

KIRTLAND CITY COUNCIL MINUTES

February 1, 2021

The meeting of Kirtland City Council was called to order at 7:02 p.m. by Council President Richard Lowery. Due to the current state of emergency regarding COVID-19, the meeting was held virtually via Zoom. Mr. Schulz led the prayer which followed the Pledge of Allegiance. The members of Council present were: Scott Haymer, Richard Lowery, Jeffrey Ruple, Matthew Schulz, Joseph Smolic and Kelly Wolfe. Absent: John Lesnick.

Administrative personnel present were: Mayor Kevin Potter, Law Director Matthew Lallo, Assistant Finance Director Louis Slapnick, City Engineer Douglas Courtney, Police Chief Lance Nosse and Fire Chief Anthony Hutton. Finance Director Mary Kovalchik and Service Director Joseph Fornaro were present for a portion of the meeting.

MINUTES OF THE JANUARY 20, 2021 COUNCIL MEETING:

Mr. Smolic moved to waive the reading of the minutes, with the second by Mrs. Wolfe. The motion of Council passed by unanimous vote. Mr. Smolic moved to approve the Minutes, as presented, with the second by Mrs. Wolfe. **ROLL CALL: MOTION CARRIED 5/0/1 (VOTING YEA: HAYMER, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE. ABSTAINING: LOWERY).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised the monthly report will be distributed by the next Council meeting. January was a busy month with just under 100 calls, 55 EMS transports.

The Fire Department is preparing to apply for an Assistance to Firefighters grant for extrication tools and should be ready to submit within the week.

The Fire Chiefs have been working with the Health Department on the vaccine pods. There was one set up in Mentor two weeks ago, and 500 people were vaccinated in the 1A and 1B group. On Friday the Chiefs will be in Wickliffe to continue with the 1B group, and 1500 people are expected. Concerning the use of firefighters in administering the vaccine, personnel costs are expected to be reimbursed through Lake County EMA.

Councilman Schulz asked for more information on the grant for extrication tools, to which Chief Hutton explained the timeline is typically a year out, and the Department is looking to replace their gasoline generator powered tools with new upgraded battery powered extrication tools. The newer tools are lighter, safer, and more effective. Another system the Department hopes to upgrade is the airbag system and rescue JAGS.

Answering Councilman Smolic, Chief Hutton said the grant would be a microgrant at approximately \$50,000 and the equipment would be battery-powered and charged on the vehicles.

Police Chief Lance Nosse advised the monthly report will be distributed by the next Council meeting.

The Police Department's camera system upgrade has been completed, and the Department is working on getting key fobs for the doors, providing better access of the building and jail.

DEPARTMENT REPORTS (continued):

Chief Nosse reported the Department has been fairly busy traffic-wise, including accidents and normal day-to-day matters.

Answering Councilman Smolic regarding a recent police matter, Chief Nosse said it was a joint Federal, County and local effort; it was a drug seizure and was taken care of without incident.

City Engineer Douglas Courtney updated Council on the Old Town sewer design loan application status. The MOU was initially expected to be presented to Council this evening; however, due to recent questions from the EPA it was not possible. Lake County Department of Utilities sent some language to the EPA related to possible amendments to the MOU between Kirtland and Lake County Department of Utilities. The EPA had questions on an Enterprise Fund account; those questions were forwarded to the Finance Department. According to an email received this afternoon, the EPA would like to push the loan date out to March.

Mr. Courtney noted that the interactive public Zoom meeting this past Saturday with residents in the area that will be affected went very well. Most of the questions posed were answered, and those that required further information will be addressed as quickly as possible.

Mr. Courtney advised there was an error in the change order for the Wisner Road streambank stabilization, which has been corrected. The amount is still \$61,642; the change order should be ready to present to Council by the next meeting.

Councilwoman Wolfe requested a listing of the acronyms and their definitions that were discussed during the public Zoom meeting. She said some of the residents have requested it.

Councilman Schulz asked for an update on the Cocca property. Mr. Courtney stated a document was sent to the property owners advising them of the steps necessary before construction begins, such as requesting a pre-construction meeting within seven days prior to the start of construction. There are also several items that will need to be submitted prior to the pre-construction meeting. He has not yet received a response from the property owners.

