

## **Kirtland City Council Meeting**

**November 5, 2025**

The meeting of Kirtland City Council was called to order at 7:00 p.m. by Ron Fenstermaker, Council President. City Council and City Administration welcomed Girl Scout Troop 70262 to lead the Pledge of Allegiance. Mr. Zeigler led in prayer. Clerk of Council took roll call, the members of Council present were Julie Symonds, Eric Zeigler, Ronald Fenstermaker, Scott Haymer, Matt Schulz, Sue Grazia, 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 Chief Brian McCallister, Fire Chief Tony Hutton, and Senior Center Director Julia DeWolf.

### **Minutes of the October 20, 2025 Work Session:**

Mr. Smolic moved to approve the Work Session Minutes as presented, with the second by Mr. Schulz. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SYMONDS, ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, and SMOLIC. VOTING NAY: NONE).**

### **Minutes of the October 6, 2025 Council Meeting:**

Councilman Schulz requested amendments to the October 20, 2025 Council Meeting minutes due to several errors including his name and Councilman Smolic's name were spelled incorrectly throughout the document; and the minutes incorrectly referenced him as attending an October 14, 2025, committee meeting which he did not attend.

Councilman Schulz explained that he attempted to review the meeting recording to verify what was actually said, but noted the October 6<sup>th</sup> and October 20<sup>th</sup> meetings were not available on YouTube. After discussion, it was determined that the meeting referenced was a Planning & Zoning Standing Committee regarding short-term rentals that Councilman Schulz was not part of. The minutes should be amended to remove his name and add Councilwoman Grazia's name as she is the chairperson of that committee.

Mayor Potter confirmed that the meeting videos were available on YouTube, though Councilman Schulz was unable to locate them.

Mr. Schulz moved to amend the Minutes of the October 20, 2025 Council Meeting to correct the spelling of council member names and remove Councilman Schulz's name from references to the October 14, 2025 meeting, replacing it with Councilwoman Grazia's name, with a second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 5/0/2 (VOTING YEA: SYMONDS, FENSTERMAKER, SCHULZ, GRAZIA, and SMOLIC. VOTING NAY: NONE. ABSTAIN: ZEIGLER and HAYMER).**

Ms. Symonds moved to approve the Council Minutes as amended, with a second by Ms. Grazia. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SYMONDS, ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, and SMOLIC. VOTING NAY: NONE).**

## DEPARTMENT REPORTS

### Fire Department

Fire Chief Hutton reported that the October report was sent out in Council's packet. He requested that Council pass Ordinance 25-O-69 regarding the ambulance purchase tonight and stated he was available for questions.

### Police Department

Police Chief Brian McCallister reported that he had discussed some department needs at the Safety Committee meeting earlier. He announced that Lieutenant Fisher represented the police department at an event in Independence where they received a platinum award from AAA for traffic safety. He noted the department has maintained platinum status for over a decade. The Chief was available for questions, none were asked.

### Service Department

Public Service Director Joe Fornaro congratulated the three councilmen on their re-election. He thanked his team members for their hard work transitioning to winter mode, noting they were frequently changing trucks between winter preparation and other tasks like asphalt work.

Mr. Fornaro advised residents to check their vehicle tires and brakes in preparation for upcoming winter weather and requested patience during snow removal operations. He announced that a new 24-foot Norway spruce tree had been planted in front of City Hall, donated by Mr. Rogish from his tree farm on Mulberry, with Mr. Jackson paying for the tree's relocation.

Councilman Fenstermaker inquired if the snow plowing routes had changed since he last received a map. Mr. Fornaro confirmed that while there have been some adjustments in how routes are split among staff, the general routes themselves have not changed and still closely follow the ward boundaries.

Councilwoman Symonds requested that Mr. Fornaro provide a high-level overview at a future council meeting about how the Service Department determines the order in which streets get plowed, as this is a common question from residents. Mr. Fornaro agreed to present this information and noted there is a winter weather policy that is updated annually.

Councilman Smolic asked about the brush pickup, and Mr. Fornaro confirmed it was almost complete and would be finished the following day.

