

KIRTLAND CITY COUNCIL MINUTES

November 16, 2020 – Work Session

The work session meeting of Kirtland City Council commenced at 6:01 p.m. Due to the current state of emergency regarding COVID-19, the meeting was held virtually via Zoom. Council members present were: Scott Haymer, John Lesnick, Richard Lowery, Jeffrey Ruple, Matthew Schulz, Joseph Smolic and Kelly Wolfe.

Mayor Kevin Potter, Law Director Matthew Lallo, Assistant Finance Director Louis Slapnicker, Service Director Joseph Fornaro, Police Chief Lance Nosse and Fire Chief Anthony Hutton were also in attendance.

Council President Lowery stated he would entertain a motion to convene an executive session to discuss collective bargaining and pending or imminent litigation, pursuant to Article I, Section 7(c) and 7(d) of the City Charter. Mr. Lesnick so moved, and Mr. Smolic provided the second. **ROLL CALL: MOTION CARRIED 7/0 (VOTING YEA: SMOLIC, WOLFE, HAYMER, LESNICK, LOWERY, RUPLE AND SCHULZ. VOTING NAY: NONE).** The time was 6:03 p.m.

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The executive session adjourned and the work session reconvened at 6:38 p.m.

Mayor Potter noted that Ordinance 20-O-61 amending the 2020 appropriation is on the agenda. Mr. Slapnicker requested that the Ordinance be adopted at tonight's meeting. He advised that the changes relate to Fund 220, Street Construction Maintenance and Repair (SCMR); there is a reduction of \$5,000 as a result of updated information on the gas tax. The gas tax is still coming in, but slower than anticipated. He advised there is an increase of \$37,500 in the General Fund; of that amount, \$22,500 relates to dispatch healthcare costs as a result of transitioning a little later than originally anticipated. As a result of the gas tax coming in less than anticipated, some funding had to be moved into the General Fund to account for the salt that was purchased in 2020. The net result would be an increase of \$32,500.

Referring to Ordinance 20-O-62, Mayor Potter advised that this authorizes the Finance Director to enter into an agreement for the healthcare program for City employees. He noted that as part of next year's healthcare agreement with the County, the County Commissioners had proposed a two-month premium holiday, with no monthly premiums being paid by the City in January and February. With those two months, coupled with a two percent increase in the general rate, the City will realize approximately \$93,000 of savings for 2021 related to healthcare. Mayor Potter stated his thanks to the Commissioners for extending the proposal.

Referring to Ordinance 20-O-63 amending Section 254.13(b) and Ordinance 20-O-64 amending Section 254.06(j) of the Codified Ordinances, Mayor Potter stated that these amendments relate to benefits for retiring employees. He noted this relates to sick time accrual payouts for retiring City employees that are not part of a bargaining agreement. The Mayor noted that currently the maximum sick time accrual can be paid out up to 240 hours for a retiring City employee. Mr. Lallo stated that the Ordinance amendment provides a payout at 25 percent of the accrued hours, up to a maximum 480 hours.

The Mayor noted that, as mentioned a couple months ago, there was a question regarding a retirement sick time payout, which was based on 480 hours and was counter to the City's

ordinances. It was discovered in that process that the City had made some of the payouts in the past at 480 hours, which should not be done unless the ordinance is amended.

With regard to these two sections of the Ordinances, Mr. Lallo stated that one section refers to payment in increments of hours; the other refers to payment in increments of days. It is confusing, and the amendments will bring the sections in line with each other. He noted that the section relating to sick leave will reference the retirement section, and the section relating to retirement will provide the calculation. The amendments will remove the ambiguity.

Council President Lowery inquired if there is a benefit or detriment to employees in amending these sections. Mr. Lallo stated it would be a benefit for employees, by increasing the accrual upon retirement. He noted that it retains the same formula entitling employees to one-fourth of their accrued and unused sick time, with ten years of employment and retirement in good standing; the amendment will increase the maximum from 240 to 480 hours to keep it in line with the Police Department's collective bargaining unit. Discussion ensued in this regard.

Mayor Potter thanked the Police Department, Fire Department and Service Department for their hard work yesterday during and after the damaging winds, noting that there were some hazardous conditions. They worked well into the morning to make sure the City's roads were passable and that traffic and pedestrians were diverted away from those dangerous conditions. He noted that Chief Hutton kept him updated, and First Energy was alerted to all of the downed power lines. The Mayor noted that many Kirtland residents were still without power this afternoon.

Chief Hutton stated that, according to the latest update, 22,000 area residents were still without power. The Fire Department responded to 24 incidents, mostly downed trees and wires. Chief Hutton noted that the majority of the calls came to Willoughby Dispatch; the Fire Department was in direct contact with Dispatch yesterday and used the City's old dispatch area as a command post. The Fire Department was also in direct contact with Service Director Fornaro, and Service Department personnel were sent out as needed.

With regard to Ordinance 20-O-61, Councilman Lesnick asked Mr. Slapnick if he can indicate the changes on the appropriations document the next time there is an amendment.

There was no further discussion, and the work session meeting adjourned at 6:55 p.m. upon the unanimous consent of Council.

President of Council

Clerk of Council