Assistant Finance Director Louis Slapnicker advised that the Finance Department had a very busy January, as anticipated.

The final 2020 senior levy reimbursement has been submitted, along with a budget modification, in order to capture as many dollars as possible, with the senior center being closed for many months.

The Finance Department is working in the new software for 2021 and it is going well. End of year tax reporting, W-2s, and 1099s were all issued out of the new software, with no additional cost. Reconciliations are still being conducted between both systems, and are expected to be fully transitioned in a few months.

The State Auditor's office notified the Finance Department today that the City of Kirtland was awarded the 2019 Auditor State Award, which is for exemplary financial reporting in accordance with Generally Accepted Accounting Principles. The Finance Department will be preparing for the audit and conversion for the 2020 financials.

Answering Councilman Ruple, Mr. Slapnicker confirmed the December financials have not yet been distributed, as the Finance Department will be reconciling between both systems; once completed they will be released.

DEPARTMENT REPORTS (continued):

Concerning Resolution 21-R-2, Councilman Ruple asked if Mr. Slapnicker could provide further information; Mr. Slapnicker stated he would defer to Mrs. Kovalchik. Mayor Potter added that Mrs. Kovalchik will be attending a Finance Committee Work Session prior to the next meeting on February 17.

Law Director Matthew Lallo said he's been working on a number of various issues with Mr. Courtney, one of which is the Wisner Road streambank stabilization change order, which will be on the next agenda.

Concerning the MOU with the Lake County Department of Utilities and the sewer project, the EPA suggests pushing back the funding cycle by one month. Mr. Lallo hopes to answer all questions to the EPA's satisfaction so this can move forward.

Mr. Lallo stated that Chief Nosse was working with the IT/Tech Department and discovered a much easier tool to be used for exchanging police reports and discovery on the prosecution side in the courts. Mr. Lallo tested it with the records clerk and is very impressed. Mr. Lallo expressed his appreciation to the Police Department for working through this, noting it should help resolve cases faster.

MAYOR'S REPORT/ANNOUNCEMENTS:

After speaking with Mrs. Kovalchik yesterday, Mayor Potter asked Council President Lowery to schedule a Finance Committee Meeting on Monday, February 8, 2021 at 5:30 p.m. via Zoom. Mrs. Kovalchik will go over the budget process and review the capital plan.

Mayor Potter also asked that a Finance Committee meeting be scheduled on February 17 at 5:30 p.m., before the regularly scheduled Council Meeting. Mrs. Kovalchik will also be at this meeting.

With no objections from Council, Council President Lowery agreed to schedule both Finance Committee meetings and requested that the Clerk provide the required notice.

During his conversation with Mrs. Kovalchik yesterday, Mayor Potter learned the City of Kirtland carried into 2021 an unencumbered General Fund balance of nearly \$1.1 million. This was due to the implementation of the non-essential spending policy in April of 2020, receipt of \$275,000 in Bureau of Workers' Comp rebates, and \$217,000 of CARES Act funding. This was good news, and puts the City in a better position than originally anticipated when the budget was passed in March; he noted there is still a lot of work to do.

With regard to the Zoom meeting Saturday morning with the Old Town residents, Mayor Potter noted there were over 50 residents in attendance, along with Mr. Courtney, Mr. Fornaro, Mrs. Wolfe and Randy Rothlisberger of the Lake County Department of Utilities. There were a lot of tough questions related to the project and cost. Mr. Courtney has done a great job in terms of estimating and laying out a timeline. There will be more community forums moving forward, and updates will be made available as new developments occur.

Councilwoman Wolfe said residents have asked for information concerning the potential grants available. Mayor Potter welcomed her to share the email he had previously sent to her, as it contains a PDF attachment with the information.

It was noted that Mrs. Kovalchik is currently available to address Resolution No. 21-R-2 regarding adoption of uniform guidance cost principles, audit and administration requirements.

