



City of Mentor-on-the-Lake

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MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE SEPTEMBER 12, 2017

The Regular Meeting of Council of September 12, 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
Ward 1: DAVID CHABUT (Absent/Excused)
Aye: **Ward 2:** PAUL MORRIS
Aye: **Ward 4:** DESIREA THOMPSON, President

READING OF MINUTES: Regular Meeting of Council – July 25, 2017

MOTION MADE BY MR. MORRIS, Seconded by Mr. Johnson, for Approval of the Minutes of the July 25, 2017, Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

CORRESPONDENCE:

Council Member Morris advised he had received a letter from Blystone's Marine regarding the purchase of City owned property next to their store, and would like to discuss this tonight during New Business.

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor and Safety Director – Mayor Eva (Absent)

Administrative Director – Mrs. Bartone

Mrs. Bartone requested passage of Resolution No. 2017-R-14 and Ordinance No. 2017-O-26 tonight as set forth in her Memo dated September 12, 2017. Ordinance No. 2017-O-26 is for property in foreclosure. Mrs. Bartone stated Resolution No. 2017-R-15 for the tax rates for next year does not have to be certified until the end of this month and she will be asking that this Resolution be passed at the next meeting.

Mrs. Bartone advised notice that Fiscal Year 2016 has been finished, audited and published as stated in the email forwarded to Council, and the City has received the Auditor's State Award.

Law Director -- Mr. Lyons

Mr. Lyons advised he is working with Council Member Morris on some matters coming out of the Ordinance Committee to update some Codes, basically a housekeeping matter, which are on the Agenda tonight, and if Council wants to, they can pass the Ordinances tonight.

City Engineer -- Mr. Sayles (Absent)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Council President Thompson thanked everyone for the great job at the Fall Festival, all the volunteers, the Parks & Recreation Board, the Service Department, the Police Department, the Fire Department, the Administration, and Council. It was really supported by all the Departments and she wanted to thank everyone.

Council Member Morris specifically wanted to thank Hollie Bartone, the City Administrator, and Christa Parisi, who did a lot of hard work on the Fall Festival, as well as the Service Department for the set up and tear down. Great job!

BOARD/COMMITTEE/COMMISSION REPORTS:

Parks & Recreation Board / July 27, 2017 / Mr. Bittner

Council Member Bittner stated the Parks & Recreation Board met twice during Council's recess. The Board met on August 27, 2017, at 7:00 P.M. Present were Jennifer Jakosh, Committee Chair, Michelle Moore, Dorinda Myers, Catherine Roos, Harry Burt, Ryan Jakosh, Council Members Bittner, Johnson, Lunder, and Morris, Mayor Eva, and Brent Moore, Service Director. The Board reviewed the Fill a Cruiser which was set for August 5, 2017, and reviewed the Fall Festival plans. The Board rescheduled the next meeting to Tuesday, August 22, 2017, at 7:00 P.M.

Parks & Recreation Board / August 22, 2017 / Mr. Bittner

Council Member Bittner advised the Parks & Recreation Board met on August 22, 2017, at 7:00 P.M. Present were Jennifer Jakosh, Committee Chair, Michelle Moore, Dorinda Myers, Catherine Roos, Harry Burt, Ryan Jakosh, Council Members Bittner, Johnson, Lunder, Mayor Eva, and Hollie Bartone. The Board reviewed the Fall Festival and Mrs. Bartone presented the layout for the Fall Festival, which was a very good layout, the signs and banners were ordered and in, and all the vendors were set at this point. The Fill a Cruiser was successful. The next meeting was scheduled for Thursday, September 28, 2017, at 7:00 P.M.

Planning & Zoning Commission / August 7, 2017 / Mr. Johnson

Council Member Johnson advised the Planning & Zoning Commission met on August 7, 2017, at 7:00 P.M. The Commission discussed a fence variance on Reef Road which was approved.

Planning & Zoning Commission / September 11, 2017 / Mr. Johnson

Council Member Johnson advised the Planning & Zoning Commission met on September 11, 2017, at 7:00 P.M. The Committee discussed a request for a variance for a playground fence at 5939 Andrews Road behind the new day care. This has been tabled until they provide the Commission with the appropriate drawings and plans for this as what the Commission had received was inadequate. The Commission also appointed Adam Sheldon to the CRA Housing Committee.

Council as a Whole / August 8, 2017 / Mr. Wolk

Council Member Wolk advised Council as a Whole met to discuss the CRA Board applicants on August 8, 2017, at 7:00 P.M. The meeting lasted just under an hour. Present were Council Members Wolk, Morris, Lunder, Johnson, Chabut, and Mayor Eva. There were five applicants and all of them answered any questions posed by Council. Council Member Wolk stated he was personally pleased to see there were so many applicants as this was one of his concerns with the way the CRA Ordinance was written and whether they would be able to fill the Boards. He thinks there is a pretty good chance of this and he is pleased about that.

OPEN TO THE PUBLIC TO SPEAK: 7:07 P.M.

