



## City of Mentor-on-the-Lake

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### MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE JULY 25, 2017

The Regular Meeting of Council of July 25, 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 – July 11, 2017

**MOTION MADE BY MR. JOHNSON,** Seconded by Mr. Morris, for Approval of the Minutes of the July 11, 2017, Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED:** 7/0

**CORRESPONDENCE:** (None)

**ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:**

**Mayor and Safety Director – Mayor Eva**

Mayor Eva stated all members of Council have received the Memo dated July 20, 2017, from Mrs. Bartone asking that Ordinance No. 2017-O-23 and Ordinance No. 2017-O-24 be passed as emergency measures tonight, and if this could be done, he would appreciate it.

Mayor Eva advised he has received three responses for the voluntary positions for the CRA Housing Council, copies of which have been given to Mrs. Thompson. The three residents are Nick Lorber, 7416 Larkspur, Raymond Gieling, 7434 Primrose, and Ann Shields, 7477 Southland. He suggested this be discussed under New Business about bringing them in, maybe as a Council as a Whole meeting, to discuss these positions.

Mayor Eva stated Chief Konitsky and the Fire Department were awarded the State EMS Grant in the amount of \$2,925.00. This Grant will buy needed EMS equipment and supplies. Ordinance No. 2017-O-24 adds this amount to the EMS Grant funds.

Mayor Eva thanked the Service Department for its great job in completing the roof for the new salt shed and demolishing the old salt shed. He thanked Brent Moore, Service Director, Jim, Scott, Cory and Glen for their hard work. This was another way the City reduced expenses by performing the work in-house and not contracting out the labor.

Mayor Eva advised Onyx Health Club is having its grand opening on Saturday, August 5, 2017, at 12:45 P.M. if any member of Council would like to attend. He will be there.

**Administrative Director – Mrs. Bartone**

Mrs. Bartone advised she has nothing additional to add and will be happy to answer any questions about the appropriation Ordinances.

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

**City Engineer – Mr. Sayles**

Mr. Sayles advised the surveys are done for Pinehurst and they are starting on the design. In sequencing the work, they will be working with Lake Elementary and the School Transportation Department about doing the work around the school. The work will be starting during the school year in 2018.

**Police Chief – Mr. Gielink**

Chief Gielink advised last Monday a male jumped the counter at Walgreens and held a sharp object against the clerk's throat, demanding drugs. The clerk complied and gave the male a bottle of drugs. He ran out of the store and was apprehended a short time later hiding in the bathroom of a restaurant. A 29-year old Wickliffe resident was taken into custody and is being held on \$100,000 bond. Lt. Forsythe, Sgt. Daubenmire, and Ptl. Braidic all worked on this case, with assistance from the Mentor Police Department, to bring it to a conclusion with no injuries.

Chief Gielink stated the Police Department is in the process of implementing a new scheduling program that will allow officers to use a computer or a smart phone to view their schedule, submit availability, and accept open shifts. He anticipates this program will significantly reduce the number of hours that are currently spent working on the schedule.

Chief Gielink stated Sgt. Daubenmire and Ptl. Roach recently participated, along with several members of the Fire Department, in the annual Larkspur Drive block party. Ptl. Higginbotham is participating in the Lake County Fair Parade, and next week Ptl. Higginbotham will be participating in the Annual Night Out Against Crime Cruiser Showdown at Painesville Square. Sgt. Daubenmire will be beginning Police Executive Leadership College in Columbus. This is a very informative, intensive program that will span three months and involve college level course work.

Chief Gielink advised the Police Department is in the process of hiring a full-time officer to replace Ptl. O'Connor who retired at the beginning of the month. The Civil Service test has been administered.

Chief Gielink advised the Department is down to two doses of Narcan and they are saving these in case an officer has an accidental contact with fentanyl until they can get more.

**QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:**

Council Member Morris asked Mr. Sayles about the time frame for Pinehurst to be completed. Mr. Sayles stated mid to late August. They are lowering the laterals and the County is also giving some money towards this work.

Council President Thompson asked Chief Gielink how long it will be before they can get more Narcan. Chief Gielink said he has no answer as the person they deal with at the Lake County Health District is out of the office, but it is a year grant and they have already received their supply. He does not know if they will get any more until the next grant.

