

KIRTLAND CITY COUNCIL MINUTES

May 17, 2021

The meeting of Kirtland City Council was called to order at 7:00 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, John Lesnick, Richard Lowery, Matthew Schulz, Joseph Smolic and Kelly Wolfe. Jeffrey Ruple was absent.

Administrative personnel present were: Mayor Kevin Potter, Law Director Matthew Lallo, Assistant Finance Director Louis Slapnicker, City Engineer Douglas Courtney, Service Director Joseph Fornaro, Economic Development Manager Monica Drake, Police Sergeant Jamey Fisher and Fire Chief Anthony Hutton.

LEGISLATIVE UPDATE

Senator Jerry Cirino

Council President Lowery introduced Senator Cirino, thanking him for attending the meeting. Senator Cirino thanked Council for inviting him to provide a legislative update and answer questions that may arise.

Senator Cirino has been attending city council meetings and township trustee meetings in the 18th Senate District to update everyone on what is going on in Columbus, along with larger statewide issues, that might be of interest to the local community.

Currently the largest ongoing topic is the biennium budget. The budget is approximately \$75 billion for the two years, and last week opportunity to submit amendments was concluded. There are close to 1200 amendments in the Senate version of the bill. The bill is expected to be passed, placed in a consolidated review with the House by the end of June, and passed by the statutory deadline of July 1.

The bill is multi-faceted, as the budget for the State of Ohio is quite complicated. However, all representatives try to include things in the bill that will benefit their district as well as Ohio taxpayers. Senator Cirino has been in contact with Mayor Potter concerning issues and opportunities to include money either in this budget bill, or a subsequent budget capital bill, that may offer assistance to the septic project. Most likely it will be dealt with in the capital budget, unless a portion of the expected COVID relief can be earmarked. Regardless, Senator Cirino's goal is to get the City of Kirtland help for that project.

Two months ago, in March, the transportation bill was passed for the biennium separately from the overall state budget. The bill is for approximately \$8 billion over the next two years. Most, if not all, funding removed by the Governor's bill was restored to Laketran and the Portage Regional Transit Authority. This will make sure Laketran has the adequate funding to serve seniors and employers in the county.

Senator Cirino stated that Senate Bill 135, which is halfway through the hearing process, is a far-reaching education reform bill that he has been working on prior to his election. It was introduced in early March and is expected to be passed in the Senate and sent to the House by the early part of June. The bill is comprehensive and deals with changing processes that are undergone for higher education, including workforce development, coordination of community colleges with four-year institutions and the ability for community colleges to offer Batcheler's degrees, making education more easily accessible and affordable for students. The bill has bipartisan support, and he has worked very closely with Morris Beverage (Lakeland Community College), who along with his other community college associates, have played a major role in determining the various components of the bill.

LEGISLATIVE UPDATE (continued)**Senator Jerry Cirino**

There is other legislation being entertained related to withholding and tax liabilities during COVID, which impacts cities. Senator Cirino has spoken with mayors and managers around his district, asking what their best interests are, and taken the position to not make any long-term changes until there is a full understanding of how the workforce will be reconfigured post-COVID.

There is work on economic development activities in the hopes of making Ohio more competitive. There has been an income tax decrease proposed, to make Ohio more attractive; a number of bills are in process relating to various incentives through JobsOhio, to attract new businesses to Ohio and retain current businesses who expect to expand their businesses.

Senator Cirino said his time as County Commissioner, and business sector experience, have helped in his transition during these past four months as a new Senator in helping him to keep a positive perspective on what needs to be done in the legislature to help the communities of Ohio. He went on to say there are two legislative aides assigned to his office, and their primary priority is to remain closely in touch with the communities they serve. Requests from constituents are a priority in his office, whether submitted by private citizens or city officials.

