

KIRTLAND CITY COUNCIL MINUTES

September 20, 2021 – Work Session

The work session meeting of Kirtland City Council commenced at 6:02 p.m. Council members present were: Scott Haymer, John Lesnick, Richard Lowery, Jeffrey Ruple, Matthew Schulz and Kelly Wolfe. Joseph Smolic arrived shortly after the meeting commenced.

Mayor Kevin Potter, Law Director Matthew Lallo, Service Director Joseph Fornaro and Fire Chief Anthony Hutton were also in attendance.

Mr. Lesnick moved to convene an executive session to discuss pending litigation, pursuant to Article I, Section 7(c) of the City Charter. Mr. Schulz provided the second. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: HAYMER, LESNICK, LOWERY, RUPLE, SCHULZ AND WOLFE. VOTING NAY: NONE).** Due to the subject matter of the pending litigation, Mr. Lesnick asked that Councilwoman Wolfe recuse herself due to a conflict of interest; he noted, however, that she can attend the executive session if she chooses. The time was 6:03 p.m.

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Upon adjournment of the executive session, the work session meeting reconvened at 6:10 p.m.

Mayor Potter introduced Edward Eckart of North Shore Associates, noting that he met Mr. Eckart a couple months ago when it was decided the former contract for the economic development manager would not be renewed. He noted that he reached out to local individuals, and Mr. Eckart was highly recommended. Mayor Potter noted that he and Mr. Lesnick, as Chair of the Economic Development Standing Committee, have had discussions with Mr. Eckart. Mayor Potter noted the contract is initially for six months.

Mr. Eckart stated that he, Mayor Potter and Mr. Lesnick have had some in-depth discussions about the direction for Kirtland and the interplay of economic development and placement. Mr. Eckart noted the City has different elements, including the parks, Lakeland Community College and the Mormon Church, that can be leveraged to move Kirtland forward.

During the six month contract, Mr. Eckart stated the objective is to determine what is next for Kirtland. He noted there are three tiers, the first being a perspective on development and the relationship with planning. He referred to the recent city survey, noting that this will create an outline for the future. The second tier is leveraging partner entities and furthering relationships; he believes there is a lot that can be done relating to development that benefits the City's entities individually and the community. The third tier is the blocking and tackling.

Mr. Eckart stated that specific objectives for the next six months include reviewing existing surveys and creating an initial list of items that can be accomplished with the City's stakeholders; seeking data from the stakeholders, including the aforementioned entities and property and business owners along Route 306; meeting with those primary stakeholders to establish a collaborative conversation with them and meeting with existing business owners; reviewing existing incentives to identify potential opportunities, including County opportunities; identifying other revenue streams; and taking on and addressing pending deals.

Mr. Eckart provided information regarding his background and experience, noting that he has been providing economic development consulting since 2009. He noted that he has worked with

the Lake County Port Authority, the City of Painesville, the Ashtabula City Port Authority, and the Harpersfield-Geneva JEDD. He noted that he is also the executive director of the Ashtabula County Land Bank.

Mr. Eckart stated that his experience with economic development ranges from the residential side to the commercial side, including Brownfield remediation. He is familiar with a broad array of efforts and strategies. He stated he is excited for the opportunity to work with Kirtland, commenting on the wealth of resources and opportunities available to Kirtland.

Answering Councilman Lesnick, Mr. Eckart confirmed that he has strong contacts with the entities in Kirtland. Mr. Lesnick inquired about his experience regarding funding for city projects. Mr. Eckart stated there is an opportunity for partnerships where all would benefit. He stated he successfully pursued state funding for projects, including recent funding for \$14 million for a project in Ashtabula County, which was \$10 million in federal funding and \$4 million in state funding. He stated that he and North Shore Associates have worked with federal and state legislators.

Responding to Councilman Smolic, Mr. Eckart stated that as director of the Ashtabula Land Bank, he partnered with the County Planning Department to co-write an EPA grant, noting they were one of two counties in Ohio to receive a \$600,000 grant; the others awarded were \$350,000 or less. With regard to land banks, Mr. Eckart stated that most funding for home demolitions has disappeared, and they are working on a number of different things, including land assembly and redevelopment. He noted that for property with a need for remediation, the Land Bank can take it on because they are shielded from certain liabilities. He stated there is a benefit of a partnership with the Land Bank.

Discussion ensued regarding bed taxes. Mr. Eckart stressed the importance of the City receiving the taxes it is owed.

Answering Council President Lowery, Mr. Eckart stated that in sixty days the City will be close to completing the information gathering phase, noting he would be meeting with commercial property owners and the larger scale entities.