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

##### **Zoning Committee / July 13, 2017 / Mr. Johnson**

Council Member Johnson advised the Zoning Committee met on July 13, 2017, at 6:30 P.M. to review zoning of parcels and miszoning. Present were Council Members Rob Johnson, Paul Morris, and Kevin Bitner. Also present were Mayor Eva and Brent Moore, Service Director. Council Member Johnson went through the list of what the Committee is considering: rezoning the parcel at 7878 Plains to Multi-Family, this is an apartment building; 6001 Marine Parkway, rezoning from Business to Multi-Family, this is also an apartment building; 5980 Marine Parkway needs to be sorted out (they believe it was rezoned properly but Mr. Moore is looking into when it was done and why the map has not been updated correctly); 7766 Salida is supposed to be Multi-Family; North and South Winds should be Multi-Family, not garden condominiums; all properties on North Road north to Salida, east to Anna, should be rezoned Single Family E, not garden apartments; 7701 Sharon, 5782 Andrews should be Multi-Family district; 7680 Sharon to 7730 Sharon (south side) should be rezoned to Single Family E; Aqua at 7748 Twilight/Salida should be rezoned to Industrial; they are confused about the zoning for Lake Elementary as it is currently zoned as Single Family and they are trying to figure out what it should be zoned as; 7914 and 7900 Lakeshore should be rezoned to Single Family, depending on size of the property; also 7468 to 7516 Salida, they need to verify what they should be zoned as; Cedarwood Beach Association should be rezoned to Recreational Park District; all the parcels on Andrews Road north of Sharon should be zoned Business. Council Member Johnson stated the Committee is reviewing zoning ordinances especially in the business district. The meeting adjourned at 7:58 P.M.

##### **Ordinance Committee / July 6, 2017 / Mr. Morris**

Council Member Morris advised the Ordinance Committee met on July 6, 2017, at 6:30 P.M. to review the proposed Cat Ordinance which should be up for vote tonight, housekeeping of amendments to the Ohio Building Codes, and Zoning Ordinances. Present were Council Members Paul Morris, Rob Johnson, and Dave Chabut. The Committee had a brief discussion of the issues presented at the recent Council Meeting concerning the proposed Cat Ordinance and it agreed not to make any changes at this point. The Committee discussed the City's Section 1420 concerning the Ohio Building Codes and is looking to update it similar to the treatment given to the Ohio Fire Code. Details will be discussed at the next meeting. The Committee had discussion concerning the review of the City's Zoning Ordinances and will be looking at ways to improve them. Exact improvements will be discussed at the next Ordinance Committee Meeting. The meeting adjourned at 7:30 P.M.

##### **OPEN TO THE PUBLIC TO SPEAK: 7:13 P.M.**

Mike Huelsman, 7600 Pinehurst. Mr. Huelsman was disappointed he had sent an email copying Council President Thompson and has not had a reply or answer to the email. He read his email concerning major concerns he had with the Fire Department, including but not limited to short staffed shifts, firefighters not qualified to drive the fire engines, sometimes there is no medic, at times the firefighters on the shift have less than a year's service with no supervisor, there is too much complacency with the attitude of just call Mentor. This is not what he is paying for with his taxes and is disappointed with what is being done in the Fire Department since the SOS levy passed. He had concerns about the part-time Fire Chief as well as the promotion from Lieutenant to Captain in the Fire Department; it seems the Fire Chief has no control over the Fire Department and the Fire Chief and Captain cannot run the Fire Department.

He asked what is being done about these problems, and if the Fire Chief is not working on these problems, then what is the Administration and Council going to do about it.

**CLOSED OPEN TO THE PUBLIC SECTION: 7:17 P.M.**

**LEGISLATION BEFORE COUNCIL:**

Council President Thompson advised the Agenda has to be amended to add Ordinance No. 2017-O-25.

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Morris, to add Ordinance No. 2017-O-25 to the Agenda. **ROLL CALL:** Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**ORDINANCE NO. 2017-O-21 (AMENDED) (THIRD READING)**

**AN ORDINANCE REGULATING THE FEEDING OF STRAY AND FERAL CATS**

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Chabut, for Passage. **ROLL CALL:** Ayes: Council Member Wolk, Johnson, Bittner, Chabut, Morris, Thompson. Nays: Council Member Lunder.