Councilman Lesnick asked if there has been any discussion to reduce taxes to keep those monies more local, due to reports that the State of Ohio has approximately three to four times the revenue needed to pay their obligations. Senator Cirino said the bill the Senate received from the House called for a two percent reduction in the state income tax rate. There is a rainy day fund, which as of last week was close to \$2.7 billion. It's up to the Governor to determine what the rainy day fund should keep as a balance. There is also a good bit of COVID money being received, and legislation was passed a couple weeks ago to distribute those monies to many political subdivisions around the state. The State acts as a pass-through entity, determining where the money goes within the state. There is another \$4 billion expected, and he would advise that any dollars received be used for capital projects.

Referencing the various areas specified by the federal government concerning where COVID funding will need to be spent, Mr. Lesnick stated roads and bridges are not included, and he inquired if there is an explanation for excluding them. Senator Cirino said he believes the big "infrastructure bill" was already under discussion during allocation of the last \$1.9 trillion in relief funding. He would guess that a separate funding would be proposed for real infrastructure, and that's why it was excluded from the last funding received. He stressed this is only speculation, however he does know the expected funding is tied up in court because the federal government put a restriction on the funding that if the state accepts the money they will not be able to lower taxes for six years. Senator Cirino said he has a philosophical problem with the federal government dictating tax policy to individual states; those decisions should remain at the state level. Ohio's Attorney General was the first to file a lawsuit against that language, and Senator Cirino said his understanding is there are discussions being had with the Treasury Department, who will be administering those funds, and there may be a rule-making change made to remove or define it more narrowly and leave those decisions to the states.

As an example, if the guidelines are taken as originally defined, the state would not be able to offer companies any type of tax abatement or deferral. This is not something Ohio would like to lose as a tool for economic development, and they are paying close attention to the case and working to do what is best for the State of Ohio.

Mr. Lesnick expressed his appreciation for Senator Cirino and the job he is doing for his District, and he voiced support for the pushback on the ill-defined language in the guidelines.

LEGISLATIVE UPDATE (continued)**Senator Jerry Cirino**

Councilman Smolic thanked Senator Cirino for his service, stating he wanted to clarify with every \$1 trillion received, that's \$3,000 for every man, woman, and child in the United States. With the expectation of spending \$6 trillion dollars in 2021, that adds up to a lot of money. Senator Cirino agreed, stating the Senate has been working hard to bring a sense of reason to many policies.

Senator Cirino stated he voted to override the Governor's veto of the bill that would have given the legislature a seat at the table relative to health orders or executive orders. Understanding there was a misinterpretation of this action, he stated it was not intended to stop the Governor from issuing a health order, as he still has the authority to do so. However, for the last 14 months since the orders were issued the legislature had no consultative role and no legal authority to even question some of the decisions. He acknowledged the Governor has very difficult decisions to make. However, for the last 14 months these are decisions that have impacted the lives of those in the community. He believes such decisions should not be made unilaterally for any period of time by any Governor without the concurrence and oversight of the legislature.

Senator Cirino agreed that there needs to be a safety net for those in need, however people need to get back to work, and the legislature is making moves to bring the state back to a sense of normalcy.

Mayor Potter thanked Senator Cirino for his work on the funding for the Old Town project. Senator Cirino thanked Council for the opportunity to speak.

PUBLIC HEARING**Ordinance No. 21-O-19**

Council President Lowery stated that the public hearing is being held regarding proposed amendments to the codified ordinance of the City of Kirtland relating to signs.

Michael Denk, Chairman of the Planning and Zoning Commission, spoke regarding the ordinance. Of the fifteen sections in the sign ordinance, three have changes. The discussion has been ongoing for a couple of years, and Mr. Denk said a few of the changes are just changes in wording, such as replacing "certificate" with "permit", as it is more regularly used. He noted that Section 1286.14, Administrative Provisions, had verbiage changes to make the ordinance consistent with normal practices and terms used in the City.

