

## **Kirtland City Council Meeting**

**November 17, 2025**

The meeting of Kirtland City Council was called to order at 7:00 p.m. by Ron Fenstermaker, Council President. Clerk of Council took roll call, the members of Council present were Julie Symonds, Ronald Fenstermaker, Scott Haymer, and Joseph Smolic.

The administrative personnel present were Mayor Kevin Potter, City Engineer Douglas Courtney, Public Works Director Joe Fornaro, Law Director Matt Lallo, Police Lieutenant Jamey Fisher, Fire Captain Matt Killeen, and Senior Center Director Julia DeWolf.

### **Minutes of the November 5, 2025 Work Session:**

Council President Fenstermaker asked if there was any discussion. There was no discussion.

Mr. Smolic moved to approve the Work Session Minutes as presented, with the second by Ms. Symonds. **ROLL CALL: MOTION CARRIED 4/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, and SMOLIC. VOTING NAY: NONE).**

### **Minutes of the November 5, 2025 Council Meeting:**

Council President Fenstermaker asked if there was any discussion. There was no discussion.

Ms. Symonds moved to approve the Council Minutes as presented, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 4/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, and SMOLIC. VOTING NAY: NONE).**

## **DEPARTMENT REPORTS**

### **Fire Department**

Captain Matt Killeen, filling in for Chief Hutton, reported he had no formal report but was available for questions. No questions were raised.

### **Police Department**

Lieutenant Jamey Fisher reported that the city's food drive was progressing well, with the donation table filling up thanks to the community's generosity. The food drive will end on Thursday, November 20, with distribution taking place on Saturday in partnership with Divine Word, the fire department, and the police department. Lieutenant Fisher noted they would also be providing turkeys and pies.

He mentioned that after the food drive concludes, focus will shift to the "Shop with a Cop" event and encouraged anyone who knows families in need to reach out to the department to help make Christmas special for those households.

Council Member Haymer inquired about the possibility of purchasing a police vehicle now and another next year to break the current two-car purchase cycle. Lieutenant Fisher agreed this would be prudent given the long lead times (5-6 months) for vehicle delivery, suggesting that ordering one now and another later would help spread out future purchases.

Finance Director Louis Slapnicker indicated this could be discussed as part of the final appropriations in December, noting that while it would require amending the appropriations, the projected carryover balance might accommodate this approach.

Council President Fenstermaker mentioned that this topic had been discussed at a recent Service Department committee meeting. Mayor Potter commented that the administration would prepare for further discussions on this matter.

#### Service Department

Public Works Director Joe Fornaro thanked his team for their work during recent snowfall events. He reported that crews had been out plowing snow three times already, using approximately 200 tons of salt. He also mentioned that 26 blue spruces had been placed in front of City Hall for businesses to decorate as part of the upcoming Holiday Lighting celebration. Director Fornaro thanked council members who visited the service operations building during the week and on Saturday morning.

#### Engineering Department

City Engineer Doug Courtney reported he had no formal report but noted he was maintaining frequent contact with a property regarding grading issues, and had recently updated all parties involved.

#### Finance Department

Finance Director Louis Slapnicker reported that the October 2025 end-of-month reports had been distributed. He had sent emails to department heads regarding the 2026 budget, requesting 5-year capital request summaries with prioritized needs versus wants, as well as 5-year operational projections. He noted the 2026 budget discussions were underway.

Director Slapnicker also addressed an issue with the Unitarian Church's wastewater treatment plant invoice. Based on a mid-1990s council decision, the church had been charged at four times the residential rate, with documentation indicating this was to be reviewed after a year. The city engineer's review showed the church's usage was equivalent to a single residential home.

**Mr. Smolic made a motion to authorize a reduction in the Unitarian Church, located at 10084 Chillicothe Road, wastewater treatment rate in accordance with the findings and recommendation of the City Engineer, including an annual review, with a second by Ms. Symonds. ROLL CALL: MOTION CARRIED 4/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, and SMOLIC. VOTING NAY: NONE).**

Jim Gibbs IT support reported that Council would soon see legislation to approve a new cybersecurity policy as required by Ohio Revised Code 9.64. Key components include:

- Policy passage required by January 1, 2026.
- Implementation of regular training for all computer users (including Council members).
- Biennial cybersecurity training through a free program offered by the University of Cincinnati.
- Requirements to report cybersecurity incidents to Ohio Homeland Security within 7 days and the auditor of state within 30 days.
- Council must approve any ransomware payments.

Mr. Lallo stated the legislation will be on the December 1, 2025 Agenda.

#### Assistant to the Mayor/Community and Senior Center Coordinator

Julia DeWolf provided several community updates:

- An ecumenical service at Old South Church on Tuesday, November 25, 2025 at 7 PM.
- The senior center will be closed on Thanksgiving and the day after, closing at noon the day before.
- The City tree lighting ceremony on November 30, 2025, a family craft inside making ornaments, and Santa arriving at 5:00 PM with the tree lighting at 5:30 PM.
- The Shop with a Cop program will have a giving tree at City hall and Tavern 6 starting November 30, 2025.

#### Law Department

Law Director Matthew Lallo had no formal report but mentioned that the State of Ohio is considering legislation that would make it a criminal offense for a person to fail to identify themselves during a legal traffic stop, which would help address sovereign citizen-related issues.