Mark Waites, 5866 Lake Street. Mr. Waites had concerns and complaints about the construction on Lake Street regarding the cement pour for the apron on his driveway as well as his water line was broken and supposedly fixed, which has affected the amount of water pressure he is now getting. He has contacted Mayor Eva and Mrs. Bartone about this. These issues were discussed. Mrs. Bartone stated she will contact the City Engineer to inspect the cement work and, with the approval of Mr. Waites, will ask the City Engineer to go into his house to check out the water pressure. Kathy Barcus, who was in the audience, asked if Lake Street would be repaved. Mrs. Bartone advised the street will be repaved and the contractor is trying to get on the schedule for the asphalt paver for next week.

CLOSED OPEN TO THE PUBLIC SECTION: 7:25 P.M.

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2017-R-14

A RESOLUTION COMMEMORATING LAKELAND COMMUNITY COLLEGE ON ITS 50TH YEAR OF SERVING STUDENTS IN LAKE COUNTY AND NORTHEAST OHIO, AND DECLARING AN EMERGENCY

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

MOTION CARRIED: 6/0

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

MOTION CARRIED: 6/0

RESOLUTION NO. 2017-R-15

A RESOLUTION ACCEPTING THE RATES AS DETERMINED BY THE LAKE COUNTY BUDGET COMMISSION FOR TAX YEAR 2017, AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE LAKE COUNTY AUDITOR

There was no Motion for Suspension. Resolution No. 2017-R-15 is placed on Second Reading.

ORDINANCE NO. 2017-O-26

AN ORDINANCE LEVYING LIENS FOR EXPENSES INCURRED FOR LAWN MAINTENANCE AND/OR CULVERT REPAIRS, AND DECLARING AN EMERGENCY

Council Member Wolk stated he spoke with Mrs. Bartone before the meeting and there is typically two of these on the Agenda and this time there is not, and he asked Mrs. Bartone to explain. Mrs. Bartone advised this is the foreclosure list, and it was too late to get the second list on tonight's Agenda.

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2017-O-26 (Continued):

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Morris, Thompson. Nays: None.
MOTION CARRIED: 6/0

MOTION MADE BY MR. LUNDER, Seconded by Mr. Morris, for Passage. ROLL CALL: Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Morris, Thompson. Nays: None.
MOTION CARRIED: 6/0

ORDINANCE NO. 2017-O-27

AN ORDINANCE AMENDING CODIFIED ORDINANCE 660.15 – STORING OR ABANDONING BUILDING MATERIALS OR SCRAP AMOUNT

Council Member Morris asked to clarify a point. This Ordinance, when originally written, was under the jurisdiction of the Fire Department but in a Section of the old Ordinance, it stated that the Police Department will send out a letter. This clarifies that Section and puts it all under the Fire Department. Mr. Lyons stated the only change is who sends out the letter.

There was no Motion for Suspension. Ordinance No. 2017-O-27 is placed on Second Reading.

ORDINANCE NO. 2017-O-28

AN ORDINANCE AMENDING CHAPTER 1610 – OHIO FIRE CODE IN ITS ENTIRETY

Council Member Morris stated this updates the Fire Code, and he would like to put this in Committee and scheduled another Ordinance Committee meeting. He is also waiting for official input from Chief Konitsky. Mr. Lyons stated this Ohio Fire Code can be passed without that decision being made. Council President Thompson asked for a motion to table, however, Mr. Lyons advised it can be left on the Agenda.

There was no Motion for Suspension. Ordinance No. 2017-O-28 is placed on Second Reading.

OLD BUSINESS:

Council President Thompson asked for discussion on the CRA Committee applicants and asked for any suggestions from Council on appointing Council's two representatives. Council Member Wolk stated he would like to nominate Ronald Dohnal and Harry Burt. Council President Thompson nominated Ann Shields. Catherine Roos was also nominated. Council President Thompson advised the four nominations are Catherine Roos, Ann Shields, Ronald Dohnal, and Harry Burt. Council Member Morris asked to take the nominations one at a time. Mr. Lyons stated it was not really a nomination and a motion to appoint with a second would be sufficient.

MOTION MADE BY MR. WOLK, Seconded by Mr. Johnson, to appoint Ronald Dohnal to the CRA Commission. ROLL CALL: Ayes: Council Member Wolk, Johnson, Morris. Nays: Council Member Bittner, Lunder, Thompson.

MOTION FAILED: 3/3

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Bittner, to appoint Ann Shields to the CRA Commission. ROLL CALL: Ayes: Council Member Wolk, Johnson, Bittner, Lunder, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

MOTION MADE BY MR. WOLK to appoint Harry Burt to the CRA Commission. There was no Second, and the Motion failed.

MOTION MADE BY MR. MORRIS, Seconded by Mr. Wolk, to appoint Ray Gieling to the CRA Commission. **ROLL CALL:** Ayes: Council Member Wolk, Johnson, Bittner, Morris, Thompson. Nays: Council Member Lunder.
MOTION CARRIED: 5/1

Council President Thompson announced that Ann Shields and Ray Gieling will be Council's appointees to the CRA Commission.