Mr. Denk noted that Section 1286.08 has a couple additions, to make the ordinance consistent with the business and industrial district ordinance. Signs in business and industrial districts had some changes concerning temporary signage. Time limits for temporary signs were addressed.

Mr. Denk noted that no major changes were made, and he does not believe there will be large implications as a result of the changes.

Councilman Lesnick noted the ordinance is fairly voluminous, with minor changes, and asked if there is a plan to provide a concise listing to businesses to reference when a permit is needed or not. Mr. Denk said if a sign is being placed, Planning and Zoning requires a permit. He advised that an inventory of every sign in the City has been compiled, and the Commission hopes to keep it updated.

Council President Lowery opened the meeting to public comment, requesting that those participants in favor of the ordinance change speak first, followed by those opposed.

There were no speakers in favor of the ordinance; and there were no speakers opposed to the ordinance.

PUBLIC HEARING (continued)
Ordinance No. 21-O-19

Councilman Smolic thanked Mr. Denk and the Planning and Zoning Commission members for all of their time and effort on the ordinance. Council President Lowery thanked Mr. Denk for presenting at the hearing, and the public hearing was closed.

MINUTES OF THE MAY 3, 2021 COUNCIL MEETING:

Mr. Lesnick moved to waive the reading of the minutes, with the second by Mr. Smolic. The motion of Council passed by unanimous vote. Mr. Lesnick moved to approve the Minutes, as presented, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

DEPARTMENT REPORTS:

Fire Chief Anthony Hutton advised the monthly report for April has been distributed.

The final vaccine clinic will be held this Friday at Lakeland College. The Fire Department is very happy to have come this far, and will be meeting tomorrow at the EOC to discuss reimbursement for all communities.

Chief Hutton advised that the spring hydrant program is underway. As things are getting back to normal, company fire inspections will begin again in June. All training has resumed this year, so all special teams are back working with the county as far as HazMat, Tech Rescue, and fire investigation. This month's drill for firefighters is the rope rescue training at the recreational park in the ravine.

Last week Chief Hutton met with the Medicount Management representative concerning the EMS billing program. The program is going well, and Kirtland still has the best collection rate in Lake County. The representative recommended no changes, as all fees and other items are where they need to be.

The radios for the radio grant were ordered last week; Chester is the point community for that grant. The Department ordered 31 portable radios, 11 mobile radios, batteries and miscellaneous equipment. The original cost to the City was \$18,700 and has been reduced to \$11,942 after the bidding process. It will probably take six or more months to receive the equipment.

Noting that Councilman Lesnick had asked how special events were staffed by the Department, Chief Hutton noted he responded via email. There are a couple events that will be taking place this year.

The half marathon that Lake Health puts together will take place at the Farmpark on Sunday, June 6. There will be another event at Lakeland called Wonderstruck, which is a large two-day concert event taking place July 24-25. Over 10,000 people are expected at that event throughout the weekend. Chief Hutton will be meeting with representatives this week to discuss planning of these two events.

Responding to Councilman Smolic, Chief Hutton noted that the Wonderstruck concert was previously held in the Chester and Russell area under another name. As in the past, some big-name groups are expected at this concert series. With the amount of people expected, and temperatures expected to be high, the Fire Department and other emergency personnel will be staffed at the concert. EMS crews, ATVs, and First Aid tents will be on site.

Answering Councilman Schulz, the hours for Friday's COVID vaccine clinic will be 10:00 a.m. to 6:00 p.m. at the Athletic Fitness Center (AFC). The Pfizer vaccine will be distributed this week.

DEPARTMENT REPORTS (continued):

Councilman Haymer requested that Chief Hutton ask, in his meeting with the Wonderstruck team, if the Kiwanis lemonade stand can set up during the concert. Chief Hutton said he will ask when he meets with them on Thursday.

Sergeant Jamey Fisher advised the monthly report for the Police Department has been distributed.

Sergeant Fisher reminded the residents that with nice weather there is an increase in bicycle and pedestrian traffic on the roadway.