### Engineering Department

City Engineer Douglas Courtney provided several project updates:

- 2025 Streets work is complete and in the punch list/contract closeout stage.
- Kirtland-Chardon Road project: ODOT comments were received in late October and are being addressed, submittal due by November 28, 2025.
- 306 Sewer Extension: preliminary layouts and profiles are nearly complete and will be shared with the county for review.
- Old Town Sewers: Shivers has been addressing settling pavement issues from lateral installations and should be finished by Friday.
- Wissner Wall: kickoff meeting was held with SME, with conceptual design options expected by mid-December.

Mr. Courtney also reported on a property at 10899 Tibbets that had grading violations. The owner met the October 15, 2025 deadline for temporary stabilization of cut slopes but requested an extension for submitting a grading and SWPPP plan. The owner's engineer has confirmed field surveying work will begin on November 7, 2025. The owner has also submitted stamped wall section specifications for the proposed retaining wall.

Councilman Schulz asked for clarification on the temporary solution implemented at the Tibbets property. Mr. Courtney explained it involved sloping back the top 3-4 feet of the wall, stabilizing with erosion control matting, and compacting material at the toe of the slope.

Law Director Lallo confirmed the neighboring property owner who had complained about the situation was satisfied with the remediation efforts thus far.

#### Finance Department

Finance Director Louis Slapnick reported on several financial matters:

- The city's 2026 healthcare renewal is complete with a 9% increase (approximately \$74,000 in additional costs)
- Dental costs will increase by 3.3% (approximately \$1,100)
- No changes to vision and life insurance costs
- This is the final year of the 3-year contract with the county.
- The 2026 property and casualty insurance renewal is being finalized.

Mr. Slapnick provided Council with an updated 2025 capital request summary and a Police and Fire Standing Committee vehicle maintenance analysis.

He reported that a Public Records Commission meeting was held earlier that day and that the next meeting scheduled for April 13, 2026. He requested passage of legislation for the public records designee, 2525-R-68, on this evening's Agenda.

Mr. Slapnick informed Council about two House Bills related to property taxes:

- House Bill 335 would limit growth of inside millage to the rate of inflation.
- House Bill 186 contains similar provisions for school districts.

He also reported on House Bill 96, which authorized County Commissioners to create local homestead exemptions. The Lake County Commissioners doubled the homestead exemption and owner-occupied credit on October 27. Unlike the state exemptions, these county exemptions will not be reimbursed by the state, resulting in an estimated revenue loss of \$59,625.84 for Kirtland.

Councilman Schulz inquired about the Citizens Bank closure in Kirtland and whether the city would need to amend its depository legislation. Mr. Slapnick confirmed the legislation would be updated by year-end but noted that the city does not currently do business with Citizens Bank.

Councilwoman Symonds clarified that the legislation affecting homestead exemptions would result in approximately \$60,000 of lost revenue to the city's general fund, noting this was money that could have been used for road improvements.

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

Julia DeWolf announced upcoming events:

- November 6: Veterans Day lunch at the Senior Center, catered by Lavera, free for veteran members.
- November 11: Senior Center closed for Veterans Day
- November 8: Mayor's Action Network Yard Cleanup with 25 yards scheduled and volunteers still welcome, meeting at 8:00 am at City Hall
- November 25: Citywide ecumenical service at Old South Church at 7:00 pm
- November 30: Tree lighting ceremony at City Hall starting at 4:30 pm, with Santa arriving at 5:00 pm and tree lighting at 5:30 pm

### Law Department

Law Director Matthew Lallo reported that he and Mr. Courtney had met with the property owners regarding the erosion issues on Tibbets Road and have a good plan in place.

Regarding Ordinance 25-O-66 (third reading), Mr. Lallo suggested a modification to Section 672.12 (e) to improve the language about adult supervision for airsoft rifles. Instead of removing only "approved by the chief of police," he suggested rewording to clarify that adult supervision is only required when minors are discharging the weapons. The following language will replace the language in 672.12 (e)

*(e) This section does not extend to cases in which BB guns and other air guns, or slings or arrows, are used in the confines of dwellings, provided that such use, if discharged by a minor, is under adult supervision.*

Councilman Fenstermaker asked about following up on short-term rental legislation based on notes from a recent Planning & Zoning Standing Committee meeting. Mr. Lallo agreed to meet with him to draft legislation based on those notes.

Councilman Schulz raised a question about keeping council chamber doors open during loud events outside. Mr. Lallo explained that while ideally doors should remain open to ensure the public knows the meeting is open, a sign on the door stating "Open Meeting" could be a solution when noise is an issue.

