisorn said they would like to break ground next year, if the project proceeds through the approvals. Noting that he does not yet have written commitments from builders, he said he anticipates three years for building the development.

Responding to questions from Council, Mr. Lallo confirmed it would be a citywide vote. Noting that the Planning and Zoning Commission made a recommendation to Council, Mr. Lallo advised that Council will formally either agree with the Planning and Zoning Commission and authorize the rezoning, or disagree with the rezoning of the property. If Council agrees with the rezoning, according to the Charter, there is a mandatory referendum for rezoning and it must be approved by 55 percent or more of those voting. If approved by the voters, the applicant would proceed with the subdivision process.

Mayor Potter inquired if an affirmative vote by Council would be approval of the rezoning, or approval for submittal to the voters. Mr. Lallo advised that an affirmative vote by Council would be approval of the zoning change; if Council does not approve the zoning change, there is nothing submitted to the voters. If that were the case, the applicant would have the opportunity for initiative petition and would need signatures from 10 percent of the electors.

Responding to Councilman Schulz, Mr. Courtney confirmed that capacity does exist in the Route 306 sewers for the 31 sublots.

Mayor Potter thanked the Pisorn family for bringing this investment opportunity to the City of Kirtland, noting that for many years the City has been hearing from residents regarding the need for housing for those heading into their senior years who want to downsize but stay in Kirtland. He noted that the motivation is to fit that need. Mayor Potter noted that advancement of the sewers to the south on Route 306 is a priority to the City.

Answering Council President Smolic, Mr. Pisorn confirmed that the extension of the sewer would be funded privately.

PUBLIC HEARING (continued)

Councilman Haymer inquired if residents on Route 306 would be required to tie into the sewer if it goes past their property. Mr. Courtney advised they would not be required to tie in unless a service lateral is provided for that resident; he noted the lateral would be provided at the homeowner's request. Mr. Courtney noted that eleven properties would be impacted, and two are currently vacant. Answering Councilman Fenstermaker, Mr. Courtney said the time frame for the tie in would be in accordance with the Health Department regulations. Answering Councilman Haymer, Mr. Courtney said that individual properties vs. a subdivision, such as Barristers Court, are two different scenarios.

Answering Councilman Haymer regarding the location of the retention pond, Mr. Lallo said the drawing is preliminary, and if the rezoning is approved, items of that nature would be addressed during the subdivision application process.

Councilman Schulz noted that if the project goes forward, once it is complete the sewer would be turned over to the City as a public sewer.

Council President Smolic opened the meeting to public comment at 7:37 p.m.

Jim Vyskocil, 8415 North Locust Drive, inquired about the square footage of the houses. Mr. Pisorn said he will need to have conversations with builders before square footage is determined, noting this relates to the subdivision development.

Councilman Schulz noted that a change in zoning would also set the sideline requirements to 5 ft.

Mr. Pisorn noted that the minimum lot width is 60 ft. for the zoning classification requested; they are proposing 85 ft. lot widths. He noted that the minimum side yard setback for the zoning classification requested is 5 ft., and they are proposing 5 ft. setbacks, with some variations.

Jim Davis, 8120 Glen Park Road, stated concern about the water runoff from 31 lots; he does not believe the ponds are adequate. He said he is concerned about the water that runs to the east, because the stream runs into the East Branch of the Chagrin River; if it is not handled properly there will be a problem with erosion and runoff. Mr. Courtney advised that a full stormwater management plan will be submitted by the applicant if this proceeds to that point in the process; it would be part of the full plan submission and it is heavily regulated by the City.

Martha Stankewicz, 7981 Pinehurst Drive, said she has had a lot of flooding in her back yard, noting that last year they spent \$10,000 putting in pipes. She said there is a lot of water that comes from Route 306. Answering Councilman Haymer, Mr. Courtney said the front pond would discharge to Route 306; the back pond would discharge to the stream in the back.

Ms. Stankewicz said they moved to Kirtland 28 years ago, knowing there would be one-acre lots allowed. She said that 30 houses would result in another 60 cars pulling out of that street.

Answering Councilman Schulz, Mr. Courtney confirmed that a traffic impact study was part of the Planning and Zoning Commission's recommendation, and Mr. Pisorn has already started that process.