There have been a lot of complaints about speeding, and there will be an increase in officer presence, to include enforcement action.

Council President Lowery thanked Sergeant Fisher for his help on Kirtland-Chardon Road concerning speeding traffic. Councilman Schulz also thanked Sergeant Fisher for his attention to a resident on Joseph Street relative to speeding.

Service Director Joseph Fornaro reported that National Public Works Week begins May 16, and he recognized all the Public Works team members for the great job they do. He had hoped to hold a Public Works Department open house, but it has been postponed until next year due to COVID.

On May 12 the first Keep America Beautiful training was held, with six people in attendance. The executive board of that committee, with the help of the Kiwanis donation, are well on their way to Keep Kirtland Beautiful. Mr. Fornaro said the program is very exciting, and the next phase is a litter index. Hopefully by the end of the year they will be certified as Keep Kirtland Beautiful.

As part of the Tree City USA campaign, on May 20 Mr. Fornaro, Ms. Szary and Mayor Potter will visit the 3rd grade classrooms at Kirtland Elementary School to discuss trees, with the help of the Holden Arboretum. The children will receive free saplings along with other gift bag items, and they will be shown how to plant a tree. Kirtland is now recognized as a Tree City USA.

On Saturday, May 22, with the help of the Kiwanis, the mulching of the Veterans Park and cleaning up at City Hall will be done. At 10:00 a.m. everyone is invited to attend the tree planting for Arbor Day and the Kirtland Tree City USA recognition.

Mr. Fornaro said that on May 24 Aqua Ohio will be installing approximately 1800 feet of eight inch waterline on Kirtland-Chardon Road from Booth Road to Fox Hill Drive; he noted residents have been notified. Traffic will be down to one lane during the project, and temporary traffic lights will be installed in the work zone. Mr. Fornaro asked residents to take their time and be patient while moving through the work zone. The project should last one month.

Answering Council's questions, Mr. Fornaro advised that the waterline will be installed in the ditch, east of the intersection.

Mr. Fornaro reported the Ford blue tractor that has been sidelined for more than a year made a trip around the parking lot today, and will hopefully be placed back into service soon. The cost is approximately \$6,000, much lower than the two quotes received for \$25,000 to \$30,000 to rebuild it. Mr. Fornaro thanked the mechanic, Steve, for another fine job.

Community and Senior Center Coordinator Teresa Szary reported the Senior Center will be re-opening on June 1. Guidelines are changing daily, and the Senior Center is being as flexible as possible through the changes. There will be a newsletter distributed to all the seniors this week explaining the guidelines.

DEPARTMENT REPORTS (continued):

There will be an Open House and outdoor picnic on May 25 so residents can see the changes post-COVID.

Ms. Szary expressed appreciation to the Senior Board for working so hard and being flexible in the re-opening of the Center.

Rentals are beginning to pick back up, now that mandates are being lifted. Safety Town will be held this year in June; sixty children are signed up and the program sold out in less than two weeks.

Answering Councilman Schulz, Ms. Szary stated the May 25 lunch is being advertised to the seniors, as it is a free lunch for the seniors sponsored by the Senior Board. However, the open house is open to anyone who would like to attend between 11:30 a.m. and 1:30 p.m. Information will be posted on the City's website and Facebook page this week.

Council President Lowery thanked Ms. Szary for all her work in the re-opening of the Senior Center.

Assistant Finance Director Louis Slapnick reported the April end-of-month reports have been distributed and uploaded to the City website.

The Finance Department is nearing completion of the GAAP conversion.

Mr. Slapnick referenced Ordinance No. 21-O-23, which is for the bond anticipation note. The Finance Department requests the ordinance be passed tonight, to stay on schedule for sale and closing.

