

KIRTLAND CITY COUNCIL MINUTES

August 19, 2019

The meeting of Kirtland City Council was called to order at 7:00 p.m. by Council President Kevin Potter. Mr. Schulz led the prayer which followed the Pledge of Allegiance. The members of Council present were: Richard Lowery, Kevin Potter, Matthew Schulz, Robert Skrbis and Joseph Smolic. Absent: David Kirek and John Lesnick.

Administrative personnel present were: Mayor Douglas E. Davidson, Law Director Daniel Richards, Assistant Finance Director Louis Slapnicker, City Engineer Philip Kiefer, Service Administrator Duane Martz, Fire Chief Anthony Hutton, Police Chief Lance Nosse and Economic Development Manager Monica Drake.

MINUTES OF THE JULY 8, 2019 COUNCIL MEETING:

Mr. Schulz moved to waive the reading of the minutes, with the second by Mr. Lowery. The motion of Council passed by unanimous vote. Mr. Schulz moved to approve the Minutes, as presented, with the second by Mr. Lowery. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SMOLIC, LOWERY, POTTER, SCHULZ AND SKRBIS. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised the monthly report has been distributed, and no questions were asked of him.

Police Chief Lance Nosse advised the monthly report has been distributed. There is an upcoming event, Safety Forces Day, which will be held in front of City Hall on Saturday, September 7, from 12:00 p.m. to 4:00 p.m. This event will include Police, Fire, and other services including a medical helicopter that will be landing in the lot and presenting a demonstration. Also presenting will be a Police K-9, SWAT members, and a drone team. Chief Nosse invited everyone to attend, stating there will be food, drinks, and games for children. Chief Nosse hopes the event will do well and that it can be continued in the coming years.

Councilman Smolic asked about the new crosswalk, and Chief Nosse responded there have been no issues and it has been well received and utilized. There have not yet been any violators, however with school starting his Department is encouraging everyone to make use of the crosswalks. Chief Nosse reminded those present there will be a zero-tolerance policy concerning non-use of the crosswalk, to promote the public's safety. Chief Nosse noted that the crosswalk has worked as expected.

Service Administrator Duane Martz gave no formal report.

Councilman Schulz thanked Mr. Martz and his department, on behalf of his neighbors and himself, for handling the ditching work in their area. Mr. Schulz stated it was a job well done, and hopefully the seed planted by the Service Department will take hold considering the recent rains.

Answering Councilman Smolic's question on the expected end date of the ditching project, Mr. Martz stated he's looking for the project to be completed by the end of September. This will be well ahead of the October 15th deadline. Mr. Smolic inquired if the City would be replacing any berms after the work is complete, to which Mr. Martz stated all those taken out will be replaced.

DEPARTMENT REPORTS (continued):

Responding to Council President Potter's question concerning the status of a complaint received from a resident on Saxon Drive, Mr. Martz stated his department has ditched the area many times and this was handled no differently than in the past. If the resident reaches out to him again, Mr. Potter asked if the resident should be advised that this situation is not going to stop occurring.

Mayor Davidson stated that this type of complaint should go through administration, noting that Ms. Petersburg has no record of the complaint. Chief Nosse stated that the resident filed a report with his department and indicated that she would reach out to Mr. Martz. Chief Nosse went on to say he spoke with Mr. Martz earlier in the day and realized the resident never contacted Mr. Martz.

Mr. Martz announced he will have an administrative clerk begin employment in his department on August 26. The purpose of this job is to keep track of expenditures, answer the phone and get messages to him when he returns to the office in the early afternoon. She will also forward some messages to him sooner, if they need an immediate response. Noting that the previous clerk resigned, Mayor Davidson stated that HR and the administrative office, through a job search, selected someone to fill the position. The Mayor stated that he believes this will improve the level of service of the department. This individual will also work with the issue tracker to be implemented on the new website.

Responding to a question from Council President Potter, Mayor Davidson stated that if a resident does not think they are getting the appropriate service, they should contact the Mayor's office to have the issue addressed.

City Engineer Philip Kiefer advised the monthly report has been distributed.

