

KIRTLAND CITY COUNCIL MINUTES

February 3, 2025

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

Administrative personnel present were Mayor Kevin Potter, City Engineer Douglas Courtney, Public Works Director Joe Fornaro, Fire Chief Tony Hutton, Police Chief Brian McCallister, Law Director Matthew Lallo, and Senior Center Coordinator Julia DeWolf.

PUBLIC HEARING – ORDINANCE NO. 25-O-4

Amending Codified Ordinance Section 1261.10, relating to Yards and their definitions.

Council President Fenstermaker opened the public hearing in this regard at 7:03 p.m.

Council President Fenstermaker closed the meeting to public comment with regard to Ordinance No. 25-O-4 at 7:04 p.m.

Minutes of the January 13, 2025 Work Session:

Mr. Smolic moved to approve the Work Session Minutes as presented, with the second by Ms. Symonds. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, SCHULZ, and SMOLIC. VOTING NAY; NONE).**

Minutes of the January 13, 2025 Council Meeting:

Mr. Symonds moved to approve the Minutes as modified with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, SCHULZ, and SMOLIC. VOTING NAY; NONE).**

DEPARTMENT REPORTS:

Fire Chief Hutton stated that the formal report was sent out today. He also stated that the department is currently in the course of going through a series of training applications.

Mr. Smolic inquired regarding the status of NG911. Responding Chief Hutton stated he has attended the meetings and is up to date on all current information.

Councilman Matt Schulz wanted to publicly thank Lieutenant Dan Samf for his help earlier today. Further stating he will be reaching out to Chief Hutton within the next couple days to discuss capital needs with the budget talks coming up.

Police Chief McCallister reported that the monthly report was distributed. He reported that the annual police banquet was held last week; which included the police departments and family members. Awards were given to seven officers who did not call in sick, noting that this represents the majority of the department. Joe Gibson finished training and has been released. Katie Atterbury is doing very well with her training. Responding to question from Mr. Smolic there are currently two full time openings in the department.

Service Director Joseph Fornaro thanked the Service Department team for their hard work during the recent winter storms, noting that they have had forty-nine storm events already this year. Also stating that 7400 gallons of diesel fuel have been used over the last two months.

Mr. Schulz inquired to Mr. Fornaro if he thought there is any feasibility with partnering with neighboring cities and creating a MOU for pavement striping. Responding Mr. Fornaro will look into it. Ms. Symonds asked the order of how streets are plowed during a storm. Responding Mr. Fornaro stated that every storm is different, however the main roads are always addressed first. Beginning with Rt. 306, Route 6, Kirtland-Chardon Road then secondary streets including Billings, Heath, Sperry, Tibbitts and Worrell, and lastly side streets.

Engineer Mr. Courtney reported that the 2024 Streets Final Closeout documents have been submitted to the Finance Dept. and closeout legislation should be on the February 19, 2025, Council Agenda. Regarding the 2025 Streets & 10-Year Street Plan we are working with the Finance Department on available budgets for the 2025 street program and will determine a streets list and repair/maintenance schedule once the budget is finalized. Further stating we will be updating the 10-Year street plan based on available funding and should have a completed plan by mid-to-late March. Regarding Wisner wall we have prepared a fee estimate for the preparation of plans and specifications for the wall repair. Estimated fees are \$50,200 and will be submitted for pre-funding to Lake County Stormwater.

Finance Director Mr. Slapnicker reported that he is working on the 2025 Budget, noting that the first reading will be at the next Council meeting. He stated 25-O-6 to amend appropriations is on this evening's Agenda, noting that most of the changes relate to insurance claims and an emergency repair at one of our wastewater treatment plants. He requested this be passed this evening.

Mr. Schulz questioned the \$2,676,743.34 vs. \$2,617,585.51 in Section 1 of the proposed legislation. After review Mr. Slapnicker stated that this will need to be amended to the \$2,676,734.34 dollar amount.

Law Director Mr. Lallo reported that the Codified Ordinances invoice to update and publish will be approximately \$14,000.00. Noting that this has not been done since 2018. Further stating that moving forward he will discuss with the Mayor and Finance Director the best course of action for updating annually or bi-annually. Noting the cost estimate on annual or bi-annual updates is approximately \$5,000-\$7,000.