Economic Development Manager Monica Drake reported that in preparing the community development block grant application for sewer connections, she found the project completion date for sewer connections did not line up with the construction project dates. She stated it would be more appropriate to make the grant request in 2022 and potentially also in 2023. The sewer project is being done in two phases, so it may be more appropriate to request grant funding in two phases as well.

Ms. Drake noted she asked Mayor Potter if there may be a project which would be appropriate to submit to the county through the community development block grant funding for 2021, and Mayor Potter suggested ADA-compliant restroom facilities at the senior center which would be accessible without entering the building. Resolution No. 21-R-26 would authorize the Mayor to make application, however it does not authorize him to accept the grant. A second piece of legislation will be required for that purpose once the recommendation for award has been made by the county commissioners.

As of today Ms. Drake has received communications from 30 Old Town households, of which 15 qualify as low-to-moderate income households per the Housing and Urban Development guidelines.

Ms. Drake addressed questions she's received concerning the Fair Housing Resolution No. 21-R-25. This resolution is required each year when applying for federal funds from Housing and Urban Development. For the City to assist the residents in Old Town, the resolution would need to be passed each year when applying. These requirements are similar to other federal requirements.

Ms. Drake recalled that in a meeting a couple years ago a representative from Lake County General Health District mentioned there were funds available for those with low to moderate income for tap fees. Last week Ms. Drake reached out to them and found that the funds are available. The program has many of the same guidelines as the Community Development Block Grant. This program also covers items which are not covered by the CDBG, such as tap fees.

DEPARTMENT REPORTS (continued):

Ms. Drake suggested the City apply for the CDBG funds in 2022, 2023, and potentially into 2024. This grant would help the residents in connection and collapsing their old septic, and the General Health District would help residents with their tap fees. Between the two programs, the City will be able to help ease the financial burden on residents that qualify.

Ms. Drake reminded those present the Economic Development Standing Committee meeting is scheduled for June 7 at 5:30 p.m..

Law Director Matthew Lallo reported the Law Department has had a busy couple of weeks, as the collective bargaining negotiations have begun with a couple of the different bargaining units. That process is ongoing.

Mr. Lallo advised there are many pieces of legislation on the agenda as new business today. Resolution 21-R-25 relates to committing to practicing fair housing efforts as a City. This legislation is necessary before the City can apply for grant funding from CDBG.

Concerning Resolution 21-R-26, there will be a request to amend the legislation to pivot from the Old Town sewer project to potentially cover the construction of outdoor restroom facilities at the Community Center and Senior Center. Mr. Lallo noted he redlined the changes and distributed those to Council.

In regard to Ordinance 21-O-27, the City of Kirtland listed the city-owned property on Charlesderry Road. The two parcels were consolidated and listed for bidding. The bid was slightly higher than the appraisal. Mr. Lallo has been working with Mr. and Mrs. Loncar, who presented the bid, and they are very eager to move into Kirtland and build their home. The couple has children and grandchildren who already live in Kirtland. The ordinance authorizes the Mayor to sign the documents required to facilitate the sale of the property.

Mr. Lallo advised there are three separate resolutions for accepting bids for road materials for the Service Department. These materials will either be picked up by the Service Department, or they will be delivered.

Pertaining to Resolution 21-R-31, Mr. Lallo requested that Section 1 of the resolution be amended to reflect the correct date of November 2, 2021.

Mr. Lallo advised the Memorandum of Understanding with the Kirtland Schools for the shared use of the City's mechanic is expected to be on the agenda at the next Council meeting.

Noting that he has been researching the issue, Mr. Lallo advised that if the state of emergency in Ohio as relates to COVID ends on June 2, it is his interpretation that the Zoom meetings will no longer be permitted and Council will be required to transition to in-person meetings. Mr. Lallo recommended the City move to in-person meetings beginning in June, unless other information becomes available. Concerning the guidelines of returning to in-person meetings, Mr. Lallo has not heard of any mandated restrictions.