Karen DeMarco, 7999 Pinehurst Drive, stated concern about safety with the two entrances/exits on Route 306, with the hill in that area and the change in the speed limit. She also stated concern about the congestion of adding at least 60 cars in that small area. She said if the rezoning is passed, it would set a precedent for future development, noting that residents moved here for the one-acre minimum lots and the beautiful open spaces. Ms. DeMarco said she has no problem with developing the property according to the current zoning of one-acre minimum lots.

PUBLIC HEARING (continued)

With regard to the sewers, Ms. DeMarco said the developer of Alpenrose Subdivision wanted sewers in that development while maintaining one-acre minimum lots; he was told no, because the city was reserving the extra capacity for future developments for the whole community. She questioned why sewers could be put in now but could not be put in a few years ago for Alpenrose.

She spoke about the beauty of Kirtland and her concern about the negative impact of this type of development.

Chad McFadden, 9655 Woodcroft Court, said it is extremely congested pulling out onto Route 306 in that area, and adding 60 plus cars will contribute to that. Mr. McFadden said he is not against growth, but he does not want downsizing so close to his house, noting that he is concerned about the effect on property values. He said Kirtland needs more developments such as Pinehurst, Barristers Court and Alpenrose. He said he is in favor of developing one-acre lots and limiting the congestion.

Mr. McFadden said the drainage problem is a major issue, noting that his house backs to the corner of Route 306 and all of the water from Alpenrose and Route 306 comes down into his back yard, and the additional water runoff will cause more problems.

He said their homes in Pinehurst have substantially increased in value, and he wants that to continue; he does not believe this development would help.

Answering Councilman Schulz, Mr. Courtney said the pond would discharge to the storm sewer on Route 306. He noted that this property is downhill from Pinehurst. Mr. McFadden said the existing storm sewer is not working. Mr. Courtney said that he and Mr. Fornaro can look into that.

Joe Kosir, 7967 Pinehurst Drive, said he is opposed to rezoning to smaller lots, stating his agreement with his neighbors that have spoken their concerns. He said he gets water runoff from both sides.

Susie Shafer, 7992 Barristers Court, said it is a beautiful project, but she would like it to be kept to one acre lots. She said it is already hard to turn left out of Barristers Court in the morning, and she is concerned about an additional 60 cars. She also stated concern about negative impact on property values and the potential for increased water runoff.

Jeff Balcerski, 7685 Hidden Valley Drive, said it is important to consider that the character of the community is not the size of the lot, but it is the fit of the community itself. He said it is more important to consider carefully planned, deliberate development that expands the character that is important in Kirtland, rather than the minimum size of the lots. Mr. Balcerski said the other considerations, such as traffic, drainage, and engineering, are technical problems that can be solved.

Mary Sams, 9120 Prelog Lane, asked about the cost of the homes. Mr. Pisorn said he cannot commit to that right now. Ms. Sams inquired if the number of lots can be changed if Council approves it tonight. She said she would love to have a place for seniors to downsize, but she is concerned that the houses will become rentals.

Mr. Lallo advised that the number of lots could change, noting that the frontage of the proposed lots is 85 feet, but the minimum in the R-1 district is 60 feet. Mr. Lallo noted that the subdivision will need to be approved by the Planning and Zoning Commission. Mr. Lallo said that the vote from Council, and the vote from the electorate if approved by Council, would be whether the property should be rezoned to R-1.

Chad McFadden, 9655 Woodcroft Court, said he would prefer to see only one road off of Route 306, with one-acre lots.

PUBLIC HEARING (continued)

Council President Smolic inquired if an alternate road layout was considered. Councilman Haymer inquired if a one-way road would be beneficial, with one entrance and one exit. Mr. Pisorn said they believe the proposed layout is the most effective use of the land with regard to pavement to lot distribution. He said the proposed road is designed pursuant to city regulation; he has not looked into one-way traffic.

Councilman Schulz inquired how many one-acre lots could fit on the property, and how many lots could fit if the lots were 60 ft. width, which is the minimum requirement.

Dustin Keeney of Polaris Engineering & Surveying said he did not believe the density would change much by decreasing the width, because the minimum lot area must be maintained. He said they are trying to not create dead end roads, for fire safety and circulation. Mr. Keeney said if the lots were one-acre in size, there would be approximately ten lots.