### Mayor's Report/Announcements

Mayor Kevin Potter congratulated Girl Scout Troop 70262 for leading the Pledge of Allegiance. He also congratulated Councilman Ziegler, Council President Fenstermaker, and Councilman Schulz on their uncontested election victories.

The Mayor encouraged participation in the yard cleanup event on Saturday, describing it as a rewarding experience helping veterans and seniors.

Regarding Citizens Bank, the Mayor stated he would be contacting the property owner to discuss future plans for the location.

Mayor Potter clarified that the ambulance legislation (25-O-69) is non-binding in terms of actual expenditure, expressing only the intent to purchase the ambulance next year pending Council's budget approval.

### Standing Committee Reports

Councilman Smolic scheduled a Service Department Standing Committee meeting for November 15, 2025 at 8:00 am at the Service Department, 10282 Chillicothe Road, to discuss 2026 capital equipment needs. Committee members include Councilmen Haymer, Fenstermaker, and Smolic.

### Correspondence

Council received correspondence from the Ohio Department of Commerce regarding:

- 8227 Chillicothe Rd. (Circle K – New License)
- 9370 Chillicothe Rd. (JAI Bhole Kirtland LLC – Transfer)

Law Director Lallo explained these notices give Council the opportunity to object if desired. Police Chief McCallister confirmed there have been no issues at these locations.

### Public Comments on Matters not on the Agenda

There were no public comments on matters not on the agenda.

### Old Business

#### Public Comments on Matters of Old Business

There were no public comments on matters of old business.

**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.**

Mr. Schulz moved to delete Section 672.12 (e) in its entirety and replace to read as follows:

*(e) This section does not extend to cases in which BB guns and other air guns, or slings or arrows, are used in the confines of dwellings, provided that such use, if discharged by a minor, is under adult supervision.*

Mr. Lallo responded to Ms. Symond's question regarding eliminating certain language.

Mr. Smolic provided a second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SYMONDS, ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, and SMOLIC. VOTING NAY: NONE).**

Due to the amendment, the ordinance reverted to second reading status and will be brought back for third reading at the next meeting.

**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.**

25-O-44 and 25-O-46 will remain tabled until November 17, 2025

### **New Business**

Public Comments on Agenda Items of New Business.

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

**25-R-68**              **A Resolution appointing the Finance Director as the Designee for**  
**(Mayor Potter)**      **purposes of the Public Records Law.**

A motion to waive the three readings was made by Mr. Schulz and seconded by Mr. Zeigler. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SYMONDS, ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, and SMOLIC. VOTING NAY: NONE).**

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

**25-O-69**              **An Ordinance authorizing the City of Kirtland to enter into a**  
**(Mayor Potter)**      **Purchase Agreement for one (1) 2026 Wheeled Coach Module Ambulance, mounted to a Ford F550 4x4 gasoline chassis from Burgess Ambulance Sales, Inc., as shown in Exhibit A, and declaring an emergency.**

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

Discussion: Councilwoman Symonds asked for clarification about whether this was a purchase agreement. Law Director Lallo explained that he and Mr. Slapnicker had collaborated with the seller to include specific language making the agreement contingent upon Council appropriating funds in the March 2026 appropriation bill. If Council chooses not to appropriate funds, the contract can be terminated with no cost to the city.

A motion to declare an emergency and adopt was made by Mr. Schulz and seconded by Ms. Symonds. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SYMONDS, ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, and SMOLIC. VOTING NAY: NONE).**

**Council Comments:**

Councilwoman Symonds thanked Mr. Slapnicker for taking the Sunshine Laws training for Council.

Council President Fenstermaker congratulated and thanked Councilmen Schulz and Ziegler for seeking re-election.

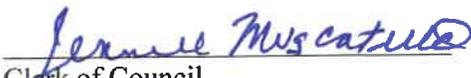
**Continuing Concerns:**

Sterling Coleman, 7636 Markel Road, expressed concerns about the closure of Citizens Bank in Kirtland.

**Adjournment:**

Mr. Smolic moved to adjourn, with the second by Mr. Zeigler. The motion of Council passed by unanimous vote and the meeting adjourned at 7:50 p.m.

  
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President of Council

  
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Clerk of Council