

7/6/2026 Council Meeting

Meeting Minutes

July 6, 2026, 7:00 PM

9301 Chillicothe Road, Kirtland, OH 44094, US

Pledge of Allegiance and Prayer

The meeting was called to order and opened with the Pledge of Allegiance.

Roll Call

Present: Councilman Ziegler, Councilman Haymer, Councilman Smolic, Councilman Fenstermaker, Councilwoman Grazia, Councilwoman Symonds.

Absent: Councilman Schulz

Prior to roll call, Council President suspended the rules to allow for the swearing-in ceremony of a new police officer.

Swearing-In of Officer Kevin Byous — Kirtland Police Department

Chief Jamey Fisher welcomed Officer Kevin Byous and his family to the City of Kirtland. Chief Fisher recounted that he met Officer Byous at a Cleveland Heights Police Academy recruiting event, and that Byous had proactively sought employment with the department. Chief Fisher noted that despite receiving an offer from another agency at the conclusion of the academy, Officer Byous chose to honor his commitment to Kirtland — a decision the Chief described as demonstrating the loyalty and integrity the department values. Chief Fisher shared that Officer Byous was born in Cleveland and raised in Euclid, is a graduate of Lutheran East High School (2018), serves as a deacon at Philippi Missionary Baptist Church, and volunteers as a track coach. Background investigation references described him as dependable, trustworthy, and detail-oriented. Officer Byous passed the State of Ohio Peace Officers Certification Test and graduated from Cleveland Heights Police Academy on June 24, 2026.

Mayor Potter administered the oath of office, and Officer Byous was officially sworn in as a member of the Kirtland Police Department. Council President congratulated Officer Byous and his family on behalf of the city and council.

Reading and Approval of:

Minutes of June 15, 2026 Work Session

A motion to approve the minutes of the June 15, 2026 Work Session was made by Councilman Smolic and seconded by Councilman Ziegler. The motion carried 6-0.

Minutes of June 15, 2026 Council Meeting

A motion to approve the minutes of the June 15, 2026 Council Meeting was made by Councilwoman Symonds and seconded by Councilman Ziegler. The motion carried 6-0.

Department Reports

Fire Department

Chief Killeen reported that there was only one heat-related emergency call during the recent period of extreme heat, which he noted was surprising. He confirmed that there were no significant fireworks complaints following the holiday weekend. In response to a question from a councilman Smolic, Chief Killeen stated that Eagle Road near Divine Word was the only road that had been closed.

Council President raised the matter of a downed power line on Gildersleeve Road and asked whether the city's response was appropriate. Chief Killeen confirmed the line was a secondary service line pulled from the mast of a house by a fallen tree, and that it was not arcing. The area was cordoned off with banner tape, and the power company was contacted immediately. He acknowledged that in the future, the department would look to add lighting on road-closed signs for dark areas. It was clarified for the record that city personnel are prohibited from touching downed power lines, and that contacting the utility company is the correct protocol. Chief Killeen confirmed that a follow-up contact with FirstEnergy was made the next day, at which time the utility remained in storm mode.

Engineering

Mr. Courtney provided the following project updates:

- Kirtland-Chardon Road: A preconstruction meeting was scheduled for the following day at 2:00 PM at City Hall.
- 2026 Road Program: Coordination with the contractor (101G) was ongoing for start dates.
- 306 Sewer Extension: Staff were working through guidance documents and collecting information for the federal funding application. A meeting with the county was being arranged to discuss project financing and coordination.
- Wisner Wall: SME was finalizing plans. Two design options were presented — one with weep holes and one without. Mr. Courtney directed SME to finalize the plans incorporating weep holes, which relieve hydrostatic pressure and require periodic maintenance to prevent plugging. A timeline from SME was still pending.
- Slope Failures at Wisner: Mr. Courtney noted that two fallen trees with root balls still attached to the toe of the slope appeared to be providing some stabilization. However, erosion near the road was increasing, and the situation would be monitored closely to determine if a full road closure would become necessary.
- Tibbets: Revised final plans submitted June 27 were reviewed and found to be in good order. The project was expected to advance to the Planning and Zoning Commission at their July meeting.
- Recent Rainfall and Flooding: A National Weather Service rain gauge near Kirtland-Chardon Road recorded approximately 4.6 inches of rain over the 72-hour period from Friday through Monday, including 2 inches between 10:00 AM and 3:00 PM on the day of the meeting. Mr. Courtney noted that Service Director Fornaro was actively in the field addressing storm-related issues, and that staff would document problem areas over the coming days to develop a plan of action.

