

Kirtland City Council Meeting

December 1, 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. Zeigler.

Administration of the Oath of Office to Council-at-Large Elect Matthew Schulz, Eric Zeigler, and Ronald Fenstermaker.

The inaugural ceremony began at 7:00 p.m. Mayor Potter introduced the Honorable Jeffrey R. Ruple, Judge, Lake County Court of Common Pleas. Council-at-Large Members Matthew Schulz, Eric Zeigler and Ronald Fenstermaker were administered the Oath of Office by Judge Ruple.

Judge Ruple requested a moment of silence to acknowledge the recent passing of Lake County Commissioner Richard Regovich.

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Roll Call

Clerk of Council took roll call, the members of Council present were Eric Zeigler, Ronald Fenstermaker, Scott Haymer, Matthew Schulz, Sue Grazia, Joseph Smolic and Julie Symonds.

The administrative personnel present were Mayor Kevin Potter, City Engineer Douglas Courtney, Assistant Law Director Mark Marong, Police Lieutenant Jamey Fisher, Fire Chief Anthony Hutton, and Senior Center Director Julia DeWolf.

Organizational Meeting:

25-R-76 **A Resolution Recording the Election of the President of**
(Council As A Whole) **Council for the term ending November 30, 2026, and declaring**
an emergency.

The legislation was read by title only. Mr. Fenstermaker announced that nominations were open for the office of President of Council. Mr. Smolic nominated Ronald Fenstermaker, with the second by Ms. Symonds. There were no further nominations. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

Mr. Schulz moved to amend 25-R-76 to include the name *Ronald Fenstermaker* in Section 1. Ms. Symonds provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

Mr. Schulz moved to **waive the three readings**, with the second by Mr. Smolic **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

Mr. Schulz moved to **declare an emergency and adopt** the legislation recording Mr. Fenstermaker as President of Council. Ms. Grazia provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

25-R-77 **A Resolution recording the election of the Council President (Council As A Whole) Pro Tempore for the term ending November 30, 2026, and declaring an emergency.**

The legislation was read by title only. Mr. Fenstermaker announced that nominations were open for the office of Council President Pro Tempore. Mr. Fenstermaker nominated Joseph Smolic, with the second by Ms. Grazia. Mr. Zeigler nominated Ms. Symonds with a second by Mr. Smolic. There were no further nominations. **ROLL CALL: ZEIGLER-Symonds, FENSTERMAKER-Smolic, HAYMER-Smolic, SCHULZ-Smolic, GRAZIA-Smolic, SMOLIC-Smolic AND SYMONDS -Smolic. VOTE TOTALS: SMOLIC 6; SYMONDS 1. Mr. Smolic was nominated.**

Mr. Schulz moved to amend 25-R-77 to include the name Joseph Smolic in Section 1. Ms. Grazia provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

Mr. Schulz moved to **waive the three readings**, with the second by Ms. Symonds **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

Mr. Schulz moved to **declare an emergency and adopt** the legislation recording Mr. Smolic as Council President Pro Tempore. Ms. Grazia provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

Adjourn Into Executive Session:

Mr. Schulz moved to adjourn into executive session to consider the appointment, employment, dismissal, promotion, or compensation of a public employee, pursuant to Article I, Section 7(a) of the City Charter. Mr. Zeigler provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).** The executive session convened at 7:19 p.m.

The executive session adjourned upon unanimous vote at 7:33p.m.; and the regular session of Council reconvened.

25-R-78 **A Resolution Appointing Jennell Muscatello as Clerk of (Council as a Whole) Council and establishing wage and duties, and declaring an emergency.**

The motion was placed on first reading.

**25-R-79
(Council as a Whole)**

A Resolution Relating To Establishing Rules, Time and Place of Council meetings for the period from December 1, 2025, through November 30, 2026, and declaring an emergency.

Discussion regarding scheduling the Joint Council Meeting and Planning & Zoning Commission meeting was had. Mr. Marong stated 6:00 p.m. regular Council meeting followed by the Joint Council & Planning & Zoning Commission meeting followed by the regularly scheduled Planning & Zoning Commission meeting.

Ms. Symonds moved to amend 25-R-79 Section II (a) to change the meeting date of Council from January 21, 2026 to Monday, January 12, 2026 at 6:00 p.m. Ms. Grazia provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

Mr. Schulz moved to **waive the three readings**, with the second by Ms. Symonds **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

Mr. Schulz moved to **declare an emergency and adopt** the legislation. Ms. Grazia provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

Minutes of the November 17, 2025 Work Session:

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

Ms. Symonds moved to approve the Work Session Minutes as presented, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 5/0/2 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SMOLIC AND SYMONDS. VOTING NAY: NONE. ABSTAIN: SCHULZ and GRAZIA).**

Minutes of the November 17, 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. Schulz. **ROLL CALL: MOTION CARRIED 5/0/2 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SMOLIC AND SYMONDS. VOTING NAY: NONE. ABSTAIN: SCHULZ and GRAZIA).**

Department Reports

Fire Department

Chief Hutton stated he had no formal report this evening and that he was available for questions. There were no questions.

