



# City of Mentor-on-the-Lake

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## MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE APRIL 11, 2017

The Regular Meeting of Council of April 11, 2017, for the City of Mentor-on-the-Lake, Ohio, was called to Order at 7:00 P.M. by Council President Desirea Thompson.

**CALL TO ORDER:** PLEDGE OF ALLEGIANCE

**ROLL CALL:**

Aye: **At Large:** PRESTON WOLK, Vice President  
Aye: **Ward 3:** ROB JOHNSON  
Aye: **At Large:** KEVIN BITTNER  
Aye: **At Large:** JIM LUNDER  
Aye: **Ward 1:** DAVID CHABUT  
Aye: **Ward 2:** PAUL MORRIS  
Aye: **Ward 4:** DESIREA THOMPSON, President

**READING OF MINUTES:** Regular Meeting of Council – March 28, 2017

Mayor Eva advised there was a correction at the bottom of Page 5, last paragraph. The word “not” was left out of the sentence, and the sentence should read, “Mayor Eva said Council Member Wolk’s comparison of 2014 to 2017 as stated in the letter is not apples to apples.”

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Morris, for Approval of the Minutes of the March 28, 2017, Regular Meeting of Council, as amended. **ROLL CALL:** Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**CORRESPONDENCE:**

Council Member Morris advised he had received a phone call from Dorinda Myers, 7734 Sharon Drive, regarding her concerns about the moving of the salt shed and the stone bins. She has accepted the idea of the salt shed being moved and is still uncomfortable about the stone bins. Council Member Morris advised he had also received a phone call as well as contact from Skip Gray concerning a problem he had with a neighbor calling the police about Mr. Gray shoveling snow. Mr. Gray was accused of shoveling snow into his neighbor’s drive and the police were called. No report was taken however Mr. Gray is upset that something has been posted to Facebook and he is all wound about that. Council Member Morris said he met with Chief Gielink and Chief Gielink said they are taking reports from both Mr. Gray and his neighbor and forwarding the reports to the Prosecutor for a determination if a complaint or charges should be filed. Council Member Morris also advised he had received a phone call that residents on the East end of Pinhurst were concerned that a neighboring house was being worked on and the last they knew, the house had been condemned and was supposed to be torn down. Council Member Morris said he talked to Mr. Moore, the Service Director, who explained that the bank is going to put \$70,000.00

into the house and bring it up to speed, possibly to be sold at a future date. Council Member Morris told this to the neighbors and he noticed the next morning the police were there taking a report.

#### **ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:**

##### **Mayor and Safety Director – Mayor Eva**

Mayor Eva gave the Fire Department report for March 2017. There were a total of 91 calls for service during March, which are broken down as follows: Service/Fire – 18 calls; Rescue/EMS – 64 calls; and Invalid Assist – 9 calls. The number of calls were 10 less than in February but was still 20 calls more than the Fire Department handled last year during the month of March. The total number of calls for the year as of March 31, 2017, is 306. This is an increase of 75 calls over last year's total. There were 9 calls during the month that were handled by personnel who responded from home because the "On Duty" crew was committed to another emergency.

Mayor Eva advised on March 30, 2017, he received a letter from The Ohio Public Works Commission advising that the City's request for financial assistance in the form of a grant/loan has been approved for the Pinehurst Drive Drainage System Improvements in the amount of \$300,000.00. He has talked to Mr. Sayles and hopes to get this started before the end of the year.

Mayor Eva stated he has given Council a copy of Mentor-on-the-Lake Policy & Procedures titled Political Activities. When the Auditors were in, they recommended this change. In summary, it limits where political literature or posters will be displayed. They cannot be displayed on city owned property. Also the literature shall not be distributed at city sponsored events. Mayor Eva said there are a couple of other things listed which he thinks everyone knows about. He knows election season will be underway and he wanted to give Members of Council a copy so they know what is going on ahead of time.

Mayor Eva advised a letter dated April 10, 2017, from Mrs. Bartone has gone out to all Lake Street residents. They are planning to start the work on April 17, 2017, and the work should be completed sometime in August. A copy of the letter has been given to all Members of Council.

Mayor Eva advised Mr. Moore, the Service Director, has received a nice Thank-You from Holli Seliskar. Mayor Eva read her note.

##### **Administrative Director – Mrs. Bartone**

Mrs. Bartone advised the City has applied for and was awarded a \$500.00 arts and cultural grant from the Lake County Visitor's Bureau for the Fall Festival which is going toward festival expenses. In addition, four banner sponsor spots were offered, with the highest spot costing \$700.00, and all four spots have been pledged. Mrs. Bartone advised preparations for the Fall Festival are moving forward.