In response to council questions, Mr. Courtney confirmed he would investigate the purpose of utility line markings observed on Joseph and Fairview Streets. Councilwoman Symonds also followed up on previously submitted questions regarding stormwater concerns on Eisenhower Drive, a downspout issue on the prairie, and an abandoned property matter, requesting timely responses so she could relay information to constituents.

Law Director

Law Director Lallo reported that the past several weeks had been busy with litigation, public records requests — primarily related to high-profile criminal cases — and threats of litigation. He then addressed the upcoming legislation related to the 0.85-mill levy renewal:

Mr. Lallo explained that when the resolution and accompanying legislation were submitted to the Lake County Board of Elections, the Board's director raised a concern that one section of the declaration of necessity resolution (26-R-5) did not specify the year in which the tax would be collected, and flagged that the Ohio Secretary of State might reject it. While Mr. Lallo noted there may not have been a legal deficiency, he recommended the cautious path of repealing and re-passing both resolutions to ensure the levy could be placed

on the November ballot without risk, given that the deadline is in August. The plan presented was to waive the three readings and pass 26-R-38 (the new declaration of necessity) as an emergency that evening, while allowing 26-R-39 (the ballot question resolution) to proceed to a second reading, pending receipt of the county auditor's certification. Upon receipt of that certification, council could then amend, waive readings, and adopt 26-R-39 at the next meeting — which would be the final opportunity before the August deadline.

Police Department

Chief Fisher provided a current update on various items within the department. He also recognized a fallen officer.

Senior Center

Ms. DeWolf thanked the Service Department for restriping the senior center parking lot and for their prompt response in restoring air conditioning during the extreme heat, ensuring that members and rental groups were not affected. She announced the following upcoming events:

- America 250 Party — July 14, from 10:00 AM to 1:00 PM, for senior center members only. Police and fire will be present to cook, and King Kone ice cream will be in attendance.
- National Night Out / Touch-a-Truck — August 4, from 6:00 PM to 8:00 PM, hosted by the Police Department at City Hall. The Batch Whip Crazy drink truck has been confirmed, with additional food trucks being arranged. All service, police, and fire departments will be represented.

Mayor's Report/Announcements

Mayor Potter offered the following remarks and updates:

- Thanked Mr. Fornaro and the Service Department for their work in difficult storm conditions, and thanked the Fire Department for their assistance on the Gildersleeve power line matter over the weekend.
- Extended thanks to all who contributed to the Strawberry Festival, calling it a testament to community volunteerism.
- Reported meeting with the mayors of Wickliffe and Willoughby, noting that both cities are also considering low-speed e-bike legislation due to a growing problem in their communities.
- Met with the property owner at the Route 6 and Route 306 corridor approximately 90 minutes before the meeting to discuss potential development ideas and gauge the city's appetite for same.
- Noted that Economic Development Director Eddie Eckert had set up meetings for the mayor and administration related to sewers and downtown development for later in the week.
- Reminded council that 26-R-37 (the tax budget resolution) should sit at first reading that evening, as the second reading requires a public hearing.
- Thanked Ms. DeWolf for her additional work supporting the Zoning Office during the staffing transition.
- Addressed a question from Council President regarding 26-O-40 (CDBG ordinance), clarifying that it was initially believed the city did not need new legislation to remain in the program, but it was subsequently determined that a new ordinance was required. He noted the legislation reflected no substantive changes and highlighted that the CDBG program had directly benefited Old Town residents with sewer connection assistance.

Service Department

Director Fornaro expressed appreciation for his team's performance during the recent extreme heat and significant rainfall. He reported that planned asphalt repairs scheduled for that week would be deferred to allow for storm cleanup, with asphalt work anticipated to resume the following week. He confirmed that a preconstruction meeting for Kirtland-Chardon Road was scheduled for the next day, that 101G's road repairs would be marked on Friday, and that crack sealing had been completed the prior week.