City Engineer Douglas Courtney reported that the design agreement between the Courtney Company and the County was executed on May 13. There will be a kickoff meeting with the County on May 21. There will be land surveyors in the area.

Mr. Courtney updated Council on the 2021 Street Rehabilitation Project, advising that Billings Road, Springer Drive, Springer Circle, and Wisner Road will all be recycled. Billings Road, Springer Drive, and Springer Circle will be overlaid. Wisner Road will get a double chip seal and a mastic surface. Parkwood Drive between Crestwood Drive and Oakwood Drive, and Oakwood Drive will be repaired and resurfaced. Prelog Lane will be the contingency alternate street. Mr. Courtney explained if there are favorable bids Prelog Lane can be awarded if it fits in the budget.

DEPARTMENT REPORTS (continued):

The final cost estimate at this point is approximately \$1.9 million without Prelog Lane, and \$2.1 million with Prelog Lane. There are still finishing touches being discussed concerning quantities. The project will be advertised for bid between May 20th and June 4th. Once bids are received for the project the Engineering Department will determine the street maintenance list, based on how much of the budget the rehabilitation will cost. Once the above street list has been completed, there will be contractors solicited for maintenance work.

Mr. Courtney said the final plat and improvement plans for the Parks Farm Subdivision off Billings Road are currently under review and scheduled for consideration by the Planning and Zoning Commission on May 24.

The plans for the remodeling and a patio addition at 9270 Chillicothe Road (the Kirtlander) are also currently under review and scheduled for the May 24 meeting with Planning and Zoning.

At the May 10 Planning and Zoning meeting, Mr. Courtney said the plans for the renovation improvement at the Smith House on Chillicothe Road were discussed and remain under review.

Councilman Schulz said he noticed some excavation in front of the Cocca Property, where a portion of the sidewalk has been torn up, and asked if that will be repaired soon. Mr. Courtney said Dominion had relocated a gas main, and he will look into when the sidewalk will be repaired.

Mr. Schulz said there was some settlement due to road work by the pump station just north of the bridge. Mr. Fornaro said it's scheduled to be replaced tomorrow. The work was due to AquaOhio having a water main break in the area.

Councilman Haymer asked if the area where water work was done by the Dollar General would also be fixed. Mr. Fornaro said he called to check on it today, explaining there was a temporary cap placed and they will come back and replace the asphalt.

MAYOR'S REPORT/ANNOUNCEMENTS:

On May 23 at 10:00 a.m., following the Kirtland Kiwanis Garden Club and American Legion Memorial Park cleanup, the City has partnered with Holden Arboretum for the first tree planting event in front of City Hall. Mayor Potter encouraged all who are able to attend.

Mayor Potter said there will be a Memorial Day parade on Memorial Day, starting at 10:00 a.m. in front of the high school, leading back to City Hall where Ret. U.S. Army Colonel Michael Stall will be a guest speaker. Afterwards, the American Legion will be inviting the community to the Community Center for hot dogs and pop.

The Bodmer family will be having a memorial service at the Recreational Park at 9:00 a.m. on June 19. The City will be dedicating the newer pavilion in memory of Mr. Bodmer, and also offering a City proclamation in his honor and memory. This will be on the same weekend as the Strawberry Festival and same day as the Strawberry Festival parade. The parade will begin at noon.

With regard to the Friends of the Library, Mayor Potter reached out to Jane Carle a few weeks ago asking if she would be amenable to the City trying to generate more participation in conjunction with the summer concerts. There are four summer concerts, beginning June 30 with the Chardon Polka Band. The Mayor spoke with a local food truck company and will be speaking to other local food vendors. The idea is to do a City Night, a Faith Night, and Beauty Night.

MAYOR'S REPORT/ANNOUNCEMENTS (continued):

The City Night will be for inviting the businesses to come out, show their wares, and speak about their services and products. That same night the Chardon Polka Band will perform. On Faith Night the local churches will be invited to meet the community. Beauty Night will be tentatively in August, to celebrate the parks in the city. Mayor Potter expects to reach out to local bike and running shops to celebrate the outdoors. Food opportunities will be at that event as well. More information will be posted as it becomes available.