Police Department

Lieutenant Fisher stated he had no formal report this evening and that he was available for questions. There were no questions. Lieutenant Fisher thanked the Service Department for their efforts during a recent storm.

Ms. Symonds asked if either of the Chiefs had any suggestions for emergency weather communications within the City. Responding Chief Hutton and Lieutenant Fisher provided information that Ms. Symonds will share with the community.

Mr. Fenstermaker also thanked the Service Department employees for their efforts during a recent storm.

Service Department

Public Works Director Joe Fornaro was not in attendance.

Engineering Department

City Engineer Doug Courtney reported on ongoing infrastructure projects:

1. 2025 Streets
 - a. closeout stage of the contracts.
2. Kirtland Chardon Rd. Paving (ECL to Sperry)
 - a. Final plan package and associated documents were submitted to ODOT today.
 - b. Final Project cost estimate (Incl. Overhead Costs) \$729,809.70:
 - c. Estimated Cost Split:
 - i. ODOT/NOACA/FED: \$480,560 / City: \$247,249.70
 - d. Proposed Bid Schedule:
 - i. Adv. 2/10/26 – 2/24/26
 - ii. Open Bids: - 3/4/26
 - iii. Contract Award – 3/16/26
 - iv. Construction – 4/26 – 8/26
3. The 306-sewer extension is still in the preliminary planning phase.
4. Old Town Sewers project - Shivers completed corrections to the pavement settling on Joseph Street.
5. Wisner Wall is expecting a conceptual design by mid-December.
6. 10899 Tibbets property zoning violations - the owner communicated that field work was completed, and plans are anticipated to be submitted in the second half of December, 2025.

Finance Department

Finance Director Louis Slapnicker was not in attendance.

Assistant to the Mayor/Community and Senior Center Coordinator

Julia DeWolf provided several community updates:

7. The Senior Center will hold its annual holiday luncheon at Pine Ridge Country Club on December 10th, noting that the event sold out in 3 days with over 100 attendees.
8. The tree lighting ceremony was held the previous day with many volunteers helping with setup and decorations, including the Kirtland Heritage Group and Sarah and Joe Jackson who spent many hours on lights and signs.
9. The Christmas in Kirtland event is ongoing with donations being accepted through December 15th to support over 20 children, donations can be dropped off at the police department or the community center.

Law Department

Assistant Law Director Mark Marong was in attendance this evening. Mr. Marong reported that the Planning and Zoning Commission will be discussion short-term rentals at its scheduled meeting next Monday, December 8, 2025.

Mayor's Report/Announcements

Mayor Potter congratulated Mr. Fenstermaker on his reelection as Council President and Mr. Smolik on his reappointment as Council Pro Tempore.

The Mayor acknowledged the recent passing of County Commissioner Rich Regovich, Recognizing him as an exceptional public servant who was always working for residents, first in Willowick and then for the county.

The Mayor discussed several reappointments:

10. Mark Marong as Assistant Law Director, noting his exceptional work handling planning and zoning matters. Lita Laven to the Planning and Zoning Commission, highlighting her civil engineering background with the sewer district.
11. Dana Dennis and Paul Rupert to the Tax Board of Review
12. Richard Lowry to the Board of Zoning Appeals, replacing longtime member Harry Keagler.

The Mayor thanked:

13. The Public Works Department for their work during Thanksgiving in difficult weather conditions
14. The LDS and Service Department for the holiday lights display at City Hall.
15. Rogish Farms (Bob and Amy Rogish) from Chesterland for donating the large pine tree planted in front of City Hall.

Mr. Schulz asked the Mayor Potter to please consider a request to Senator Jerry Cirino to attend future Council meeting to discuss recent changes to the law regarding property tax changes. Mayor Potter thanked Mr. Schulz for the suggestion and stated he will contact the Senator's office.

Lastly Mayor Potter stated if the City's Community/Senior Center is closed due to weather conditions that information will be broadcasted on Fox 8 news.

Standing Committee Reports

Council President Fenstermaker reminded committee chairs to submit any outstanding minutes from 2025 to the Clerk to complete the 2025 records.

Correspondence

Council Clerk, Jennell Muscatello, reported no correspondence had been received.

Public Comments on Matters not on the Agenda

Mike Debeljak, 7380 Ledgewood Drive addressed the council regarding the poor condition of Rockwood and Ledgewood streets. He indicated the roads are "unbearable" after 16 years of living there and asked about sewer issues that might need to be addressed before road repairs. He suggested that if funding is unavailable, the city should consider assessing residents to complete necessary sewer work so the roads can be repaired. He noted that some driveways are being undermined by the road conditions, specifically mentioning properties across from his address and on Rockwood.

Mr. Courtney clarified that any sewer assessment would include cleaning and televising the lines to determine their condition. He explained that if the sewer lines are structurally sound, they could potentially be relined rather than replaced.

Old Business

Public Comments on Matters of Old Business. There were no public comments.