Martha Stankewicz, 7981 Pinehurst Drive, said the developer can make the decision about the minimum size house.

Mr. Pisorn said that deed restrictions will be put in place, but he does not yet have a dimension for the home size. With regard to the concern that the houses will become rentals, Mr. Pisorn said that the value of the homes is targeted that they will never become rentals. He believes the high-value homes will boost neighboring property values.

Dave Kniola, 8136 Glen Park Road, said the topography of the property is steep with ravines, and there is a creek that runs to the East Branch of the Chagrin River. He said the creek turns into a small river when it rains. Mr. Kniola said he appreciates that they are looking for a place for the elderly in Kirtland, but he stated concern about building on that property due to the topography. He also stated concern about the traffic that would be caused by the construction.

Karen DeMarco, 7999 Pinehurst Drive, said she is downsizing her parents, noting they lived in Kirtland but found a new home in Mentor; it is still very close. She stated concern about the property being rezoned but the development not going forward; whoever purchases the property would have the new zoning and could put in long, narrow lots to make room for septic systems and not extend the sewer.

Answering Council President Smolic, Mr. Lallo confirmed that if rezoned, the new zoning district would carry to a new owner.

There were no further comments from the public, and the public comment portion of the hearing was closed at 8:15 p.m.

Mr. Pisorn thanked the residents for their comments, noting there has been input throughout the process; they have made tweaks to the plan, which will continue throughout the process.

Mr. Pisorn clarified that there would not be a deed restriction not allowing rentals, but that the deed restrictions would be targeted at creating high value homes that would not lend themselves to rentals. He said he does not believe downsizing necessarily means lower value homes.

With regard to water runoff concerns, Mr. Pisorn said there seems to be a lot of water runoff issues on the west side of Route 306. He said that water runoff is not coming from this property, currently or in the future.

With regard to traffic concerns, Mr. Pisorn said that a traffic engineering firm is under contract and they started their evaluation. Noting that a field study is underway, he said that based on ODOT data for Route 306 and ODOT standards, their conceptual review projects roughly a two percent impact on the current traffic

PUBLIC HEARING (continued)

on Route 306 from this neighborhood. He noted it is based on a zero percent current impact from this property; however, there are currently residential units on the property that already generate traffic, so he believes the impact will be less than the two percent they are currently projecting. Mr. Pisorn said that some of the current traffic concerns might be city concerns not necessarily tied to this project.

Responding to Mr. Pisorn regarding excess sewer capacity, Mr. Courtney said that after the Old Town sewer project is complete, there will be approximately 75,000 gallons per day remaining in the Route 306 sewer. Mr. Keeney said this development would contribute approximately 12,000 gallons per day. Mr. Courtney said he cannot speak to what happened with the Alpenrose development.

With regard to property values, Mr. Pisorn said the family would stay in the community and the goal would be for property values in this area to increase with this community being put in place.

With regard to topography, Mr. Pisorn said there are a lot of ravines, but those ravines are not in the footprint of this project. He said the east portion of the property, where the ravines are located, would remain natural, wooded land. He said there is not substantial mass grading that would be required for the project. Mr. Pisorn said the project would use approximately 14 of the 29 acres.

Mr. Lallo advised that if Council has completed the public hearing, the request can be tabled until the next meeting if Council would like to deliberate longer and have opportunity for more questions; or the public hearing can be closed and Council can vote on the matter tonight. Council members indicated they would like more time for consideration of the matter. Upon the request of the applicant, Mr. Schulz moved to table the matter until the next regular Council meeting scheduled on Monday, May 6, at 7:00 p.m. Mr. Fenstermaker provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).**

Mr. Lallo advised that the public hearing will resume at the next Council meeting, and the applicant will have the opportunity to speak again and Council will have the opportunity to ask further questions. Once the public hearing closes, Council will vote.

Mr. Pisorn said he is willing to provide his contact information in case Council has any questions before the next meeting. Mr. Lallo addressed the proper protocol, noting that it cannot be done as an end around for a public meeting. With regard to the next meeting, Mr. Lallo said no other public comments will be permitted since the public portion of the hearing has been closed. If residents have additional questions or concerns that were not addressed, they should reach out to Council to address those questions.