Mayor Potter advised that at the recent Planning and Zoning Commission meeting, resident professional Aaron Godwin gave testimony discussing the alternative energy ordinance that Council passed a few years ago. Through a few applications in the last couple of years relating to solar energy, it has become evident there is work to do on that ordinance. Mr. Godwin is going to make recommendations to the Commission, and ultimately to City Council, suggesting changes to the ordinance.

Mayor Potter asked Mr. Godwin to also look into energy efficiency opportunities at City Hall and other City buildings, and with the advent of new sustainable solar energy in particular, to look into solar opportunities for the City.

Mayor Potter advised there will be an online digital survey for all residents soon, which will be sent in printed form to the seniors in the Senior Center Newsletter. This survey will be a follow-up to the strategic planning event the City did a couple years ago at Lakeland. Some questions are similar, some are new.

STANDING COMMITTEE REPORTS:

Councilman Lesnick advised that the Economic Development Standing Committee will meet June 7 at 5:30 p.m.

CORRESPONDENCE:

None.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

None.

OLD BUSINESS:**PUBLIC COMMENTS ON AGENDA ITEMS OF OLD BUSINESS:**

None.

ORDINANCE NO. 21-O-19
(Council President Lowery)

- **(Third Reading)** - **AN ORDINANCE AMENDING SECTIONS 1286.08, 1286.09 AND 1286.14 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND, RELATING TO SIGNS.**

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

OLD BUSINESS (continued):**ORDINANCE NO. 21-O-23**
(Mayor Potter)

- **(Second Reading) - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,008,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF RETIRING, TOGETHER WITH OTHER FUNDS AVAILABLE TO THE CITY, THE CITY'S OUTSTANDING VARIOUS PURPOSE NOTES, SERIES 2020, DATED JUNE 17, 2020, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mr. Lesnick moved to waive the three readings, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mrs. Wolfe. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

NEW BUSINESS:**PUBLIC COMMENTS ON AGENDA ITEMS OF NEW BUSINESS:**

None.

RESOLUTION NO. 21-R-25
(Mayor Potter)

- **A RESOLUTION AFFIRMATIVELY FURTHERING FAIR HOUSING IN THE CITY OF KIRTLAND, OHIO, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mr. Lesnick moved to waive the three readings, with the second by Mrs. Wolfe. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mr. Smolic. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

RESOLUTION NO. 21-R-26
(Mayor Potter)

- **A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF KIRTLAND, OHIO TO SUBMIT AN APPLICATION TO THE LAKE COUNTY OFFICE OF PLANNING & COMMUNITY DEVELOPMENT FOR FUNDING THROUGH THE COMPETITIVE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mrs. Wolfe moved to amend the resolution to strike the following language in Section 1 "for the Old Town Sewer project", and replace with "to construct outdoor restroom facilities at the Kirtland Community Center/Senior Center" and in Section 3, to strike "certain funding to assist in the Old Town sewer project that faces strict deadlines", and replace with "and meet application deadlines for CDBG funding", with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mrs. Wolfe moved to waive the three readings, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Schulz moved to declare an emergency and adopt as amended, with the second by Mr. Lesnick. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

NEW BUSINESS (continued):**ORDINANCE NO. 21-O-27**
(Mayor Potter)

- AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY LOCATED ON CHARLESDERRY ROAD THAT IS OWNED BY THE CITY OF KIRTLAND, OHIO TO MATIJA AND BREDI LONCAR PURSUANT TO OHIO REVISED CODE SECTION 721.03, AND DECLARING AN EMERGENCY.