##### **Law Director – Mr. Lyons (No Report)**

##### **City Engineer – Mr. Sayles (No Report)**

#### **QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:**

Council Member Morris asked Mayor Eva about the City auctioning off 19 supposedly obsolete computers on E-Bay. He ended up being the winning bid and as he was going through them, he noticed build dates were in 2011, they were obsoleted in 2013, and were running a fairly new Windows operating system. He is not sure why they were taken out of service, but it led him to wonder if his old computer from Fire Prevention was there, and it was not. He is curious if there is a whole bunch of surplus

equipment in the City that it should get rid of, because technology, if held onto, will lose its value. If there are more computers sitting around, rather than wait years to get rid of them, we would be better off getting rid of them now. He is suggesting that the Administration compile a list of this surplus equipment, and asked Mayor Eva if this could be done. Mayor Eva said it could be done, and this will be looked into. Mrs. Bartone stated that Mr. Moore's Department and other Departments have been cleaning up and actively going through everything in storage trying to see if there is anything the City can get rid of. They started about a month ago. Council Member Morris also suggested that the last he heard, above the mechanic's room in the Fire Department, they have a lot of old equipment which has been there since before he retired. The equipment is obsolete and cannot be used for fire-fighting anymore, however, fire-fighting buffs love to collect this stuff, so rather than sell it as a group, sell it in individual pieces. Mayor Eva said this was a good suggestion.

#### **BOARD/COMMITTEE/COMMISSION REPORTS:**

##### **Parks and Recreation Board / March 30, 2017 / Mr. Bittner**

Council Member Bittner stated the Parks and Recreation Board met on March 30, 2017, at 7:00 P.M. Present were Chairperson Jennifer Jakosh, Board Members Ryan Jakosh, Dorinda Myers, Catherine Roos, Council Members Bittner and Johnson, and Mayor Eva. They talked about the Plan4Health. Mentor-on-the-Lake did receive the CDBG grant in the amount of \$65,100.00 to complete the walking path around City Hall. This work should possibly be starting in Mid-June of this year. Council Member Bittner said the Board went over the Community Clean-Up Day on May 6, 2017, from 10:00 A.M. until 12:00 Noon. This will be posted on Facebook and they are looking for volunteers and donations in the form of garbage bags, lawn bags, etc. Council Member Bittner stated a car wash benefiting the school supply collection will be held on Saturday, June 10, 2017, from 11:00 A.M. until 1:00 P.M. at the Fire Department. He also advised the Board is still working on the Fall Festival. The meeting adjourned at 7:52 P.M.

##### **Safety Committee / April 3, 2017 / Mr. Morris**

Council Member Morris stated the Safety Committee met on April 3, 2017, at 6:00 P.M. Present were Council Members Morris, Lunder, Bittner, Johnson, and Council President Thompson. The Committee met to discuss the overdose problem. The Committee briefly discussed H.B. 110 passed in Ohio which gives law enforcement some more ways to work with the problem. The Committee briefly discussed charging for Narcan administration. Council Member Morris stated he had talked to the State's EMS Medical Director who pointed out that jail does not seem to work because a lot of time these people can get more drugs in jail; rehab usually will not work unless the patient is ready; and the one thing they both agreed on is that the medical profession has to get behind this problem before anything is really effective; and this was discussed. Council Member Morris also advised that Mentor High School is holding a program for adults only on April 12, 2017, from 6:00 P.M. until 8:00 P.M. on how to recognize the signs that a family member, particularly a teenager, might be involved in this. The meeting adjourned at 6:20 P.M.

##### **Planning & Zoning Commission / April 3, 2017 / Mr. Johnson**

Council Member Johnson stated the Planning & Zoning Commission met on April 3, 2017, to discuss a conditional use permit for Yeager's Auto & Marine Service to operate an auto and marine service and boat storage, as well as a fence variance requested by Diane Faehnrich, 7723 Salida Road. Council Member Johnson stated the conditional use permit was put on hold until next month as additional information needs to be provided. The fence variance was approved.

**Ordinance Committee / April 5, 2017 / Mr. Lunder**

Council Member Lunder stated the Ordinance Committee held two meetings on April 5, 2017. The first meeting began at 6:00 P.M. to discuss the feral cat situation. Present were Council Members Lunder, Bittner, Johnson, and Morris. Also present were Mayor Eva, Mr. Lyons, Community Cat people Ms. Valerio, Mr. Guy, Ms. Rhodes, Andy Rose and Dorinda Myers. The Community Cat Co. Inc. was present to discuss what they do with the feral cats in Willowick and Mentor. They helped both Cities write their ordinances. What they do when there is a problem is to register the colony, trap, neuter, and return them at no cost to the City or to the homeowner. They are a non-profit organization. They gave the Committee information to review and discuss at a future meeting. Council Member Lunder stated the Committee agreed to discuss this and come up with an ordinance to help both the City and residents. The Committee will schedule another meeting to go forward with this issue. The meeting adjourned at 6:45 P.M. because the room was double-booked.