DEPARTMENT REPORTS (continued):

Finance Director Mary Kovalchik explained the need for Resolution No. 21-R-2. She began by stating the CARES Act funding is federal funding. Once \$750,000 in federal funding has been received, it becomes part of a federal single audit. Under this audit the City must have policies in place that streamline with the federal government's uniform guidance policies. Kirtland did not have policies in place concerning the procurement and expenditure of federal dollars and the compliance associated with these funds. The Finance Department became aware in November the City of Kirtland was going to have to meet the single federal audit, as the \$750,000 threshold was met. Mrs. Kovalchik further explained points of interest concerning the federal single audit. Once the policies are in place they will be available for future needs concerning federal funding.

Mrs. Kovalchik went on to say that the City of Kirtland did a fine job of reporting, passing ordinances and issuing directives concerning the federal funding. The Department Heads all responded admirably when estimates were requested on how they felt the City had met determinations on how the staff might be working in the fight against the pandemic. Those percentages were used to determine some salaries and healthcare benefits applied toward CARES Act funding.

Mrs. Kovalchik said the legislation needs to be passed and the policy in place before the single federal audit. There has not been a timeline given to the City as of yet, however the auditors have reached out and asked if the City will meet the threshold, which has occurred, therefore the audit can be scheduled at any time.

When asked who prepared the ordinance, Mrs. Kovalchik stated the Finance Department prepared it using a sample ordinance from the City of Bedford. The actual uniform code was prepared by Ciuni & Panichi, a CPA firm located in Beachwood.

Further discussion ensued on the creation of the guidance policy and the policy in general. Mrs. Kovalchik stated that if Council has additional questions, she can arrange for a representative of Ciuni & Panichi to attend the next meeting.

Service Director Joseph Fornaro reported that the snow has been keeping the Department busy. He advised there was a salt delivery of 500 tons received, and it is pretty much gone. The salt reserve is kept at approximately 1500 to 1700 tons.

Councilman Schulz thanked Mr. Fornaro for removing a tree on City-owned property on Chardon Road.

STANDING COMMITTEE REPORTS:

None.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:

PUBLIC COMMENTS ON AGENDA ITEMS OF OLD BUSINESS:

None.

RESOLUTION NO. 21-R-1 - (Third Reading) - A RESOLUTION DECLARING INTENT TO CONDUCT AN INTERNET AUCTION FOR THE SALE OF UNNEEDED, OBSOLETE OR UNFIT PERSONAL PROPERTY OF THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.
(Mayor Potter)

The legislation was read by title only. Mr. Schulz moved to declare an emergency and adopt, with the second by Mr. Ruple. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: HAYMER, LOWERY, RUPLE, SCHULZ, SMOLIC AND WOLFE. VOTING NAY: NONE).**

RESOLUTION NO. 21-R-2 - (Second Reading) - A RESOLUTION AUTHORIZING THE MAYOR AND HIS FINANCE DIRECTOR TO ADOPT UNIFORM GUIDANCE COST PRINCIPLES, AUDIT AND ADMINISTRATION REQUIREMENTS NECESSARY TO COMPLY WITH FEDERAL COST PRINCIPLES, INTERNAL CONTROLS, PROCUREMENT STANDARDS, PROGRAM INCOME REQUIREMENTS IN OBTAINING FEDERAL GRANTS, AND DECLARING AN EMERGENCY.
(Mayor Potter)

The legislation was read by title only and placed on Second Reading.

NEW BUSINESS:

None.

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COUNCIL COMMENTS:

Councilman Schulz advised those present that the State Route 306 bridge over I-90 is scheduled to be replaced. Construction will begin in June, but there may be some pre-construction in May 2021. Traffic will be maintained, but residents need to be aware. At the same intersection, at the southeast corner of the interchange, there is a proposed Sheetz Gas Station. It is not within the incorporated limits of the City of Kirtland, but the old Dino's restaurant and Day's Inn restaurant will be taken down to allow the new full-service Sheetz station to be built.

CONTINUING CONCERNS:

Council President Lowery noted that this is an opportunity for the public to address Council about any continuing concerns. There were no comments from the public.

ADJOURNMENT:

Mr. Schulz moved to adjourn, with the second by Mrs. Wolfe. The motion of Council passed by unanimous vote and the meeting adjourned at 8:06 p.m.

President of Council

Clerk of Council