Mr. Kiefer stated the grant/loan for Old Town has been approved; however, it was not approved for Billings Road. The amount being received for Old Town is \$400,000.00 total, with \$250,00.00 in grants and \$150,000.00 in a zero percent interest loan.

Answering Council President Potter's question, Mr. Kiefer stated if the project comes to fruition, the monies will be used for Phase I; he noted that the City can apply next year for Phase II. Mr. Kiefer confirmed the monies received can be used for anything from engineering to execution of the project.

Councilman Lowery asked if there is a deadline for the use of the funds, to which Mr. Kiefer explained the funds will not be received until July 1, 2020. Once the money is received, it is scheduled to be used by 2022.

Regarding the potential sewer project, Mr. Kiefer stated there are still no updates from the EPA. Answering Mr. Potter's question, Mr. Kiefer confirmed that findings and orders have not yet been received, and the City is awaiting word from the EPA concerning the remedy for the area.

Mr. Potter asked about grants and opportunities for the potential sewer project, to which Mr. Kiefer responded there have been no grant opportunities; however, there has been research on different types of loans. If the City goes through the OWDA, it has a lower interest rate than the USDA, and the City should be able to get a 30-year loan for the project.

Explaining the OWDA loan, Mr. Kiefer stated the City will submit a loan application to the OWDA for the project construction. This loan will be paid back by assessing fees on the residents, through property taxes. Concerning each resident's connection to the sewer system, lower income residents who qualify will be able to get grants through the health department to make the connection to the sewer. Those who do not qualify will have to pay approximately \$5,000.00, depending on the linear footage from the street to the house.

DEPARTMENT REPORTS (continued):

Mr. Kiefer stated the OWDA, the WPCLF (Water Pollution Control Loan Fund), will offer a zero percent interest planning and design loan. Therefore, the City can get a planning and design loan at zero percent interest that is paid back at the time of construction. Mr. Kiefer stated that approximately 10-15 percent of the grant monies will be earmarked for design.

Speculating for the future, Mr. Kiefer said the earliest construction could begin is the end of 2020. The construction process would begin with putting the project out for bid. Mr. Kiefer stated all utilities will need to be located.

Responding to Mr. Smolic's question regarding a possible audit because of Federal money spent for the State Route 306 resurfacing project, Mr. Kiefer stated the County Engineer would be the focus of the audit, because they were responsible for all paperwork.

Council President Potter inquired as to the fire hydrant situation at North Star. Chief Hutton responded there is a fire hydrant at the end of North Star Road, before going down the street. Mr. Potter asked if there is a start date on the Aqua Ohio project; Chief Hutton responded he does not have a start date. Mr. Potter stated that residents have questioned if adding another hydrant on North Star Road could be included in the project. Chief Hutton stated it would be at the expense of the residents. Mr. Kiefer added that North Star Road was not mentioned in the plans submitted, and there will be no water lines installed down North Star Road.

With regard to the replacement of the four-inch pipes with six-inch pipes, Mr. Smolic asked if the project was initiated due to problems with the pipes, or the age of the pipes. Mr. Kiefer responded he believes the problem to be with the age of the pipes, noting that they become rusted and constricted in how much flow they can handle. Mr. Kiefer stated he believes the waterlines were installed in the early 70's. Mr. Kiefer confirmed the expected lifetime of the new waterline is 80 to 100 years.

Assistant Finance Director Louis Slapnicker advised the June financial reports have been distributed; the July financials are reconciled; however Finance is currently working on budget line items and will distribute the report once everything is complete.

Mr. Slapnicker advised the Finance Department is currently preparing the Senior Levy Reimbursement requests with Lake County.

Also, the Department has met with Software Solutions (new software provider). There have been several topics discussed in these meetings, including set-ups, times for training, etc. Concerning hardware components, Software Solutions reported the server was tested and passed with flying colors.

