



City of Mentor-on-the-Lake

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MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE MARCH 27, 2018

The Regular Meeting of Council of March 27, 2018, 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:** JIM LUNDER, Vice President
Aye: **Ward 3:** ROB JOHNSON
Aye: **At Large:** KEVIN BITTNER
Aye: **At Large:** PRESTON WOLK
Aye: **Ward 1:** DAVID CHABUT
Aye: **Ward 2:** PAUL MORRIS
Aye: **Ward 4:** DESIREA THOMPSON, President

READING OF MINUTES: Regular Meeting of Council – March 13, 2018

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Approval of the Minutes of the March 13, 2018, Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Chabut, Morris, Thompson. Nays: None. Abstain: Council Member Wolk.

MOTION CARRIED: 6/0/1

CORRESPONDENCE:

The Clerk read the pertinent parts of an email from Linda Hoetger, an Advocate with Zero The End of Prostrate Cancer, dated March 11, 2018, asking for Council's support in raising awareness for prostrate cancer in the City with proclamations, resolutions. All Members of Council have received a copy of the email.

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva swore-in Joseph Bissell as a Part-Time Firefighter/EMT, Jeremy Roy as a Part-Time Provisional Paramedic/Firefighter, and Michael Frank as Part-Time Patrol Officer.

Mayor Eva advised the CRA meeting was held Tuesday, March 20, 2018, with the CRA Housing Council and Tax Incentive Review Council. Present from the Housing Council were Ann Shields, Adam, Sheldon, Ron Dohnal. Present from the Tax Incentive Review Council were Scott Yamamoto from the Auditor's Office, John Hawkins, Andy Rose, and Kathy Dohnal. Also present were Council President Desirea Thompson and Council Vice-President Jim Lunder. Discussion was held on how the program

works and that there has been one application so far that has been approved by Council. Scott Yamamoto suggested contacting the Lake/Geauga Board of Realtors to set up a review of the program with their group. Mayor Eva stated he has sent an email to the Lake/Geauga Board of Realtors asking them if he can come to their next meeting to discuss and review the program with them. The open positions on both Councils have been advertised on the Facebook page.

Mayor Eva stated the new Rescue Squad is now in service. The power cots are scheduled to be installed Thursday, March 29, 2018.

Mayor Eva stated, as a reminder to Council, everyone should have received an email from the Ohio Ethics Commission to submit their 2017 Financial Disclosure Statements which he believes is due in May, but he suggested it be submitted as soon as possible.

Administrative Director – Mrs. Bartone

Mrs. Bartone advised the two expenditure requests included in tonight's Agenda are included in this year's budget. The annual insurance did go down by about \$500.00 plus the HVAC unit went down from last year's quote by about \$3,000.00.

Mrs. Bartone advised the bid opening for the Pinehurst sewer project is this Thursday and Mr. Sayles will be attending the meeting on the road program with the City of Mentor

Law Director – Mr. Lyons

Mr. Lyons stated at the last Council Meeting Council Member Chabut had asked about the Primrose property, and he thought there was an issue brought up by John Rogers but wanted to check into it. He asked Mrs. Bartone to send him whatever paperwork the City had on Primrose, and there was a conference call today between Mayor Eva, John Rogers, and him. There are still some approvals that are needed. The Primrose property came into the City's possession in 2012 as the result of a tax foreclosure action by the Lake County Prosecutor's Office as about \$34,000 was due on back taxes on this property. Several years ago the City had requested if there were foreclosure actions on property in Mentor-on-the-Lake that it be notified to determine if the City wanted to acquire the property as non-productive property. The theory was that the City would either use it for some City use or more likely put it on the market, sell it, and the back taxes would be paid. The Primrose property had a house on it that was torn down by the Land Bank after Council had passed a resolution that this property be condemned, and it was torn down in 2014. He explained the procedure when the tax foreclosures are filed and how the Land Bank comes in. It appears there may be an issue where the City transfers the property to the Land Bank who in turn would transfer it to Habitat and then it is sold by Habitat, and whether there would be some requirement for payment of the back taxes. During the conference call it was decided the way to approach this is to go to the Auditor's Office and let the Auditor get a ruling on any requirements on the back taxes, and then the City would transfer the property to the Land Bank. Another option if the City determines it does not need the property is to contact a realtor and sell it and whatever money is received, the City would not keep except for expenses, then the money would go back to pay to prorated taxes to the schools, to the City a little. In order to determine if the City can sell this, a sign-off from the Auditor's Office is needed. Mayor Eva advised they will be talking to the Auditor's Office on Thursday and go from there. Mr. Lyons thought before this is done Council needs to give them a general direction whether they think this is the best way to go. The City has the right to sell the property but will not get the money; the money will go back to the different entities. A developer could buy the property and put up a new house, or if Council prefers it can go to Habitat for Humanity and he is sure the Land Bank would cooperate if the City told them they wanted it to go to Habitat for Humanity. Mr. Lyons thinks the Auditor will go along with whatever the City sells the property for and that is what they will distribute.

