

Kirtland City Council Meeting
October 20, 2025

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

The administrative personnel present were Mayor Kevin Potter, City Engineer Douglas Courtney, Public Works Director Joe Fornaro, Police Lieutenant Jamey Fisher, Fire Chief Tony Hutton, and Senior Center Director Julia DeWolf.

Council President Fenstermaker stated that he would entertain a motion to suspend the Rules of Council for the purpose of swearing in officer Robert Rowland.

Lieutenant Fisher introduced new full-time officer Robert Rowland, welcoming him to the City of Kirtland on behalf of Chief McCallister and himself. Mayor Potter swore officer Rowland in.

The meeting resumed at 7:10 p.m.

Minutes of the October 6, 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: SMOLIC, FENSTERMAKER, HAYMER, SCHULZ, and SYMONDS. VOTING NAY: NONE).**

Minutes of the October 6, 2025 Council Meeting:

Mr. Schulz moved to amend the Council Meeting Minutes as presented; including deleting "Prairie Lane" and inserting "Crary Lane" in the first bullet point of the Engineering Department report on page 2, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SMOLIC, FENSTERMAKER, HAYMER, SCHULZ, and SYMONDS. VOTING NAY: NONE).**

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

DEPARTMENT REPORTS:

Fire Department

Chief Hutton had no formal report but clarified that he would like to work with Mayor Potter and Mr. Slapnicker to prepare a resolution for the next council meeting regarding an ambulance purchase. Councilman Schulz confirmed with Chief Hutton that he would be available for another Police and Fire Standing Committee meeting at 6:00 PM on November 5th.

Police Department

Lieutenant Fisher reported that it was a good day for swearing in a new officer and that they were in the process of hiring another. He confirmed he would attend the November 5th Police and Fire Standing Committee meeting at 6:00 PM to discuss capital needs for the upcoming year. In response to Councilman Smolic's question, Lieutenant Fisher confirmed they were still down one full-time position but expected to be at full strength prior to the next retirement if everything lined up.

Service Department

Service Director Fornaro thanked his team for their work accomplishments. He reported that the department had conducted their snow and ice preparation, including calibration, new driver training, and calibration of 4 trucks. The first salt order of 500 tons had been placed that day.

He mentioned that roadwork was mostly completed, with some remaining crack sealing on Hobart Road and pavement markings to be done on Kirtland-Chardon and Hobart. The department met with Shivers regarding Joseph Street to address compaction issues needing repair.

In response to questions about the brine system, Mr. Fornaro explained that while they currently make brine, the grant-funded new brine maker (costing \$150,000) would be purchased next year, along with a needed waterline installation. He anticipated operations would begin in 2026.

Councilman Smolic commended the repairs on Hobart Road and asked about addressing a shoulder issue, which Mr. Fornaro confirmed they were addressing.

Councilman Schulz inquired about a recently built barn on Route 6 and whether it required gutters and storm water management per city code. City Engineer Courtney and Mayor Potter clarified that gutters are not required, but the property does have storm water management plans with detention areas behind the barn, noting that the project had not yet been closed out.

Mr. Fornaro also mentioned that the recent Shred Day was a huge success with higher participation than the previous year.

Engineering Department

City Engineer Courtney stated that regarding Kirtland Chardon Road, they were awaiting comments from ODOT. Regarding the Wisner wall project, they had met with SME on October 15th to review current conditions, conducted additional fieldwork at SME's request, and provided them with a map on October 16th. SME is working on design options with a kickoff meeting planned soon to discuss schedule and bidding timeline.

In response to a question about the Old Town Joseph Street issue, Mr. Courtney explained that after concerns were raised at the previous council meeting, he contacted the county (as it is their contract and maintenance bond). The county reached out to Shivers, who then contacted the city. Earlier that day, they had met with Shivers and identified 10 locations where sewer laterals crossing the pavement were settling. Shivers would address 8 of these through digging and recompacting, while 2 others with minor settling would be milled and repaved. Shivers plans to complete these repairs this year.