Mr. Schulz asked if Mr. Lallo had any updates regarding 25-O-5 concerning the AT&T Resolution which was passed at the last meeting. Mr. Lallo stated that AT&T withdrew the application, noting that they may revisit the matter in the future.

Community Center Director Ms. DeWolf had no formal report; but wanted to take a moment to thank everyone who has helped her with the transition into her new role.

Mayor Potter requested that Council please consider amending the Agenda relating to changing the next Council meeting date from February 19, 2025 to February 18, 2025.

Mr. Lallo stated we will need a motion to amend the agenda to include the new resolution.

Mr. Schulz moved to amend the Agenda to include in the New Business Section 25-R-7 amending 25-R-2 relating to a Resolution Amending Resolution No. 25-R-2 relating to establishing rules, time and place of Council meetings for the period from December 1, 2024, through November 30, 2025, and declaring an emergency with the second by Mr. Smolic. ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, SCHULZ, and SMOLIC. VOTING NAY; NONE).

Mayor Potter thanked the Service Department team for their hard work throughout the recent extreme weather conditions. The Mayor also thanked the Finance Director, Louis Slapnicker, for his hard work on the budget. Mayor Potter stated that Eddy Eckert has been doing a lot with economic development. Lastly, Mayor Potter thanked Ms. Zele for attending the Work Session meeting and addressing Councils questions.

Standing Committee Reports:

None.

Correspondence:

None.

Public Comments on Matters not on the Agenda:

Marvin Detar, Treasurer Universalist Church, 10848 Chillicothe Road, addressed the Council regarding the water treatment plant quarterly invoice received by the Church. It was determined this will matter will be discussed after meeting.

OLD BUSINESS:

Public Comments on Agenda Items of Old Business.

None.

**25-O-4 AN ORDINANCE AMENDING CODIFIED ORDINANCE
(Council President SECTION 1261.10 RELATING TO YARDS AND THEIR
Fenstermaker) DEFINITIONS AND DECLARING AN EMERGENCY.**

The legislation was read by title only and placed on third reading.

NEW BUSINESS:

Public Comments on Agenda Items of New Business.

None.

**25-O-6 AN ORDINANCE AMENDING ORDINANCE NO. 24-O-80
(Mayor Potter) PROVIDING TEMPORARY APPROPRIATIONS FOR THE
THREE-MONTH PERIOD ENDING MARCH 31, 2025.**

Mr. Schulz moved to amend Section I to read the total appropriation of \$2,676,734.34 will replace \$2,617,585.51 with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, SCHULZ, and SMOLIC. VOTING NAY; NONE).**

The legislation was read by title only. Mr. Smolic moved to waive the three readings, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, SCHULZ, and SMOLIC. VOTING NAY; NONE).**

Mr. Smolic moved to declare an emergency and adopt, with Ms. Symonds seconding. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, SCHULZ, and SMOLIC. VOTING NAY; NONE).**

**25-R-7 A RESOLUTION AMENDING RESOLUTION NO. 25-R-2
(Council as a RELATING TO ESTABLISHING RULES, TIME AND PLACE
Whole) OF COUNCIL MEETINGS FOR THE PERIOD FROM DECEMBER
1, 2024, THROUGH NOVEMBER 30, 2025, AND DECLARING AN
EMERGENCY.**

Matt Lallo stated for the record this Resolution only effects Section II (b) where it indicates *Monday, February 17, 2025 (Presidents' Day)*. *Council will meet on Tuesday, February 18, 2025*, noting that all other statements in the original Resolution remain the same.

The legislation was read by title only. Mr. Smolic moved to waive the three readings, with the second by Ms. Symonds. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, SCHULZ, and SMOLIC. VOTING NAY; NONE).**

Mr. Schulz moved to declare an emergency and adopt, with Mr. Smolic seconding. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, SCHULZ, and SMOLIC. VOTING NAY; NONE).**

COUNCIL COMMENTS:

Mr. Haymer thanked the Police and Fire Departments for their assistance over the weekend.

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. Smolic moved to adjourn, with the second by Ms. Symonds. The motion of Council passed by unanimous vote and the meeting adjourned at 7:40 p.m.

President of Council

Clerk of Council