Council Member Lunder stated the second Ordinance Committee meeting began at 6:55 P.M. Present were Council Members Lunder, Bittner, Johnson, Morris, and Wolk. Also present were Mayor Eva and Mr. Lyons. The Committee met to discuss Ordinance No. 2017-O-09, Codified Ordinance 1452.04(c), for insurance certificate and bond, as well as Ordinance No. 2017-O-04, public right-of-way. Council Member Lunder stated, regarding the bond and insurance issue, the Committee decided to use the same amount as used by the City of Mentor since homeowners would most likely use the same contractors. The bond amount was set at \$10,000.00 and the insurance at \$1,000,000.00 liability, \$1,000,000.00 property damage. The Committee recommends passage of Ordinance No. 2017-O-09. Council Member Lunder stated, regarding Ordinance No. 2017-O-04, right-of-way, Mr. Lyons sent the Committee a revised Ordinance with correct wordage which he felt was in other cities' ordinances. He also was going to discuss with Mr. Sayles about who would do the inspection of the pole sites to make sure they were installed to the specifications in the Ordinance. The Ordinance refers to the City Engineer for mapping and other issues but nothing on installation inspection. The Committee feels if Mr. Sayles agrees on who does the inspection, then the Committee would like to see this Ordinance passed. The meeting adjourned at 7:35 P.M.

**OPEN TO THE PUBLIC TO SPEAK: 7:17 P.M.**

**CLOSED OPEN TO THE PUBLIC SECTION: 7:18 P.M.**

**LEGISLATION BEFORE COUNCIL:**

**ORDINANCE NO. 2017-O-04 (THIRD READING)(ASSIGNED TO COMMITTEE)**  
**AN ORDINANCE ENACTING CHAPTER 1022 OF THE MENTOR ON THE LAKE CODIFIED**  
**ORDINANCES RELATING TO PUBLIC RIGHTS-OF-WAY AND DECLARING AN EMERGENCY**

Council Member Lunder asked Mr. Sayles if he had any comments on Council Member Lunder's report about inspection of the pole sites. Mr. Sayles said the City Engineer can certainly do inspections, but keep in mind the liability still lies with the installer. The City Engineer and City do not take on any liability. There is a question as to how much the City would want to pay the City Engineer to do this, and it would be in the City's best interest to have someone there to hopefully hold off any problems. Council Member Lunder said in the 30-plus page Ordinance there is no mention about inspections. Mr. Lyons stated at the meeting he suggested that routinely cities do not do inspections of utility work, and if the City is going to inspect the telecommunications group, then it needs to inspect everybody and have a global inspection policy so it is the same for everybody. He is not aware of any city that does this. The issue of inspections was further discussed by Mr. Lyons, Mr. Sayles, Mayor Eva, and Council Member Lunder. Council Member Lunder asked about amending the Ordinance. Mr. Lyons stated the

**LEGISLATION BEFORE COUNCIL (Continued):**

**ORDINANCE NO. 2017-O-04 (THIRD READING)(ASSIGNED TO COMMITTEE) (Continued):**

amendments do not deal with the issues as raised by Dominion in other cities. The required notice was filed with the PUCO around February 24, 2017. Council Member Lunder asked if the Ordinance can be taken out of Committee and voted on. Mr. Lyons stated the Ordinance can be brought out of Committee, amended, and passed. This is a tremendous improvement over what the City has now because the City really does not have much. Mr. Lyons said he suggested to Mr. Sayles there really should be one central group in Lake County with the knowledge and expertise about this to make sure rights of way are protected from this point on, and that Mr. Sayles group would have the expertise to do this. Mr. Sayles stated he distributed the Ordinance to the other Engineers in his office and they are discussing this.