Regarding the Tibbets Road driveway issue, Mr. Courtney reported that the owner had been issued a notice of violation with specific deadlines. The owner had met the first deadline for a temporary solution to vertical cut slopes and has until October 31st for submitting plans for a grading permit, retaining wall work, and sewer water plan. The owner had confirmed via email that his engineers expect to meet the October 31st deadline.

Finance Department

Mr. Slapnicker was not present.

Senior Center/Community Center

Ms. DeWolf noted upcoming city events including:

- Citywide Trunk or Treat on Wednesday, October 22nd from 6-8 PM at approximately 12 locations
- Citywide Trick-or-Treat on Friday, October 31st from 6-8 PM
- Mayor's Action Network Senior and Veterans Yard Cleanup on November 8th.

Law Department

Mr. Lallo was not present.

Mayor's Report/Announcements

Mayor Potter thanked council for managing the previous meeting while he was on vacation. Regarding agenda item 25-R-62 which is on third reading, he thanked everyone for their hard work, specifically acknowledging Councilman Schulz for his clarifications and Mr. Gibbs for his help throughout the process.

He also expressed appreciation to the Parks family for their tremendous work on their development, following all rules and guidelines, and working well with the city and City Engineer Courtney.

In response to a question about First Energy and power outages, the Mayor noted he had received an email from Ms. Zele and would arrange a three-way call to discuss the situation. Responding Ms.

Symonds stated that First Energy has action items planned, some extending into 2026, including branch cleanup, and appears to be taking the issue seriously.

Standing Committee Reports

Council President Fenstermaker reported that the Planning and Zoning Committee met the previous week to discuss short-term rentals and potential legislation to allow short-term rentals with guidelines. The committee utilized the City of Hudson's ordinances and framework from Jason Bridges from Planning and Zoning, along with input from two local realtors. Notes had been drafted and sent to Mr. Lallo, with a follow-up meeting to be scheduled.

Mr. Schulz reported that the Police and Fire Standing Committee met at 6:15 PM before the council meeting. Chief Hutton and Captain Ponzani presented a proposal to purchase a new wheel coach ambulance for approximately \$319,000. The committee unanimously recommended the purchase to the full council. A resolution regarding this purchase is forthcoming, and another committee meeting is scheduled for November 5th at 6:00 PM to further discuss police and fire capital requests.

Correspondence

No correspondence was reported.

Public Comments on Matters not on the Agenda

Bill Johnson, 9034 Coudry Road expressed concerns about the condition of roads in his neighborhood. He thanked Service Director Fornaro for addressing minor problems in the area, including issues with trees damaging mailboxes.

Mr. Johnson also mentioned concerns about tour buses traveling down Coudry Road, adding wear to the already deteriorated roads. Service Director Fornaro indicated he would address this issue.

There was also discussion about water main breaks in the area, with Mr. Johnson reporting that Aqua representatives had told him breaks were expected due to the age of the water system. Mayor Potter mentioned he had an upcoming meeting with an Aqua representative and would discuss the situation.

OLD BUSINESS:

Public Comments on Matters of Old Business. None.

25-R-62 Third Reading
(Mayor Potter) A Resolution authorizing the Mayor to enter into a Contract with Chagrin Valley GIG to provide fiber broadband internet access to the City of Kirtland and its residents and declaring an emergency.

Council President Fenstermaker sought a motion to amend the legislation to incorporate the updated Exhibit A to the legislation. The legislation will go back to Second Reading.

A Motion to amend Exhibit A was made by Mr. Schulz and seconded by Ms. Symonds. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SMOLIC, FENSTERMAKER, HAYMER, SCHULZ, and SYMONDS. VOTING NAY: NONE).**

Discussion:

During discussion, Mayor Potter thanked Councilman Haymer for being a catalyst in the broadband conversation and providing significant help in the earliest stages. Mayor Potter also thanked Jim Gibbs for his work on the project.