Mayor Potter thanked everyone that came out to ask questions and provide input, inviting the residents to reach out to Council members with any additional concerns.

MINUTES OF THE APRIL 3, 2024 WORK SESSION:

Mr. Fenstermaker moved to waive the reading of the minutes, with the second by Ms. Symonds. The motion of Council passed by unanimous vote. Mr. Fenstermaker moved to approve the Minutes, as presented, 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).**

MINUTES OF THE APRIL 3, 2024 COUNCIL MEETING:

Mr. Fenstermaker moved to waive the reading of the minutes, with the second by Ms. Symonds. The motion of Council passed by unanimous vote. Mr. Fenstermaker moved to approve the Minutes, as presented, 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).**

DEPARTMENT REPORTS:

It was noted that the Fire Chief and Police Chief are at the High School for some presentations.

Service Director Joseph Fornaro advised that monitors were placed in the river last year, and last week there was a total of 2.37 inches of snow and rain combined, and 2.67 inches for the previous week. He noted they are trying to keep up with grass cutting, but it has been very wet.

Mr. Fornaro advised that the Great American Clean-Up will be held Saturday at 8:00 a.m. at City Hall. He noted that roadside clean-up will be done, and volunteers are appreciated.

Mr. Schulz congratulated Mr. Fornaro on the Public Service award he received, and he thanked him for the service he provides to the City.

Answering Council President Smolic, Mr. Fornaro said the City fared pretty well with all of the rain; there were a few minor issues.

City Engineer Douglas Courtney advised that for the 2024 streets, the plans for road work are in progress and he expects to advertise in the first half of May, pending receipt of the results of pavement testing.

Mr. Courtney advised that the Old Town Phase 2 sewer project is progressing; the contractor is approximately 75 percent complete with Coudry Street, and installations are being made on Maple Street.

With regard to the Route 306 bridge project, Mr. Courtney said that a progress meeting was held on April 9. There was not much to report as the project was just getting started. He said there are no updates from the County Engineer on the Booth Road bridge project.

Finance Director Louis Slapnicker advised that the first road funding meeting for 2024 was held this evening, and another meeting will be held on May 6.

Mr. Slapnicker advised that the Finance Department is progressing through the GAAP conversion for the basic financial statements, and he will be attending the audit entrance conference tomorrow with the Auditor of State.

With regard to legislation on tonight's agenda, Mr. Slapnicker noted that his contract is on the agenda for renewal; he said there are no changes to his contract, but the current contract expires April 30. Mr. Slapnicker advised there is a new resolution for transfer of funds. He noted it was previously on the agenda with the budget; however, when the original budget was changed following the last Finance Committee meeting, there was a one cent rounding error in that transfer of funds. Noting that the appropriation and the transfer ordinance need to match exactly, Mr. Slapnicker said there is a one penny change and he is requesting that the resolution be passed tonight.

Law Director Matthew Lallo advised that with regard to the appeal filed in Court from the Planning and Zoning Commission's decision, the City won administratively at the Common Pleas level. He noted it was appealed, and he filed the City's brief today and the other party has ten days to file a reply.

DEPARTMENT REPORTS (continued):

Mr. Lallo noted that Mr. Schulz brought to his attention that there is a typographical error in Resolution 24-R-30 in the sixth "whereas" clause; a motion will be needed to modify that clause to delete "Pheasant Lane" and insert "Quail Circle" in its place.

Councilman Schulz inquired if the State has provided any updates on the marijuana depository. Mr. Lallo said that he is not aware of any updates.

Senior Center Coordinator Teresa Szary did not present a formal report and no questions were asked of her.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Potter encouraged anyone that is available to help with the clean-up this weekend to pick up trash and litter along the roadways. He noted that the yard clean-up for seniors and veterans will be held the following weekend, and volunteers are greatly appreciated.

The Mayor advised that Economic Development Consultant Eddy Eckart will attend the next Council meeting to provide an update report.

With regard to the legislation on the agenda for the purchase of the police cruiser, Mayor Potter said it was included in the budget. He requested that all of the legislation be adopted tonight.