Answering Councilman Haymer regarding sewer projects, Mr. Eckart stated that North Shore Associates can help pursue infrastructure funding through their federal contacts. He noted that he has not personally pursued funding for sewer projects.

Responding to Councilman Schulz, Mr. Eckart stated that a Special Improvement District is when businesses get together to self-fund certain improvements. He noted he has not reviewed Kirtland's CRA, but he is familiar with CRA legislation. Mr. Eckart stated he is familiar with NOACA.

Answering Councilman Schulz regarding his experience with wetlands, Mr. Eckart stated he performed a wetland delineation for Lost Nation Airport when he worked for the Port Authority, and he has some understanding regarding mitigation of wetlands.

Council President Lowery thanked Mr. Eckart for attending the meeting to address Council in this regard.

Mayor Potter welcomed Rick Loconti, noting that Council members met in executive session a couple months ago regarding Mr. Loconti serving as the City's Zoning Inspector. The Mayor noted that Mr. Loconti has been serving on the Planning and Zoning Commission.

Mr. Loconti thanked Council for considering him for the appointment. He noted that he has deep experience in the inspection field, including electrical inspection, residential/commercial plumbing inspection, and building inspection, and also as a building official managing several building departments for the last 15 years. He noted his experience is deep in zoning law, commercial and residential building law, noting that he can do a good job in enforcing the ordinances of Kirtland, and enforce them in a fair manner.

Noting that the legislation states a maximum of 20 hours per week, not to exceed 46 weeks per year, Councilman Schulz inquired about the days and hours that he would be available to the community. Mr. Loconti stated that he and the Mayor have not yet discussed specifics of the days and hours; he noted that the Mayor will determine what will best suit the needs of the community.

Councilman Lesnick inquired about the legal aspect and taking matters as far as possible before involving the Law Director. Mr. Loconti stated there are protocols when enforcing zoning and violations of the zoning code. Mr. Loconti believes the City has a good zoning code, but there is a lack of enforcement, for which a protocol will be developed that is fair to the residents. He noted usually a letter is sent, with time for compliance, then a second letter is sent; if it still fails inspection then it would proceed to court action. Mr. Loconti noted that he will work with the Mayor and Law Director regarding setting up a protocol to enforce zoning violations.

Noting that there has not been any regular enforcement in a while, Mr. Loconti stated that Council will receive some pushback from their constituents. He noted that the effectiveness of the zoning inspector depends directly on the willingness of the Administration, Law Director and Council to prosecute, and also on how willing the judge is to prosecute housing violations.

Mr. Lallo stated that the ultimate goal is compliance. He noted that from his experience in prosecuting zoning violations, once it is filed in court, it is understood there are sanctions for that violation; but if the property owner comes into compliance, they could pay court costs and the matter could be dismissed.

Mayor Potter noted that uniformity is key with regard to enforcement. He stated he believes there will also be positive responses from residents and business owners that have brought matters to the City's attention but have not seen sufficient results.

Councilman Lesnick stated he wants to make sure the City does not incur a lot of legal costs on matters that can be addressed by the Zoning Inspector rather than the Law Director putting in extra hours at additional cost to the City.

Mr. Loconti stated that his goal is compliance, noting that it takes time. He noted that he would allow plenty of time for compliance, but it would not be indefinite.

Councilman Haymer inquired how residents bring matters to the City's attention, and whether it can be done on the City's website. Mr. Loconti stated that typically they will call the Zoning Department. Mayor Potter noted there is also opportunity to submit concerns on the website.

Mr. Loconti stated that a team approach is best, also involving the Police Department, the Fire Department and the Service Department, to report issues they notice since they are already on the street. He noted it is another line of communication.

Councilman Schulz stated that he appreciates Mr. Loconti's statement about being fair to the residents. He noted that this summer the Mayor had a group of individuals go out and help residents, noting that some may be mentally or physically incapable to address issues on their own. He noted that there are many people willing to volunteer to help a neighbor. Mr. Loconti stated this is a great opportunity, and it occurs in many municipalities; he noted that local volunteers or County services can be involved for individuals that cannot address the issues themselves. He noted there is often a difference between addressing owner occupied properties and rental properties.

Noting that he attends the Planning and Zoning Commission meetings, Councilman Smolic stated that Mr. Loconti has demonstrated his knowledge and experience, and he understands the character of Kirtland.

There was no further discussion, and the work session meeting adjourned at 6:51 p.m. upon the unanimous consent of Council.

President of Council

Clerk of Council