Council President Potter stated that he has a question from Mr. Lesnick, referring to the \$507,000.00 borrowed last year for the State Route 306 project; he believed the actual amount used was \$444,000.00, which Mr. Kiefer confirmed. Mr. Potter said that Mr. Lesnick questioned the location of the difference in funds. Mr. Slapnicker stated that he defers to the City Engineer, as the project was in 2018. Mr. Kiefer stated he doesn't know what accounts Finance was using for all the projects. Mr. Smolic asked for a final cost, including cash and in-kind work, for the Route 306 project.

Mayor Davidson noted that these accounting questions should be shared with the Finance Department and Mr. Kiefer, so there is an opportunity prior to the Council meeting to research and report the detailed answer that is requested. The Mayor advised that the final cost to the City cannot be determined until the job has been closed out; further, construction projects have changes, and change orders. These change orders are created due to conditions found on the job.

DEPARTMENT REPORTS (continued):

Concerning the curbs that are consistently discussed, Mayor Davidson stated that capabilities were assessed at the time of the job. It is possible the beginning estimate of capabilities was overshoot, and there was a decision made that it would be advantageous to use the concrete contractor.

Mr. Smolic stated that the \$500,00.00 was supposed to be paid back, and there has been no principal payment as yet; he stated he will continue to expect an answer in this regard.

Law Director Daniel Richards had no formal report, and there were no questions asked of him.

MAYOR'S REPORT/ANNOUNCEMENTS:

Mayor Davidson announced there is a new acting City Prosecutor, Jamie Renee Eck, working through Mr. Richards' law firm.

Mayor Davidson thanked Jane Carle, the Friends of the Library, and others on completing the concert series on the Gazebo Green.

The Mayor advised there will be a meeting August 23, 2019 with two CRA Associated Committees at City Hall, led by Ms. Drake and Scott from the Auditors' Office. Chris Galloway, the County Auditor, will also be in attendance.

Mayor Davidson stated that TPI Efficiency, the contractor working on the LED lighting at City Hall, is expected to finish soon.

Mayor Davidson mentioned the passing of two residents – Tom Booth, Sr., who was a lifetime resident of Kirtland and a Vietnam Veteran, and also served on the Planning and Zoning Commission for many years; he will be missed. He noted that Art Domingos, a quiet and unassuming gentleman, also passed away.

Councilman Lowery stated on July 16, 2019, Ohio Treasurer Robert Sprague and Lake County Auditor Christopher Galloway and the Mayor were at City Council for a press release. Mr. Lowery read a portion of the press release that was cited in the newspaper regarding the Ohio Checkbook.

Mr. Lowery stated that in 2016 and in 2018 the Council presented to administration discussions and asked questions about possibly doing an open checkbook. He cited from the meeting notes that it was too costly, and there was not enough manpower to do it. Mr. Lowery acknowledged for the last two and a half years Council has asked a lot of questions regarding revenue and expenses, and Council still does not have those answers. He questioned that with the new software recently instituted, and the two new accountants brought on board, the quote in the newspaper that Kirtland will be joining the Ohio checkbook model.

In response, Mayor Davidson stated that the older software was business based with a check register. However, copying check register information into Ohio Checkbook is manpower and labor hour intensive. The City did not have the manpower and labor hours to put into the project. With the addition of Ms. Kovalchik and Mr. Slapnick, along with the new software being installed, it can go in concurrent with the software. The Mayor stated it is a great tool, noting that half the counties in the state of Ohio have it. He stated that it is a financial reality that it couldn't be done in 2016. Mayor Davidson stated there has not yet been an exact date it will begin. The Mayor stated that Mr. Slapnick wants the new financial software in place prior to distributing the W-2s and 1099's this year; therefore the City is on track to do it.

Concerning the press conference, Mayor Davidson stated the County facility was under construction, and the use of City Hall was requested by Auditor Galloway.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

Responding to Mr. Lowery's question on what the program will cost the City, Mayor Davidson said he did not have an amount, but it is being made possible by the new software. The Mayor stated that under the current arrangement with Ms. Kovalchik and Mr. Slapnicker working together, he believes it can be accomplished without additional resources.

