

KIRTLAND CITY COUNCIL MINUTES

June 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: Suzanne Grazia, Joseph Smolic, Julie Symonds and Eric Ziegler. Absent: Ronald Fenstermaker, Scott Haymer and Matthew Schulz.

Administrative personnel present were: Mayor Kevin Potter, City Engineer Douglas Courtney, Service Director Joseph Fornaro, Fire Chief Anthony Hutton and Senior Center Coordinator Teresa Szary.

PUBLIC HEARING

Ordinance No. 24-O-40

Proposed Amendments to Zoning Ordinances

Council President Smolic opened the public hearing at 7:01 p.m. for Ordinance No. 24-O-40 relating to proposed amendments to various sections of the Zoning Ordinances. Mr. Smolic noted that the Planning and Zoning Commission has been reviewing the Zoning Ordinances over the last year, and the proposed amendments will clean up the language. There were no comments from the public, and Mr. Smolic closed the public hearing at 7:02 p.m.

MINUTES OF THE MAY 20, 2024 WORK SESSION:

Ms. Symonds moved to waive the reading of the minutes, with the second by Mr. Ziegler. The motion of Council passed by unanimous vote. Ms. Symonds moved to approve the Minutes, as presented, with the second by Mr. Ziegler. **ROLL CALL: MOTION CARRIED 4/0 (VOTING YEA: ZIEGLER, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

MINUTES OF THE MAY 20, 2024 COUNCIL 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 4/0 (VOTING YEA: ZIEGLER, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised that the monthly report has been distributed. Answering Council President Smolic, Chief Hutton said there are some trainings coming up, including rope tech class and active shooter mass casualty training; he noted there are also a lot of special events coming up in Kirtland.

Service Director Joseph Fornaro thanked the Public Works team for their work in making the city look beautiful with the flowers, baskets and banners. He advised that the mower has been out doing another round.

Mr. Fornaro advised that bids will be opened on Thursday for the 2024 road program. He said that the bridge project is moving along, noting that a progress meeting is scheduled with ODOT tomorrow.

DEPARTMENT REPORTS (continued):

City Engineer Douglas Courtney advised that the contractor for the Old Town sewer project is moving down Fairview from the Fairidge intersection; Joseph Street will be next, which is the last street to be done. He advised that the contractor is getting ready to pave Maple and Coudry this week. Councilwoman Symonds inquired if the contractor is on schedule. Mr. Courtney advised that he would have to check against the schedule, noting there have been some hang-ups with some high water tables.

Senior Center Coordinator Teresa Szary noted that every year the Lake County Commissioners and the Senior Services Levy Committee have Senior Day at the mall; it was held this year on Tuesday, May 21. She noted that every Senior Center and group that participates in the Senior Services Levy is asked to nominate an outstanding senior of the year; Kirtland's 2023 Senior of the Year was Mel Summers.

Ms. Szary advised that the Memorial Day potluck was held last week; the weather was beautiful and there were approximately 60 people in attendance. She said they are looking forward to all of the City and Senior Center events, noting that the gazebo concert series begins on Wednesday, June 19, with the Chardon Polka Band.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Potter thanked everyone who participated in the Memorial Day events, including the guest speaker, retired Col. Michael Stahl from the U.S. Army. He thanked the American Legion, noting they do a great job with this program; and he thanked Mr. Fornaro and Ms. Szary for their hard work on this event. He also thanked Councilwoman Grazia and former Council President Rich Lowery for delivering the benediction and invocation.

The Mayor noted that Safety Town is currently being held at City Hall; he thanked the City Hall employees for their patience with all of the activity and noise. He thanked the counselors and his wife, Jeni Potter, who volunteers a great deal of her time for this program.

Mayor Potter noted that legislation is on First Reading on tonight's agenda for a new Zoning Inspector, Mr. Lenny Morgano. With only four members present, Council will not be able to formally move forward tonight; however, Mayor Potter said he plans to bring Mr. Morgano into the Zoning Department to address complaints and review applications, and he or Mr. Fornaro can sign documents as needed. He requested that, at the next Council meeting, Council waive the three readings and adopt the legislation. The Mayor thanked Mr. Morgano for filling this role, and he thanked Mr. Loconti for his work with the City over the past couple years. He thanked Mr. Fornaro for his assistance during the transition. Council President Smolic noted that Mr. Loconti was an excellent resource for the Planning and Zoning Commission.

With regard to the upcoming paving in the Old Town area, Mayor Potter advised that the intention is to have the Strawberry Festival parade there next Friday; there is a back-up plan if needed. The Mayor noted there will be a lot of people coming into the area for the Strawberry Festival and for the events being held by the Church of Jesus Christ of Latter-day Saints, and he encouraged everyone to plan for extra travel time during that weekend.