In response to questions, Mr. Fornaro confirmed that all city streets were open, with Eagle Road having been the only brief closure. He estimated the flooding event at the Route 306 and Hobart Road intersection lasted approximately 40 minutes during the storm. Regarding utility markings on Joseph and Fairview Streets, he

indicated markings had been placed the prior week for two driveway apron repairs, but would investigate the new markings reported that day.

Standing Committee Reports

Council President announced that the Police and Fire Standing Committee, which had been listed on the agenda for 6:00 PM, did not convene as members had the date noted in their records as July 13. That meeting is now confirmed for July 13, 2026. Council President added a topic to the July 13 standing committee agenda:

- Speed cameras (previously scheduled topic).
- Best practices and lessons learned resulting from downed power line incidents, to ensure coordination among the police, fire, and service departments going forward.

Law Director Lallo noted for the record that the standing committee had not convened, for minutes purposes.

Correspondence

No correspondence was reported.

Public Comments Matters Not on the Agenda

The Council President opened the floor for public comment on matters not on the agenda, reminding speakers to state their name and address and to keep remarks to approximately two to three minutes.

Sean Allen, 8385 North Locust Drive — Mr. Allen stated he had received a notice of zoning violation citing section 1268.04 (off-street parking/commercial vehicles). He reported attempting to reach the zoning office every day for approximately a week and a half with no response, and stated that he had recorded his calls as documentation. He expressed uncertainty as to what the specific violation pertained to, as the notice did not specify. He stated that a trailer on his property had been present since he moved to Kirtland in 2018, that it is not commercial in nature, and that he had received no clarification within the 10-day compliance window. He indicated he would seek legal counsel if he did not receive a formal letter closing the case within 10 days.

Mayor Potter acknowledged that responsibility for the lack of response fell on him, citing the staffing vacancy in the Zoning Office and his own absence on vacation during the period in question. He committed to reviewing the specific citation and working with the Law Director.

Ms. Jagjeet, 8392 North Locust Drive — Ms. Jagjeet reported receiving a citation for exterior property maintenance (section 1462.15) while her family was on vacation in June. She similarly received no callback explaining what specifically needed to be remedied. She expressed frustration that the violations appeared to originate from complaints by a single neighbor and stated that her property, to her knowledge, did not contain anything that visibly needed to be corrected. She questioned whether the process constituted harassment and asked for written clarification.

Mayor Potter again acknowledged the communication failure. Law Director Lallo noted that the ordinances do require the city to investigate and respond to complaints once lodged, regardless of their source. Councilwoman Symonds noted that while the city cannot control the receipt of complaints, it can control how clearly it communicates the nature of violations, and urged that letters be revised to specify the exact deficiency. She also suggested a phone call protocol be adopted before citations are issued. Mayor Potter concurred and noted a new full-time zoning staff member would be starting shortly.

Devin Stewart, 8381 South Locust Drive — Mr. Stewart stated that he had appeared before council previously regarding similar issues and expressed concern that the pattern of complaints from a single neighbor was a form of harassment. He noted the violations he received were not consistent from one instance to the next, making it difficult to permanently resolve the situation.

Mark Kocab, 8294 South Locust Drive — Mr. Kocab, received a notice citing section 1268.04 for off-street parking. He had visited the zoning office in person, where he noted the staff appeared overwhelmed. He read the ordinance language aloud and argued that his Ford Transit van, which he uses for personal recreation and has no commercial plates, does not meet the definition of a commercial vehicle under the ordinance as he interpreted it.

Bob Wells, 8255 North Locust Drive — Mr. Wells expressed frustration that approximately 30 percent of residents on his street had received violation notices based on complaints from a single individual. He raised a specific concern that his 89-year-old neighbor had received a violation notice regarding grass that was being regularly maintained by another neighbor on her behalf.