(Second Reading)

25-R-70

(Mayor Potter)

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

Mr. Schulz moved to **waive the three readings**, with the second by Mr. Smolic. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Schulz moved to **declare an emergency and adopt** the legislation. Mr. Zeigler provided the second. Council President Fenstermaker asked if there was any discussion. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

(Second Reading)

25-R-71

(Mayor Potter)

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

Mr. Schulz moved to **waive the three readings**, with the second by Mr. Smolic. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Smolic moved to **declare an emergency and adopt** the legislation. Mr. Schulz provided the second. Council President Fenstermaker asked if there was any discussion. There was no

discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

(Second 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.

Mr. Schulz moved to **waive the three readings**, with the second by Ms. Grazia. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Schulz moved to **declare an emergency and adopt** the legislation. Mr. Zeigler provided the second. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Second Reading

25-O-73

(Mayor Potter)

An Ordinance designating Financial Institutions as Public Depositories.

Mr. Smolic moved to **waive the three readings**, with the second by Ms. Symonds. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Zeigler moved to **declare an emergency and adopt** the legislation. Mr. Smolic provided the second. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Second Reading

25-R-74

(Mayor Potter)

A Resolution requesting the County Auditor to make advance payments of taxes pursuant to Ohio Revised Code Section 321.34, and declaring an emergency.

Mr. Schulz moved to **waive the three readings**, with the second by Ms. Grazia. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Smolic moved to **declare an emergency and adopt** the legislation. Ms. Symonds provided the second. Council President Fenstermaker asked if there was any discussion. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER,**

FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Second Reading

25-R-75

(Mayor Potter)

A Resolution ratifying and adopting a Capital Asset Policy for the City of Kirtland and declaring an emergency.

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

New Business

Public Comments on Agenda Items of New Business. There were no public comments on agenda items of new business.

25-O-80

(Mayor Potter)

An Ordinance accepting the re-appointment of Mark B. Marong as Assistant Law Director, establishing a wage and fee arrangement with Mark B. Marong and Matty, Henrikson & Greve, and declaring an emergency.

Mr. Schulz moved to **waive the three readings**, with the second by Mr. Smolic. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Schulz moved to **declare an emergency and adopt** the legislation. Ms. Grazia provided the second. Council President Fenstermaker asked if there was any discussion. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

25-R-81

(Mayor Potter)

A Resolution ratifying and adopting the City's Cyber Security Policy and declaring an emergency.

Mr. Zeigler moved to **waive the three readings**, with the second by Mr. Smolic. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Schulz moved to **declare an emergency and adopt** the legislation. Ms. Symonds provided the second. Council President Fenstermaker asked if there was any discussion. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

25-O-82 **An Ordinance Providing Temporary Appropriations for the Three-**
(Mayor Potter) **Month Period Ending March 31, 2026.**

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

25-R-83 **A Resolution confirming the re-appointment of Brian Caimi**
(Mayor Potter) **to the Civil Service Commission for the term ending.**
 December 31, 2031, and declaring an emergency.

Mr. Zeigler moved to **waive the three readings**, with the second by Ms. Grazia. Council President Fenstermaker asked if there was any discussion. Mayor Potter provided an overview of Mr. Caimi's experience and recommended Council consider confirming the reappointment.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Smolic moved to **declare an emergency and adopt** the legislation. Ms. Symonds provided the second. Council President Fenstermaker asked if there was any discussion. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

25-R-84 **A Resolution reappointing Dana Dennis as a member of the**
(Council as a Whole) **Kirtland Board of Tax Review, and declaring an emergency.**

Mr. Smolic moved to **waive the three readings**, with the second by Mr. Schulz. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Schulz moved to **declare an emergency and adopt** the legislation. Mr. Zeigler provided the second. Council President Fenstermaker asked if there was any discussion. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

25-R-85 **A Resolution reappointing Paul Rupert as a member of the**
(Council as a Whole) **Kirtland Board of Tax Review, and declaring an emergency.**

Mr. Schulz moved to **waive the three readings**, with the second by Ms. Grazia. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Schulz moved to **declare an emergency and adopt** the legislation. Ms. Grazia provided the second. Council President Fenstermaker asked if there was any discussion. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

25-R-86
(Council President
Fenstermaker)

**A Resolution establishing Standing Committees of Council,
and declaring an emergency.**

Ms. Symonds moved to **waive the three readings**, with the second by Mr. Smolic. Council President Fenstermaker asked if there was any discussion. There was no discussion.

ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).

Mr. Schulz moved to **declare an emergency and adopt** the legislation. Ms. Grazia provided the second. Council President Fenstermaker asked if there was any discussion. There was no discussion. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: ZEIGLER, FENSTERMAKER, HAYMER, SCHULZ, GRAZIA, SMOLIC AND SYMONDS. VOTING NAY: NONE).**

Council Comments:

Mr. Schulz offered good luck to the Kirtland Hornets in their upcoming championship game. The rest of Council and Mayor Potter supplemented with similar sentiments as well.

Mr. Schulz noted the passing of longtime Kirtland resident Mr. Ticknor.

Continuing Concerns:

There were none.

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 8:20 p.m.



President of Council



Clerk of Council