Councilman Schulz shared clarification he had received from Law Director Lallo regarding the right of first refusal to CVG to purchase land. The Law Director had confirmed this would not cause issues with competitive bidding because if a parcel was to be sold or leased, it would go to the highest bidder, with CVG having the opportunity to meet that bid. If there was additional bidding above the fair market price, the city would always receive the highest value for the property.

A motion to waive the third reading was made by Mr. Smolic and seconded by Ms. Symonds. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SMOLIC, ZIEGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA and SYMONDS. VOTING NAY: NONE).**

A motion to declare an emergency and adopt was made by Mr. Smolic and seconded by Mr. Schulz. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SMOLIC, FENSTERMAKER, HAYMER, SCHULZ, and SYMONDS. VOTING NAY: NONE).**

25-O-66 (Mayor Potter) Second Reading An Ordinance amending Section 672.12 of the Codified Ordinances of the City of Kirtland regarding pointing and discharging firearms and other weapons, and declaring an emergency.

25-O-66 was read by title only and will proceed to a third reading.

Tabled Until November 17, 2025

Council President Fenstermaker noted that **25-O-44 & 25-O-46** are tabled until November 17, 2025.

25-O-44 (Councilman Fenstermaker) An Ordinance Prohibiting Short-Term Rental Properties in the City of Kirtland by amending Codified Ordinance Sections 1261.09, 1268.03, 1270.03, 1275.03, and 1275.04 within the Zoning Code, and declaring an emergency.

25-O-46 (Mayor Potter) An Ordinance Amending Sections 880.01 And 880.03 of the Codified Ordinances of the City of Kirtland to remove "Tourist Home" From the City's Transient Guest Tax Regulations, and declaring an emergency.

NEW BUSINESS:

Public Comments on Agenda Items of New Business. There were no comments.

25-O-67 First Reading
(Mayor Potter) An Ordinance amending Ordinance No. 25-O-57 relating to the
Appropriation for the Year 2025.

Discussion: City Engineer Courtney explained that the ordinance related to bonds for the Parks development (“Parks.) As part of the development process, the Parks had posted multiple bonds for construction including: a performance bond, a road bond, an erosion and sediment control bond, and a stormwater management bond. With the maintenance period having expired on September 8th, Parks had requested release of these bonds.

Mr. Courtney stated that himself and Mr. Fornaro had met with Parks and the county stormwater management department that morning to review the site. Courtney had issued a memo recommending release of the \$135,000 maintenance bond and the \$10,000 road bond. For the erosion and sediment control bond and stormwater management bond (totaling about \$68,000), he recommended holding \$5,000 on each and releasing the rest. The remaining stormwater pond items would be addressed when the development reached 80% completion (currently at about 60%).

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

A motion to adopt was made by Mr. Schulz and second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SMOLIC, FENSTERMAKER, HAYMER, SCHULZ, and SYMONDS. VOTING NAY: NONE).**

COUNCIL COMMENTS:

Council discussed establishing a short-term rental standing committee, which would include Council President Fenstermaker, Mr. Smolik, and Ms. Grazia, along with Jason Bridges from Planning and Zoning, and two residents. They tentatively scheduled a meeting for October 14th at 6 PM to discuss short-term rental legislation.

Council President Fenstermaker requested that Council members send their suggestions for the short-term rental legislation to Mr. Lallo, who would compile them for the committee.

CONTINUING CONCERNS:

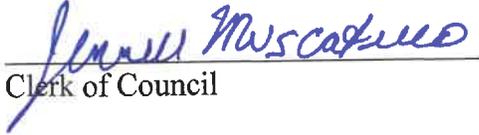
This is an opportunity for the public to address Council about any continuing concerns. There were no comments or questions from the public.

ADJOURNMENT:

Mr. Smolic moved to adjourn, with the second by Mr. Schulz. The motion of Council passed by unanimous vote and the meeting adjourned at 7:54 p.m.



President of Council



Clerk of Council