**MOTION MADE BY MR. BITTNER**, Seconded by Mr. Wolk, to bring Ordinance No. 2017-O-04 out of Committee. ROLL CALL: Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Lunder, for approval of Ordinance No. 2017-O-04 as amended. ROLL CALL: Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**MOTION MADE BY MR. LUNDER**, Seconded by Mr. Morris, for Passage. ROLL CALL: Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**ORDINANCE NO. 2017-O-09 (THIRD READING) (ASSIGNED TO COMMITTEE)**

**AN ORDINANCE AMENDING CODIFIED ORDINANCE 1452.04(c) - ISSUANCE CERTIFICATE – BOND AMOUNT AND DECLARING AN EMERGENCY**

Council President Thompson questioned the insurance amounts. Council Member Lunder stated the bond is \$10,000.00; \$1,000,000.00 liability; and \$1,000,000.00 property damage. Mrs. Bartone stated Mentor's bond amount is \$10,000.00. Mr. Lyons advised the \$1,000,000.00 amounts are not included in the present Ordinance. Council President Thompson asked if it should be amended. Mr. Lyons indicated it should be and he will have the amended Ordinance prepared for the next meeting, or Council could pass the \$10,000.00 Ordinance now so it can be in place, then he will have the new Ordinance prepared for the \$1,000,000.00 amounts. Council Member Johnson asked if the \$1,000,000.00 amounts would also go into effect as of January 2018. Council Member Lunder said it will. Mr. Lyons stated he would amend the Ordinance for the next Council meeting as all of the amounts do not go into effect until January of 2018.

**ORDINANCE NO. 2017-O-12**

**AN ORDINANCE AUTHORIZING THE CITY OF MENTOR-ON-THE-LAKE TO PICK UP THE STATUTORILY REQUIRED EMPLOYEE CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES OF CITY OF MENTOR-ON-THE-LAKE PURSUANT TO INTERNAL REVENUE CODE SECTION 414(H)(2).**

There was no Motion for Suspension of the Rules. Ordinance No. 2017-O-12 is placed on Second Reading.

**LEGISLATION BEFORE COUNCIL (Continued):**

**ORDINANCE NO. 2017-O-13**

**AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND APPOINTED SALARIED AND HOURLY EMPLOYEES OF THE CITY OF MENTOR-ON-THE-LAKE; REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS THEREOF WHICH MAY BE INCONSISTENT HERewith OR WHICH MAY BE REDUNDANT HERETO; AND DECLARING AN EMERGENCY**

Council Member Lunder asked if the wage rate spreads are to be used this coming year for increases, and if there is no spread, is the figure used the correct one. Mrs. Bartone stated the part-time fire did not change. The ones that changed without a spread are the Police Chief, School Guards, part-time Dispatchers. The change is 2% pursuant to the contract. Council Member Morris said he thought eliminating the Fire Department Secretary was discussed at the Appropriations Meeting. Council Member Johnson said it was discussed when the budget was passed last year and it should be eliminated. Mrs. Bartone said this was prior to her time and she was not aware of the discussion. The only reason she would have left it on is if something would happen in the future, the position is there, but there is nothing appropriated for that line item and it did not increase. She did not change any position that does not have a body in it. Her thought was to leave it there for right now and it would be there if someone was hired for the position. Council Member Johnson said the reason it was eliminated was to eliminate the possibility of someone being hired for that position. Council Member Bittner asked if the raises were retroactive to March 1, 2017. Mrs. Bartone said that was correct, the budget was passed in March, which is why March was used instead of January.

There was no Motion for Suspension of the Rules. Ordinance No. 2017-O-12 is placed on Second Reading.

Mr. Lyons asked if Council wanted to make a motion to eliminate the Fire Department Secretary position. Council Member Johnson said it was amended last year and questioned why it was showing up this year, and he would be happy to make the motion to eliminate this position.

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Wolk, motion to eliminate the Fire Department Secretary position from the Ordinance. **ROLL CALL:** Ayes: Council Member Wolk, Johnson, Lunder, Chabut, Morris, Thompson. Nays: Council Member Bittner.

**MOTION CARRIED: 6/1**

**OLD BUSINESS:** (None)

**NEW BUSINESS:** (None)

**OPEN TO THE PUBLIC TO SPEAK: 7:35 P.M.**

**CLOSED OPEN TO THE PUBLIC SECTION: 7:36 P.M.**

**ANNOUNCEMENTS AND SETTING OF MEETINGS:**

Safety Committee	Monday, April 17, 2017, at 7:00 P.M.
(Council Member Morris asked Mayor Eva to have Chief Gielink and Chief Konisky at the meeting.)	
Ordinance Committee	Monday, April 24, 2017, at 6:00 P.M.
(to discuss the feral cat problem)	

Regular Agenda Meeting  
Regular Council Meeting

Thursday, April 20, 2017, at 6:00 P.M.  
Tuesday, April 25, 2017, at 7:00 P.M.

**ADJOURNMENT:**

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Lunder, for Adjournment. **ROLL CALL:**  
Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None.  
**MOTION CARRIED: 7/0**

The Regular Meeting of Council adjourned at 7:40 P.M.

**APPROVED:**

\_\_\_\_\_  
Date

\_\_\_\_\_  
**DESIREA THOMPSON**  
President of Council

Attest: \_\_\_\_\_

**Clerk of Council**