Council President Thompson brought up the Feral Cat Ordinance. After the last meeting in July she was approached by some residents after the meeting asking if a Committee could be established to work with Mentor Cats. She did have a chance to talk to Mentor Cats at the Fall Festival and they would greatly appreciate a Committee and residents working with them as they will need more help than what was realized in getting this program going. Council President Thompson stated she would like to make a motion to start a Committee to help them help us. Council Member Wolk asked if a motion is needed to create a Committee. Council President Thompson stated a Committee can be created and it has to be approved by all of Council. Council Member Johnson asked if this was going to be a Council Committee, or what kind of Committee is being created. It is not really legislative. Council President Thompson stated it would be an Administrative Board. Council Member Johnson stated he felt the Administration should weigh in on that and they should decide if they wanted to create a committee, not Council, and if they wanted to create a Committee, Council could vote on it. Council President Thompson asked Mrs. Bartone to look into this by the next meeting. Council President Thompson also stated Mentor Cats will be here on September 19, 2017, at 7:00 P.M. for a meeting. Council Member Morris asked what she sees the Board or Committee doing. Council President Thompson stated when she talked to them, some of the things that are in the Ordinance they would take care of rather than what was outlined as the caregiver taking care of, and she would like to work with Mentor Cats to get the Ordinance right so when residents look at it, they will not think they are responsible for items that the Mentor Cats will be responsible for.

NEW BUSINESS:

Council Member Morris asked to discuss the letter from Blystone Marine asking to purchase property next to theirs from the City a copy of which was forwarded to Council today. He has talked to Mrs. Bartone in detail about this. The City uses it as a dumping ground for whatever they need it for and he wanted Council's thoughts about selling the property to Blystone Marine at a fair market value and what can be done to accommodate the Service Department. As a side note, he also mentioned to Blystone Marine that they talk to the City about purchasing the property behind them as the City owns that as well. Everyone thinks this property is land-locked but it is not as there is access from Salida. Blystone was talking about boat storage and/or retail space. There was discussion on the sale and finding another space for the City to use as a dumping ground for ditching materials until the City can find a company to take it, left over concrete from jobs that are torn down, road millings, etc. that are stored there until the City can find a company to take it. Council Member Morris said it would be nice to sit down with Blystone's and discuss options, if any, with them, and exactly what the City's position is on why it needs the property. Blystone also complained that since Andrews Road was done the elevation of the property causes a run off of the rain water to go into their property.

Council Member Morris stated Mr. Moore took him around a couple of weeks ago and pointed out several places in the City where residents support themselves by scrapping and use their property for storage. He passed around pictures of a residence on Hickory. The CRA was passed to try to improve property values in the City, and the Hickory property is not the only property where this is done. Mr. Moore said

he has sent them several letters. Council Member Morris said he did not want to have to enact an Ordinance against something like that but asked for discussion on what Council thinks about this to help improve this. Also the property on Hickory is a rental property. The material will stay on the property until the resident has enough to turn in, and then they start collecting again. Council reviewed the pictures and discussed this problem as well as the difficulty in enforcing any Ordinance regarding the scrapping and storage of scrapped material. Council President Thompson asked Mr. Lyons if he had come across this issue in any other cities he represents. Mr. Lyons said he did not know how to handle this type of situation as a lot of property owners are hoarders and most of them keep it insider but sometimes it is all over their yard, and trying to write something, he does not have a quick solution to cover that. Council Member Bittner asked if this would fall under the Ordinance on the Agenda tonight. Council Member Morris said not necessarily as it is not necessarily scrap material. The section of the Ordinance regarding scrap material was discussed. Council Member Morris asked Mr. Lyons opinion if this was covered, and Mr. Lyons stated he would have to look into it.

Council President Thompson brought up the Holiday Party that is done every year, and suggested planning be started earlier than it was last year.

OPEN TO THE PUBLIC TO SPEAK: 7:55 P.M.

Kathy Clancy-Barcus, Lake Street. Ms. Barcus said her biggest concern is the Cat Ordinance. She does not like it. There are cats that need to be spayed and neutered now. We had the entire summer of cats reproducing because this has taken so long to resolve. This needs to be addressed before next month. Council President Thompson said she has talked to the Mayor and Mentor Cats has been approved as the cat organization. Ms. Barcus said with the way the Ordinance is written, nothing has been done. She was going to be a transport in Mentor-on-the-Lake but will not transport under these circumstances. The Ordinance sucks. The way it was in the beginning was fine, it just needed a few tweaks. The way it is now needs to be burned, the Ordinance is ridiculous. There is going to be a lot of people with cats living on their property who are not going to follow this.

CLOSED OPEN TO THE PUBLIC SECTION: 7:57 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Mentor Cats Meeting	Tuesday, September 19, 2017, at 7:00 P.M.
Ordinance Committee	Wednesday, September 20, 2017, at 7:00 P.M.
Regular Agenda Meeting	Thursday, September 21, 2017, at 6:00 P.M.
Regular Council Meeting	Tuesday, September 26, 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, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

The Regular Meeting of Council adjourned at 8:02 P.M.

APPROVED:

September 26, 2017
Date

Desiree Thompson
DESIREA THOMPSON
President of Council

Attest: Jane M. Pate
Clerk of Council