STANDING COMMITTEE REPORTS:

Councilman Haymer advised that a Public Utilities Commission meeting needs to be scheduled, prior to meeting with residents at the individual treatment plants. It was noted that Mr. Haymer will proceed with scheduling a meeting date.

With regard to the Police and Fire Standing Committee, Councilman Schulz advised that he and Mr. Ziegler met with Mr. Slapnick and it was agreed that since the committee made the recommendation to move forward with the fire truck purchase now, it should be addressed as part of the Finance Committee meeting.

CORRESPONDENCE:

Councilman Fenstermaker noted that correspondence was received by Council members from Mr. Lesnick, relating to NOPEC and whether it is the best deal for the residents.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

PUBLIC COMMENTS ON AGENDA ITEMS OF NEW BUSINESS:

None.

RESOLUTION NO. 24-R-27 - **A RESOLUTION AMENDING RESOLUTION NO. 24-R-11**
(Mayor Potter) **AUTHORIZING TRANSFERS OF FUNDS, 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 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).** Ms. Symonds moved to declare an emergency and adopt, with the second by Mr. Fenstermaker. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).**

RESOLUTION NO. 24-R-28 - **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. Council President Smolic noted that, as mentioned by Mr. Slapnicker, this is the same contract as last year. Mr. Ziegler moved to waive the three readings, with the second by Ms. Symonds. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).** Mr. Ziegler moved to declare an emergency and adopt, with the second by Mr. Fenstermaker. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).**

RESOLUTION NO. 24-R-29 - **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER**
(Mayor Potter) **INTO A MEMORANDUM OF UNDERSTANDING WITH THE**
BOARD OF LAKE COUNTY COMMISSIONERS THROUGH
THE LAKE COUNTY DEPARTMENT OF UTILITIES,
STORMWATER MANAGEMENT DIVISION, RELATING TO
FUNDING AND/OR PRE-FUNDING FOR THE PHEASANT
LANE CULVERT REPLACEMENT, AND DECLARING AN
EMERGENCY.

The legislation was read by title only. Mr. Ziegler moved to waive the three readings, with the second by Ms. Symonds. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).** Ms. Symonds moved to declare an emergency and adopt, with the second by Ms. Grazia. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).**

NEW BUSINESS (continued):

RESOLUTION NO. 24-R-30
(Mayor Potter)

- **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE BOARD OF LAKE COUNTY COMMISSIONERS THROUGH THE LAKE COUNTY DEPARTMENT OF UTILITIES, STORMWATER MANAGEMENT DIVISION, RELATING TO FUNDING AND/OR PRE-FUNDING FOR THE QUAIL CIRCLE CULVERT REPLACEMENT, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mr. Ziegler moved to amend the sixth “whereas” clause to delete “Pheasant Lane” and insert ‘Quail Circle” in its place. Mr. Schulz provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).** Mr. Ziegler moved to waive the three readings, with the second by Ms. Grazia. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).** Ms. Symonds moved to declare an emergency and adopt, with the second by Mr. Fenstermaker. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).**

ORDINANCE NO. 24-O-31
(Mayor Potter)

- **AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT TO PURCHASE ONE (1) BANDIT INTIMIDATOR 15XP CHIPPER FROM KTS EQUIPMENT, INC., AND DECLARING AN EMERGENCY.**

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 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).** Ms. Symonds moved to declare an emergency and adopt, with the second by Mr. Fenstermaker. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).**

RESOLUTION NO. 24-R-32
(Mayor Potter)

- **A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW 2024 FORD 4-DOOR ALL WHEEL DRIVE INTERCEPTOR UTILITY POLICE VEHICLE FOR USE BY THE POLICE DEPARTMENT, 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 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. VOTING NAY: NONE).** Ms. Symonds moved to declare an emergency and adopt, with the second by Ms. Grazia. **ROLL CALL: ADOPTED 7/0 (VOTING YEA: SMOLIC, SYMONDS, ZIEGLER, FENSTERMAKER, GRAZIA, HAYMER AND SCHULZ. 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:

Ms. Symonds moved to adjourn, with the second by Mr. Fenstermaker. The motion of Council passed by unanimous vote and the meeting adjourned at 8:54 p.m.

President of Council

Clerk of Council