STANDING COMMITTEE REPORTS:

Councilman Skrbis stated that the Public Relations Standing Committee met again and is making progress on the website. One request that has been discussed is putting headshots on the website. Mr. Skrbis advised that there will be a photographer in attendance at the next Council meeting, to take pictures just prior to the regular Council Meeting.

Council President Potter stated that an Economic Development Standing Committee meeting was held before the Council Meeting, relative to the Strategic Plan. He noted that the next meeting will be scheduled for the second half of September.

Ms. Drake reported she has been communicating with potential business owners who are interested in developing business in Kirtland. All potentials are focused in the area of Kirtland that is currently sewerred. Concerning what Mr. Kiefer shared regarding assistance to those of low income, Ms. Drake stated that Community Development Block Grant funds are also available to help assist with the sewer connection costs, on a case-by-case basis. She noted that anyone who would like to participate would have to demonstrate need. Ms. Drake stated that the CRA Commercial application has been developed and submitted to Mr. Richards, who advised it is consistent with what he has seen online through the State of Ohio. The program is a commercial program, and any requests have to be authorized prior to construction; it is not a retroactive type program.

CORRESPONDENCE:

Council President Potter reported on two letters received from the Ohio Environmental Protection Agency, both dealing with permits and effluent.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

Susan Shafer, 7992 Barrister's Court, stated she's been President of the Kirtland Soccer League for the last three years and a member of the Board for the last five. The program has grown 45 percent in the last four years, with a record number of participants this year. Therefore, the program is running out of field space.

She stated they are working with the community, including Justin Gollin of the Service Department, and the Kirtland Library to see if they can make use of the space behind the library for a new temporary field. They are also trying to work with Waite Hill to see if they can leverage property behind the police department for practice space, but there is not enough space for parking for games. The high school and middle school programs are growing, but the programs are competing for land with the schools. There is a lot of land in Kirtland, just not necessarily enough for the program.

Ms. Shafer stated that under the previous mayoral administration there was property purchased on Route 6 for recreational purposes, but it's not usable due to a lot of wetlands. Ms. Shafer questioned how the City was able to move forward with the purchase of the land for recreational purposes when it is a wetland, and what the value of the land was when purchased.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA (continued):

Ms. Shafer stated they have looked into the land in front of City Hall, where the pond was filled. In speaking with members of the City, Ms. Shafer has been told the land would have to be regraded and re-soiled before it could be used by the soccer program. She stated it is far enough away from the road to work from a soccer field standpoint.

Ms. Shafer stated that right now there are five to ten soccer teams, and one field for practices and games. She said she is willing to summarize the problems in an email if that would help. She is looking for information on understanding the purchase on State Route 6, and working together to accomplish more fields. The program is willing to buy the goals, and help with the cost. She stated that the Community Center has drainage issues, and the fields cannot be used in spring. Currently the program is partnered with West Geauga Soccer Club, and all the games are held in the spring at that location because games cannot be hosted on the Community Center fields.

Council President Potter thanked Ms. Shafer for her comments, and agreed the City should look into the property at the front of City Hall as a start. In terms of the land on State Route 6, Mr. Skrbis stated that the wetland rules have changed since the purchase, not helping the valuation of the property. There is continual discussion about what the lands can be used for, and there may be a possibility to add temporary fields on the second parcel. Mr. Skrbis stated that it is a known problem that the soccer program needs fields.

Councilman Schulz inquired about the duration of the season, to which Ms. Shafer responded the season starts the end of August. She noted there were more kids signed up this year than anticipated. They are working with the Director of Sports at the schools, to make sure the program does get to practice on their fields. Ms. Shafer said the season is from August to mid-October, and then in the spring from April to mid-May. During the spring season the program is competing with the baseball fields.

Responding to Council President Potter, Mayor Davidson stated that an appraisal was done on the State Route 6 property in August.

Responding to Mr. Smolic, Ms. Shafer stated the ages of the children in the program run from four to eleven, and are made up mostly of Kirtland children. Ms. Shafer stated that instituting out-of-city fees could contribute to the cost of helping to repair fields (there are none in place currently).

There was discussion regarding the footprint size needed for a field.