Robert Leske, 8344 South Locust Drive — Mr. Leske, who had not received a violation, expressed a separate concern regarding flooding on South Locust Drive. He described his property as having the last remaining open ditch on the street, with all downstream ditches having been covered by previous administrations, creating an inadequate drainage outlet during heavy rain events. He reported that the recent storm resulted in approximately two to three inches of water entering his basement and a foot of water in his driveway. He stated this had been an ongoing and worsening problem and requested that the city address it.

Councilwoman Symonds affirmed that while the city is legally obligated to respond to complaints, the method of first contact could be improved, and that a protocol for phone outreach prior to formal notice would be considered as part of onboarding the new zoning staff member. She stated the council and administration would also review the clarity of the violation letters.

Bob Schneider, 8125 Elmwood Drive — Mr. Schneider referenced ongoing flooding concerns in the Parkwood/Elmwood/Beechwood neighborhood and inquired about any updates on funding or action plans for the wooded drainage area in that vicinity. He then raised a broader structural question, suggesting that the city consider whether its municipal corporation model was adequately serving residents given longstanding funding challenges for roads and drainage infrastructure. He proposed that council formally request an act from the Ohio General Assembly to repeal the city's charter, which would convert Kirtland to a township and potentially open access to different funding structures, eliminate the city income tax, and reduce the complexity of local governance.

Law Director Lallo and several council members engaged substantively with this suggestion. Mr. Lallo noted that townships are not unregulated, still maintain zoning codes and general funds, and that many townships have actually formed Joint Economic Development Districts (JEDs) specifically to collect income tax from residents. He expressed the view that the chartered municipal form of government offers greater flexibility than township status. Council President Fenstermaker noted that the fundamental infrastructure funding problems would not be resolved by changing the governmental structure, as the same financial challenges would exist in different form. Councilwoman Symonds acknowledged Mr. Schneider's intent and affirmed that council is aware of and actively working on infrastructure and funding challenges, including pursuing levy options.

Old Business:

Public Comments on Matters of Old Business

No public comments were received on matters of old business.

Second Reading - 26-O-36

An Ordinance amending section 220.26 of the codified ordinances of the City of Kirtland regarding the rules of Council, and declaring an emergency.

New Business:

Public Comments on Agenda Items of New Business

No public comments were received on agenda items of new business.

First Reading - 26-R-37

A Resolution adopting a tax budget for fiscal year 2027.

First Reading - 26-R-38

A Resolution repealing 26-R-5 and declaring it necessary to renew the current levy of 0.85 mill for community senior citizen and recreational facilities and programs and requesting the Lake County Auditor to certify the total current tax valuation of the city and the dollar amount of revenue that would be generated by the levy renewal, and declaring an emergency.

A motion to waive the three readings was made by Councilman Smolic and seconded by Councilwoman Grazia. The motion carried 6-0.

A motion to declare an emergency and adopt 26-R-38 was made by Councilman Smolic and seconded by Councilwoman Symonds. The motion carried 6-0.

First Reading - 26-R-39

A Resolution repealing 26-R-29, and pursuant to section 5705.19(H) of the Ohio Revised Code, submitting to the electors of the city a question of providing for renewal of the current levy of 0.85 mill for five years for community senior citizen and recreational facilities and programs, outside the ten mill limitation.

First Reading - 26-O-40

An Ordinance authorizing the Mayor of the City of Kirtland to enter into an agreement with the Lake County Board of Commissioners to participate in the Urban Entitlement Community Development Block Grant (CDBG) Program and for the utilization of funds made available by the Housing and Community Development Act of 1974, as amended, and declaring an emergency.

A motion to waive the three readings was made by Councilman Smolic and seconded by Councilwoman Grazia. The motion carried 6-0.

A motion to declare an emergency and adopt 26-O-40 was made by Councilman Ziegler and seconded by Councilwoman Symonds. The motion carried 6-0.

Council Comments

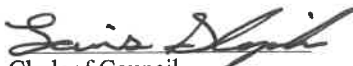
No additional council comments were recorded beyond items discussed during the meeting.

Continuing Concerns

No continuing concerns were formally raised beyond those addressed during department reports and public comment.

Adjournment

A motion to adjourn was made by Councilman Ziegler and seconded by Councilwoman Grazia. The motion carried, and the meeting was adjourned at 8:47pm.


Clerk of Council


President of Council