The legislation was read by title only. Mr. Schulz moved to waive the three readings, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mr. Smolic. Answering Mr. Schulz, Mr. Lallo stated there were two bidders. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

RESOLUTION NO. 21-R-28
(Mayor Potter)

- A RESOLUTION ACCEPTING THE BID OF SHELLY MATERIALS, INC. FOR THE PICK-UP OF LIMESTONE ROAD MATERIALS, AND DECLARING AN EMERGENCY.

The legislation was read by title only. Mr. Smolic asked Mr. Fornaro to explain the yearly process of purchasing materials for the benefit of those new to Council. Mr. Fornaro explained that he would like the flexibility of both delivery and pickup, depending on the situation. These materials are not tied to a minimum purchase. Answering Council President Lowery, Mr. Fornaro stated that it would be helpful to have the legislation passed tonight. Answering Mr. Lesnick, Mr. Fornaro advised that the City did not buy any stone last year. Mr. Fornaro confirmed the materials are needed primarily for repairs and drainage work to support the rehabilitation program. Mr. Lesnick moved to waive the three readings, with the second by Mr. Smolic. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mrs. Wolfe. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

RESOLUTION NO. 21-R-29
(Mayor Potter)

- A RESOLUTION ACCEPTING THE BID OF ONTARIO STONE CORP. FOR THE DELIVERY OF LIMESTONE ROAD MATERIALS, AND DECLARING AN EMERGENCY.

The legislation was read by title only. Mr. Smolic moved to waive the three readings, with the second by Mr. Lesnick. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt, with the second by Mr. Smolic. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).**

RESOLUTION NO. 21-R-30
(Mayor Potter)

- A RESOLUTION ACCEPTING THE BID OF OSBORNE CONCRETE & STONE CO. FOR THE PICK-UP OF ASPHALT CONCRETE ROAD MATERIALS, AND DECLARING AN EMERGENCY.

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

NEW BUSINESS (continued):

RESOLUTION NO. 21-R-31
(Mayor Potter)

- **A RESOLUTION DECLARING IT NECESSARY TO RENEW THE CURRENT LEVY OF 0.85 MILL FOR COMMUNITY SENIOR CITIZEN AND RECREATIONAL FACILITIES AND PROGRAMS AND REQUESTING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE LEVY RENEWAL, AND DECLARING AN EMERGENCY.**

The legislation was read by title only. Mr. Lesnick moved to amend the legislation to strike "8, 2016" and replace it with "2, 2021" in Section 1, to properly reflect November 2, 2021. Mr. Schulz provided the second. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Schulz moved to waive the three readings, with the second by Mrs. Wolfe. Mayor Potter explained this will allow the County to certify the current millage of 0.85. Next month the actual renewal will be placed before Council to place it on the ballot. He stated this renewal is not a tax increase, it is only a renewal to continue supporting the \$150,000 for the Senior/Community Center. Answering Mr. Lesnick, Mayor Potter advised that with a replacement levy, the City would lose the rollback, approximately \$15,000. **ROLL CALL: MOTION CARRIED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK AND LOWERY. VOTING NAY: NONE).** Mr. Lesnick moved to declare an emergency and adopt as amended, with the second by Mr. Smolic. **ROLL CALL: ADOPTED 6/0 (VOTING YEA: SCHULZ, SMOLIC, WOLFE, HAYMER, LESNICK, AND LOWERY. VOTING NAY: NONE).**

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COUNCIL COMMENTS:

With regard to the previously discussed levy, Councilman Lesnick reiterated that it is a renewal so there will be no increase in taxes.

Councilman Schulz announced that Scout Troop 286 will be hosting a breakfast for Veterans and Safety Forces at the Forest Picnic Shelter at Chapin Forest Reservation off of State Route 306 from 8:00 a.m. to 9:30 a.m. on Monday, May 31, 2021 (Memorial Day).

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. Smolic moved to adjourn, with the second by Mr. Schulz. The motion of Council passed by unanimous vote and the meeting adjourned at 8:46 p.m.

President of Council

Clerk of Council