Mayor Davidson advised that he has drawings for field layouts for two locations if Ms. Shafer is interested. However, the funding is not available. Mayor Davidson stated that he believes Ms. Shafer's approach to working with other communities is excellent. The Mayor thanked her for donating her time, recognizing without people like her there would not be the great children's programs that Kirtland has now. Chief Hutton also suggested partnering with Lakeland Community College for use of the soccer fields.

Dana Dennis, 9237 Woods Way Drive, addressed Council with concerns about vehicles speeding and driving recklessly. He stated that he has witnessed vehicles passing his house going 50 or 60 miles an hour. Mr. Dennis also mentioned a pothole, which has been there for a few months. He said it is shallow, but approximately four feet long by three feet wide, and it is very unsafe. Mr. Dennis stated that vehicles need to start braking approximately 50 yards in advance to be able to make the turn onto Woods Way Drive. Mr. Dennis went on to say there are semi-trucks coming down Kirtland Chardon Road; he noted that it takes 200 feet to stop a fully loaded semi-truck. Mr. Dennis gave several examples of the danger of the pothole and the speeding he has witnessed on Kirtland Chardon Road.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA (continued):

Council President Potter stated that unfortunately the road is a long, natural straightaway. Chief Nosse stated he understands Mr. Dennis' concerns, and his department is out enforcing the speed limit to the best of their ability. The speed trailer has been used, among other things, to help. Unfortunately, the manpower is not available to post an officer 24 hours a day and the funds are not available at this time for flashing signs and/or solar power signs that display vehicle speed. Mr. Dennis gave more examples of vehicles not moving over for pedestrians, vehicles speeding and losing control, and brought up the need for more crosswalks on Kirtland Chardon Road.

Julie Symonds, 7635 Markell Road, stated she has noticed in the last few meetings that resources are one of the larger issues for the City. She inquired if the City had considered taking advantage of volunteers to accomplish some projects. Ms. Symonds suggested a database of community volunteers, so when the City needs help with something, they will have a list of people to reach out to for help. Council President Potter agreed there are plenty of talented professionals in the city, and agreed that Council could tap into more of those resources.

Mayor Davidson mentioned that Kiwanis is a valuable resource in the City. He discussed some of the upcoming community projects, noting that there certainly is a place for volunteerism. The Mayor stated that the general operations of government still have to be funded with a strong budget, which is a continuing challenge. Mayor Davidson thanked Ms. Symonds for her help with the city website.

There was discussion concerning various tasks that could be benefitted by volunteers.

Marilyn Spease, 10599 Tibbetts Road, as President of the Garden Club, stated that the Garden Club does a good bit of work and would be happy to have volunteers to water the flowers. She stated that they buy the flowers, plant them and take care of them. Mrs. Spease noted that another project of the Garden Club is the Veteran's Garden, and they are in desperate need of help with that.

Councilman Skrbis stated that there should be a volunteer section promoted on the new city website, and a spotlight on the organizations that make the city what it is, so people will know where participation is needed.

OLD BUSINESS:

None.

NEW BUSINESS:

RESOLUTION NO. 19-R-40
(Mayor Davidson)

- **A RESOLUTION AUTHORIZING THE MAYOR TO
ACCEPT A ROADWAY EASEMENT RELATING TO THE
GILDERSLEEVE DRIVE CULVERT EXTENSION
PROJECT, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Lowery. **ROLL CALL: MOTION CARRIED 5/0 (VOTING YEA: SMOLIC, LOWERY, POTTER, SCHULZ AND SKRBIS. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Lowery. **ROLL CALL: ADOPTED 5/0 (VOTING YEA: SMOLIC, LOWERY, POTTER, SCHULZ AND SKRBIS. VOTING NAY: NONE).**

CONTINUING CONCERNS:

None.

COUNCIL COMMENTS:

None.

PUBLIC COMMENTS:

None.

ADJOURNMENT:

Mr. Lowery moved to adjourn, with the second by Mr. Schulz. The motion of Council passed by unanimous vote and the meeting adjourned at 8:23 p.m.

President of Council

Clerk of Council