

KIRTLAND CITY COUNCIL MINUTES

August 22, 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, Richard Lowery, Jeffrey Ruple, Matthew Schulz, Joseph Smolic and Eric Ziegler.

Mayor Kevin Potter, Law Director Matthew Lallo, City Engineer Douglas Courtney, Service Director Joseph Fornaro, Police Chief Brian McCallister and Fire Chief Anthony Hutton were also in attendance.

Mr. Lallo reviewed the three ordinances relating to the Recreation Park, which are on Third Reading. Mr. Lallo stated that currently, there is no access to the Recreation Park from the Russellhurst extension, noting that one of the changes is that it will allow non-vehicular traffic (pedestrian, bicycle or golf cart) to enter the park from that location. Mr. Lallo noted that golf carts are not allowed on any public roadways, but they can be utilized on that private drive.

Councilman Haymer inquired about the reason for the proposed changes. Mr. Lallo said there was a dispute a few years ago and one of the residents wanted to block that private drive altogether and not allow pedestrians. He noted that the cross-country team used to run through there, and the City typically performed routine maintenance on the roadway, but the City stopped performing maintenance since there was no public use of that roadway at that time. Mr. Lallo stated that some residents approached the City and asked that the previously taken position be reviewed again. Answering Councilman Schulz, Mr. Lallo said that emergency vehicles have always been permitted.

Mr. Lallo stated the proposed ordinance provides that the Parks Commission or the Director of Public Service has the oversight of the Recreation Park; in the absence of a Parks Commission, oversight will be with the Director of Public Service.

Responding to Councilman Lowery regarding future maintenance of the private road, Mr. Lallo said that since people would be walking on it and utilizing that entrance, the City can undertake some responsibility to patch the road to make sure it is not completely impassable, but it is not a requirement.

With regard to Ordinance 22-O-51 relating to creating the OneOhio Opioid Settlement Fund No. 216, Mr. Lallo stated that when a fund is created, Council needs to pass an ordinance to create that fund. He said that the City already received funds from the settlement, noting there will be payments over 15 years. It was noted there was also a recent \$300 million award for Lake County.

With regard to Ordinance 22-O-52 relating to ODOT repair of slope failures on State Route 306, Mr. Lallo stated that all the work should be done on the Willoughby side of Route 306, but if ODOT needs to reroute traffic or do any work on the Kirtland side of the road, they are requesting permission from Kirtland. Mr. Lallo recommended that Council pass this legislation tonight.

Mr. Courtney advised that Ordinance 22-R-50 relates to the closeout of last year's contract with Specialized Construction. Mr. Courtney requested that this legislation be passed tonight so the Finance Director can issue the check.

Referring to Ordinance 22-O-48, Mr. Lallo stated that when there is abatement of a violation, the City can charge the property owner the actual cost plus 15 percent for administration costs; the proposed ordinance increases it from 15 percent to 25 percent. Mr. Lallo said that the legislation

can receive three readings, noting that Mr. Loconti may want to discuss this with Council. Brief discussion ensued. Answering Councilman Schulz, Mr. Fornaro said he believes there is one case in Court relating to grass maintenance, noting the property has been an issue for some time. Mr. Lallo said the property owner has not addressed the violation and was convicted of the violation; if nothing is done in the next week, the property owner will be charged again, noting that every day is a new violation. Noting that the property owner has been given a lot of time, Mr. Lallo stated that the goal is compliance.

With regard to Ordinance 22-O-49, Mr. Lallo advised that this relates to a parcel of property surrounded by property owned by the Church of Latter-day Saints, noting this was discussed previously in executive session. Mr. Lallo stated that the City can conduct the sale through the Lake County Port Authority, known as the Lake Development Authority. He noted the City would sell the property to the Lake County Port Authority, and then the Church has the option to purchase it from them. Mr. Lallo said the City can sell property to the Lake County Port Authority without going to bid. He noted it would be helpful to have this legislation adopted tonight. It was noted in discussion that the property is on the hillside, north of the Community of Christ Church.

With regard to the road program, Mr. Courtney said he received the contractor's tentative schedule today, noting that the pre-construction meeting was held a couple weeks ago. According to the schedule, the contractor would like to start on September 19 and finish by October 24. Work would begin on Prelog, then move to Loreto Ridge, then Shadowbrook, and then Locust. Mr. Courtney said he and Mr. Fornaro are reviewing some value engineering proposals submitted by the contractor. Noting that the schedule is aggressive, Mr. Courtney said he believes it will take 45 to 60 days to completion. Answering Mayor Potter, Mr. Courtney stated that if the work moves into November, there would be temperature restrictions; he noted they will still be paving if the asphalt plants are open. He noted that paving can be done in colder weather, being mindful of not allowing the asphalt to get too cool before the rollers are put down.

Councilman Ziegler inquired about Locust, noting that the hot days were supposed to provide some improvement. Mr. Courtney said it seems to be improving as the summer goes on. Mr. Fornaro confirmed that it is improving.

Councilman Schulz inquired about the value engineering mentioned by the City Engineer. Mr. Courtney replied that the contractor has proposed a slightly different type of chip seal for less money, for the intermediate course. He clarified that the chip seal would be put down before the asphalt is done, as a waterproofing and reflective crack preventive measure. He noted that a higher-end chip seal with fiber was considered for this year, but the contractor is having trouble getting those that do that work to fit in the schedule, so normal chip seal was proposed. He noted that some edge grinding, for the full length of the road, was proposed to help reestablish the crown and eliminate cutting into driveways, which would be a cost savings. He noted that shallow repair work is also proposed.

There was no further discussion, and the work session meeting adjourned at 6:58 p.m. upon the unanimous consent of Council.

President of Council

Clerk of Council