

KIRTLAND CITY COUNCIL MINUTES

January 19, 2022 – Work Session

The work session meeting of Kirtland City Council commenced at 6:32 p.m. Council members present were: Ronald Fenstermaker, Scott Haymer, Jeffrey Ruple, Matthew Schulz, Joseph Smolic, Kelly Wolfe and Eric Ziegler.

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

Mayor Potter advised that Eddy Eckart is present to provide Council with an update on economic development. Mr. Eckart stated that he and Mayor Potter have met several times over the last several weeks. He noted they sat down with Congressman Joyce before Christmas to discuss the infrastructure bill and various earmark items before Congress that would have been in the budget but ultimately will not be included. He noted it is important to maintain that relationship for future opportunities.

Mr. Eckart said he has also begun reaching out to community business owners to discuss future expansions, plans or ideas, to determine if the City can help with incentives. He noted that he has also spoken with developers regarding promotion of development. Mr. Eckart noted he has spoken with representatives from Lakeland Community College, Lake Metroparks, and a few other stakeholders.

Mr. Eckart mentioned that Ashtabula just completed their comprehensive plan, noting he was a stakeholder as the Land Bank representative and also helped with hiring the consultant used for the plan. He noted that he spoke with that consultant to get a better idea of how they operate, to help in Kirtland's discussion of the comprehensive plan.

Answering Councilman Schulz, Mr. Eckart stated one of the developers he met with is almost exclusively residential, and the other is mixed use with a lot of residential and some commercial, including hotel use.

Council President Ruple suggested that Councilman Ziegler, as Chairman of the Economic Development Standing Committee, schedule a meeting in February, and he requested a quarterly update from Mr. Eckart.

Mr. Smolic commented, as a resident and U.S. citizen, he is glad that some of the infrastructure did not pass, as he believes it was a waste of money.

In other items, Mayor Potter noted that last month he asked Council President Ruple to find a new member for the Board of Tax Review. Mr. Ruple noted that he would like to have the proposed appointee, Paul Rupert, come to the next Council meeting to give Council members an opportunity to meet him. He noted that Mr. Rupert has been a member of the community for at least 15 years, he is a C.P.A., and he has experience on the Finance Committee at Divine Word Church. Mr. Lallo noted that he also knows Mr. Rupert and can vouch for him and his credentials. Mr. Ruple requested that the legislation receive First Reading tonight and proceed to Second Reading at the next meeting.

With regard to the legislation for the reappointments to the Volunteer Firefighters' Dependents Board, Chief Hutton stated that it would be helpful to have the legislation adopted tonight, noting that the application and names are now submitted online. He explained that this Board covers the part-time firefighters, noting that in Ohio, part-timers are considered volunteer; if there is an injury or death in the line of duty, this would help their families. He stated this legislation must be adopted every year. It was noted that both Ms. Speece and Ms. Buchanan have been members of the Board for approximately five years.

Mr. Lallo addressed Resolution 22-R-7, noting that it relates to a pay dispute relative to the language in the Police contract. Mr. Lallo stated that according to the contract, employees working on the holiday are entitled to time and one-half of their regular rate of pay; and overtime is time and one-half of the regular rate of pay. If an employee is called in to work overtime on a holiday, he noted that nothing dictates stacking or whether the employee should receive time and one-half or double time. Mr. Lallo stated that the language of the contract neither dictates nor prohibits double pay. He noted that the employee received only time and one-half and filed a grievance; and because it potentially affects the entire bargaining unit, a grievance was filed with the Mayor. Upon meeting with the Chief, a memorandum of understanding was prepared to try to resolve the dispute and create a framework for that bargaining unit for the term of this agreement; the employee will be entitled to double pay, and any employee in the Police Department's bargaining unit that works overtime on a holiday is entitled to double pay. Mr. Lallo stated that the Mayor and the Chief agree this is the right thing to do, and it is common practice. Mr. Lallo noted it does not create a past precedent, so this can be addressed for the next bargaining agreement, and all options can be evaluated at that time.

Answering Councilman Schulz regarding twelve hour shifts, Chief McCallister advised that the dispute was over the seven hours on the holiday.

Answering Council President Ruple, Mr. Lallo stated he would like the legislation to be adopted tonight in order to resolve the grievance, but it is Council's decision regarding whether to waive the readings.

Answering Councilman Schulz, Mr. Lallo stated this has not been an issue with the Fire Department contract, but he does not believe that contract addresses this issue. Councilman Fenstermaker suggested that this be put in front of Council now with regard to the Fire Department agreement, before an issue arises, and to be consistent.

With regard to Ordinance 22-O-8, Mr. Lallo stated that in the current Ordinances, compensatory time addresses only vacation and holidays, but that is not necessarily how it has been handled for years. For employees that are not part of bargaining units and have been banking compensatory time, this amendment will provide them with the right to have the compensatory time and to bank it. Mr. Lallo noted that the amendment to the Ordinance will allow employees to bank up to 80 hours of compensatory time and carry 40 hours into the next year. Answering Mr. Schulz, Mr. Lallo confirmed the employees would be paid their current rate of pay for the compensatory time. Noting that there will be overtime situations likely due to snow, Mayor Potter requested that the legislation be adopted tonight so there will be no discrepancy going forward.

Discussion ensued regarding Resolution 22-R-9 regarding shared services of the City's mechanic. Mayor Potter noted that the legislation can proceed to Second Reading at the next Council meeting. Answering Councilman Smolic, Mr. Fornaro confirmed that the City did not work on any of the school buses. It was noted in discussion that the Kirtland Schools have a shared

agreement with Perry, but currently there is only one mechanic between both districts. Council members expressed concern about the City's mechanic having sufficient time to handle the added work, along with concerns about the length of time in the school's hiring of a new mechanic.

Mr. Lallo noted that the MOU would allot four hours per week for the City's mechanic; anything beyond that would be at the discretion of the Service Director to give written approval to exceed those hours.

There was no further discussion, and the work session meeting adjourned at 7:05 p.m. upon the unanimous consent of Council.

President of Council

Clerk of Council