#### Mayor's Report/Announcements

Mayor Kevin Potter congratulated his daughter Annie on being sworn in before the Ohio Supreme Court after passing the bar exam. He thanked Jim Gibbs for his work on cybersecurity policy and all volunteers who participated in the yard cleaning event for seniors and veterans, which included approximately 80 people from various organizations cleaning 25 yards.

The mayor reported meeting with the finance committee of Kirtland local schools to discuss potential TIF (Tax Increment Financing) funding for the anticipated sewer project.

Mayor Potter also noted that Citizens Bank will be closing, and that he was in contact with the property owner who is bringing in a broker to find a new tenant.

#### Standing Committee Reports

Mr. Smolik reported on the Saturday morning meeting, November 15, 2025, at the service department with Council President Fenstermaker, Mayor Potter, Finance Director Slapnicker, and Public Works Director Fornaro. The meeting focused on equipment needs for the coming year in preparation for budget discussions.

#### Correspondence

Council Clerk Jennell Muscatello reported no correspondence had been received.

#### Public Comments on Matters not on the Agenda

There were no public comments.

#### Old Business

##### Public Comments on Matters of Old Business

Patrick Cloonan 8002 Emerald Glen spoke about the benefits of short-term rentals in Kirtland. He emphasized that short-term rentals are under more scrutiny than long-term rentals due to guest reviews on cleanliness, location, communication, check-in procedures, and accuracy. He noted that his guests have come from numerous states over the past seven months and have visited local businesses, historic sites, and attractions during their stays. Mr. Cloonan expressed concern about over-regulation, stating that existing regulations on noise and other issues are sufficient, and that the police and fire departments have not reported issues with short-term rentals.

Mary Sams 9120 Prelog Lane spoke as a realtor who works in surrounding cities. While supportive of rentals in general, she noted that other cities have regulations including mandatory yearly inspections of rental properties, both inside and out. She expressed concern about maintaining property standards in the city.

Council President Fenstermaker informed attendees that the Planning and Zoning Committee was working on legislation to allow short-term rentals with certain regulations. He indicated this legislation would likely come to council in December or January.

**25-O-66**                      **Third Reading**  
**(Mayor Potter)**            **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.**

The legislation was read by title only Mr. Fenstermaker asked if there was any discussion, there was none.

A motion to adopt was made by Mr. Smolic and seconded by Ms. Symonds. **ROLL CALL: MOTION CARRIED 4/0 (VOTING YEA: SYMONDS, FENSTERMAKER, HAYMER, and SMOLIC. VOTING NAY: NONE).**

**25-O-44**  
**(Councilman**                **An Ordinance Prohibiting Short-Term Rental Properties in the**  
**Fenstermaker)**            **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.**

The legislation was read by title only Mr. Fenstermaker asked if there was any discussion.

Law Director Lallo clarified that despite this ordinance being on third reading, new legislation regarding short-term rentals was already being developed by the Planning and Zoning Commission. He noted that pending state legislation on the matter had not progressed, while Planning and Zoning's proposals were moving forward rapidly, with recommendations likely coming to council in January or February.

Mayor Potter emphasized the importance of addressing short-term rental regulations quickly if this ordinance was not passed.

Council Member Symonds noted that if state regulations were eventually enacted, the City would have 90 days to implement its own regulations, which would provide sufficient time for Planning and Zoning to complete its work.

**A motion to adopt was made by Mr. Smolic and seconded by Ms. Symonds.  
ROLL CALL: MOTION FAILED 4/0 (VOTING NAY: SYMONDS,  
FENSTERMAKER, HAYMER, and SMOLIC. VOTING YES: NONE).**

**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.**

The legislation was read by title only Mr. Fenstermaker asked if there was any discussion.

Council members present agreed that this Ordinance should align with the previous Ordinance regarding short-term rentals.

**A motion to adopt was made by Mr. Smolic and seconded by Ms. Symonds.  
ROLL CALL: MOTION FAILED 4/0 (VOTING NAY: SYMONDS,  
FENSTERMAKER, HAYMER, and SMOLIC. VOTING YES: NONE).**

### **New Business**

Public Comments on Agenda Items of New Business.

There were no public comments on agenda items of new business.

**25-R-70**

**(Mayor Potter)**

**A Resolution confirming the re-appointment of Lita Laven to the Planning and Zoning Commission, and declaring an emergency.**

First reading. Law Director Lallo clarified that three readings could not be waived for this legislation, but discussion was permitted.

There was no discussion. The legislation was read by title only and placed on first reading.

**25-R-71**

**(Mayor Potter)**

**A Resolution confirming the appointment of Richard Lowery to the Board of Zoning Appeals, and declaring an emergency.**

The legislation was read by title only. There was no discussion. The legislation was placed on first reading.

**25-O-72**

**(Mayor Potter)**

**An Ordinance authorizing the Director of Finance to accept a proposal for the purchase of Comprehensive Liability Insurance for the City and declaring an emergency.**

The legislation was read by title only. Finance Director Slapnick requested passage at the December 1, 2025 meeting to allow sufficient time for the insurance company to process the coverage. The legislation was placed on first reading.

**25-O-73**

**(Mayor Potter)**

**An Ordinance designating Financial Institutions as Public Depositories.**