**MOTION CARRIED: 6/1**

**ORDINANCE NO. 2017-O-23 (SECOND READING)**

**AN ORDINANCE TO AMEND THE 2017 APPROPRIATION ORDINANCES AND DECLARING AN EMERGENCY**

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

**MOTION CARRIED: 7/0**

**ORDINANCE NO. 2017-O-24**

**AN ORDINANCE TO AMEND THE 2017 APPROPRIATION ORDINANCES AND DECLARING AN EMERGENCY**

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Morris, for Suspension of the Rules. **ROLL CALL:** Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

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

**MOTION CARRIED: 7/0**

**LEGISLATION BEFORE COUNCIL (Continued):**

**ORDINANCE NO. 2017-O-25**

**AN ORDINANCE ADOPTING A MORATORIUM ON APPLICATIONS FOR, AND THE GRANTING OF, ZONING PERMITS FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION OR SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED SIX MONTHS IN ORDER TO ALLOW THE CITY TO REVIEW APPLICABLE STATE AND LOCAL LAWS, TO PLAN FOR REGULATIONS RELATING TO SUCH USES, AND DECLARING AN EMERGENCY**

Council Member Morris asked for discussion. He asked why this is limited to six months and not a year. Mr. Lyons explained the first time around it was done for six months and this is a repeat of the prior Ordinance. There was discussion on when the State will be rolling out its guidelines and award of licenses, the legality of moratoriums, and what the City would like. Council Member Morris advised letters have been sent to Giant Eagle and Walgreen's pharmacies about this and they are also looking into individual dispensaries but the Ordinance Committee has not really set where it wants to go with this, and what they want to accomplish, but the general consensus is they want to stay with registered pharmacies to distribute medical marijuana. The State guidelines are supposed to come out the first part of September. Council Member Wolk asked whether the moratorium was within the rights and responsibilities of the City according to State law. Mr. Lyons explained it was. The City is not stopping development, just stopping it until more information is received on this. He explained the licensing process however no set procedures have been set and no licenses have been issued yet, and that Ohio law will trump City law.

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

**MOTION CARRIED: 7/0**

**OLD BUSINESS:** (None)

**NEW BUSINESS:**

Council Member Wolk asked Mayor Eva, regarding Mr. Huelsman's concerns about the Fire Department, if he had any comment or explanation. Mayor Eva said he has talked to Chief Konitsky and talked about scheduling. The Chief has a plan in place, and the situation has been resolved. Council Member Wolk asked how so. Mayor Eva stated the scheduling situation has been resolved. Council Member Wolk asked if it has been scheduled so Mr. Huelsman's complaints are no longer happening. Mayor Eva said that was correct.

Council President Thompson asked about the CRA. Mayor Eva asked if Council would like to set up a meeting with the three people interested in serving. A meeting of Council as a Whole is scheduled for Tuesday, August 8, 2017, at 7:00 P.M.

**OPEN TO THE PUBLIC TO SPEAK: 7:31 P.M.**

Jennifer Jakosh, 7574 Southland. Mrs. Jakosh said she is very disappointed the feral cat Ordinance passed. She had discussed at the last Council meeting that it was a very vague overview and there was a lack of accountability in the Ordinance and it still passed. Now this becomes another Ordinance that

is not able to be tracked or followed or fined or anything to that degree, so she thanked Council for adding this to the list of numerous other Ordinances that are not followed through, that are not tracked, that are not penalized, and just because another City issues it does not mean that we also have to follow suit with that.

**CLOSED OPEN TO THE PUBLIC SECTION: 7:33 P.M.**

**ANNOUNCEMENTS AND SETTING OF MEETINGS:**

Parks & Recreation Board  
Planning & Zoning Commission

Thursday, July 27, 2017, at 7:00 P.M.  
Monday, September 11, 2017, at 7:00 P.M.

Regular Agenda Meeting  
Regular Council Meeting

Thursday, September 7, 2017, at 6:00 P.M.  
Tuesday, September 12, 2017, at 7:00 P.M.

**ADJOURNMENT:**

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Johnson, 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 7:36 P.M.

**APPROVED:**

September 12, 2017  
Date

Desiree Thompson  
**DESIREA THOMPSON**  
President of Council

Attest: Joyce M. Duke  
Clerk of Council