Mr. Fornaro thanked the Scouts, noting that a couple of them spent 4 to 5 hours on a Saturday placing flags and Veteran markers in the cemeteries.

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:

Sharon Vyskocil, 8415 North Locust Drive, thanked Mr. Fornaro for holding the very nice open house at the Service Department, noting this year was the first time she attended. Ms. Vyskocil requested information regarding Ordinance No. 24-O-47 on tonight’s agenda. Mayor Potter advised that this is a potential amendment to the Kirtland Charter which will give Council the ability to place on the November ballot an adjustment to the income tax by up to 1/4 percent. He noted that the language reads that anything in addition to 2 percent, up to 1/4 percent, would be specifically for road projects only; there is a 20-year sunset as well.

ORDINANCE NO. 24-O-39 - **(Second Reading) - AN ORDINANCE AMENDING SECTION 624.17 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND REGARDING THE PROHIBITED ACTIVITIES RELATING TO MEDICAL AND RECREATIONAL MARIJUANA, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only. Council President Smolic noted that he has a couple questions about the ordinance, and he has forwarded those questions to Mr. Lallo. He noted there will likely be discussion at the next meeting, and possibly some changes to the ordinance. Mr. Smolic said that medical marijuana is in the process of moving from a Schedule 1 drug to possibly a Schedule 3 drug, which will likely affect prosecution. The legislation was placed on Second Reading.

ORDINANCE NO. 24-O-40 - **(Second Reading) - AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTIONS 1273.03, 1273.04, 1273.09, 1275.03, 1275.04, 1275.09, 1277.03, 1277.04, 1277.09, 1279.03, 1279.04, AND 1279.09 RELATING TO PERMITTED USES, CONDITIONAL USES, AND LANDSCAPE REGULATIONS IN THE INSTITUTIONAL AND OFFICE DISTRICT, HISTORIC TOWN CENTER DISTRICT, RETAIL BUSINESS DISTRICT, AND LIMITED INDUSTRIAL DISTRICT; SECTION 1284.04 RELATED TO LANDSCAPE REQUIREMENTS; SECTION 1292.06 RELATING TO WIRELESS COMMUNICATION FACILITIES; AND SECTION 1296.03 RELATING TO OUTDOOR LIGHTING, AND DECLARING AN EMERGENCY.**
(Council President Smolic)

The legislation was read by title only and placed on Second Reading.

NEW BUSINESS:

PUBLIC COMMENTS ON AGENDA ITEMS OF NEW BUSINESS:

None.

- RESOLUTION NO. 24-R-43** - **A RESOLUTION CONFIRMING THE APPOINTMENT OF LENNY MORGANO AS THE ZONING INSPECTOR FOR THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only and placed on First Reading.

- RESOLUTION NO. 24-R-44** - **A RESOLUTION ACCEPTING THE BID OF OSBORNE CONCRETE & STONE COMPANY FOR THE PICK-UP OF LIMESTONE ROAD MATERIALS, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only and placed on First Reading.

- RESOLUTION NO. 24-R-45** - **A RESOLUTION ACCEPTING THE BID OF OSBORNE CONCRETE & STONE COMPANY FOR ASPHALT ROAD MATERIALS, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only and placed on First Reading.

- RESOLUTION NO. 24-R-46** - **A RESOLUTION ACCEPTING THE BID OF ARMS TRUCKING COMPANY FOR THE DELIVERY OF LIMESTONE ROAD MATERIALS, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only and placed on First Reading.

- ORDINANCE NO. 24-O-47** - **AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF KIRTLAND, OHIO, A PROPOSAL TO AMEND THE CHARTER OF SAID CITY BY AMENDING ARTICLE VI – TAXATION, AND DECLARING AN EMERGENCY.**
(Council President Smolic)

The legislation was read by title only. Council President Smolic noted that the additional 1/4 percent will be used exclusively to fund roads and road related drainage; he noted that the road program is available on the City website. The legislation was placed on First Reading.

- RESOLUTION NO. 24-R-48** - **A RESOLUTION APPROVING OF A DEED RESTRICTION ON THE COMMUNITY CENTER PROPERTY LOCATED AT 7900 EUCLID CHARDON ROAD, AND DECLARING AN EMERGENCY.**
(Mayor Potter)

The legislation was read by title only. Mr. Fornaro noted that the grant information needs to be submitted by the end of this month. The legislation was placed on First Reading.

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. Ziegler. The motion of Council passed by unanimous vote and the meeting adjourned at 7:26 p.m.

President of Council

Clerk of Council