City Engineer – Mr. Sayles (No Report)

Police Chief – Mr. Gielink

Chief Gielink advised in January Quinton Harrison, an undergraduate student of Cleveland State University's College of Urban Affairs, began a 150-hour internship with the Police Department. In addition to completing time with the Police Department, he was required to complete a final paper to receive credit for his work. Quinton rode with officers on patrol and accompanied Det. Strauss on cases when he was able to do so. The Police Department also has two high school students who have applied for a two-week internship in May.

In February Ptl. Brianna Fawcett, Ptl. Melissa Kelly, and Telecommunications Officer Monica Patterson participated in a "Literacy Night" sponsored by the Lake Elementary PTA for the students. Also in February all police personnel and most telecommunications members received bi-annual "Heart Saver" certification: CPR, AED, and Naloxone administration.

Chief Gielink stated the Police Department has continued to participate in the Ohio Collaborative after achieving Tier I certification in 2016, and are currently in the process of being approved for the Tier II certification.

Chief Gielink advised Sgt. Zuber attended the Supervisor Leadership Institute which is part of the FBI training. This is a three-step leadership series that makes up the FBI-LEEDA Trilogy.

Chief Gielink thanked Council Member Morris for filling in as a school crossing guard the last few days, and also thanked Council for its support for the Crime Lab levy.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Council Member Wolk asked Chief Gielink for an update on how the Narcan distribution information sharing in Lake County is coming along. Chief Gielink stated it is a partnership with the Lake County General Health District and the Lake County Sheriff's Department in the sense that the Narcan is provided by the Lake County General Health District, and discussed the three strikes you are out program. Council Member Wolk asked, without mentioning any names, if there has been any cases of three strikes in the City. Chief Gielink advised there has been. Council Member Wolk asked if the system has been working, and Chief Gielink said it has.

Council Member Morris asked Mrs. Bartone about the expenditure for the HVAC unit, and if approved, when was she expecting to have it done. Mrs. Bartone stated their lead time is 45 days for delivery, and then installation has to be scheduled. Council Member Morris asked if she was looking at the beginning of summer, and Mrs. Bartone advised probably, about when the air-conditioning would be needed.

Council President Thompson asked Chief Gielink about the new Quick Response Team that was formed, and will the City be utilizing it. Chief Gielink said the City may use it, but it is in the beginning stages as this is an intensive program and they need to find people who will do this.

BOARD/COMMITTEE/COMMISSION REPORTS:

Combined Ordinance Committee and Zoning Committee / March 19, 2018 / Mr. Morris and Mr. Johnson

Ordinance Committee: Council Member Morris advised the Ordinance Committee met on March 19, 2018, at 6:00 P.M. to discuss Ordinance 1062, specifically for a security deposit for the Community Room, and the solicitation ordinance, 850, concerning NOPEC's "Block the Knock" program. Also

discussed was the issue with fences on corner lots and their distance to sidewalks. Present were Council Members Morris, Johnson, Chabut, Bittner, Council Vice-President Lunder, and Council President Thompson. Also present was Brent Moore, Service Director. The Committee started discussing Ordinance 1062 concerning the security deposit for the Community Room and they all agreed one was required but it might be best to incorporate it into the room agreement. They contacted the Law Director concerning this and he indicated he would be in touch with Mrs. Bartone about this. The Committee then discussed the "Block the Knock" campaign from NOPEC, and after a lengthy discussion, the Committee figured the City's Ordinance 850 is better and just needs to be promoted with the residents. They asked the Law Director if solicitor's can be blocked totally within the City, and he is looking into that. The Committee was also asked to discuss the zoning of the distance between fences on corner lots and sidewalks. The Committee decided to leave that to Planning & Zoning to set these distances. The last topic discussed by the Committee was Ordinance 670.30, water craft noise violations, and because of the length of the Ordinance, Council Member Morris gave everyone a copy of it for review for the next meeting. The meeting adjourned at 6:44 P.M.

Zoning Committee: Council Member Johnson advised the Zoning Committee met immediately after the Ordinance Committee meeting on March 19, 2018. Present were Council Members Johnson, Morris, Chabut, Bittner, Council Vice-President Lunder, and Council President Thompson. Also present was Brent Moore, Service Director. The Zoning Committee continued the discussion of proposed zoning changes. A brief discussion of changes with regard to the zoning schedule he had presented previously was discussed. There was a discussion regarding buffers between residential and single family and business districts. Council Member Morris provided copies of Mentor's and Willoughby's buffer requirements for future discussion. An existing tree ordinance that regulates the number of trees in business areas with regard to the number of parking spaces was discussed and will be evaluated by the Ordinance Committee at a future meeting and how it relates to the proposed buffer requirements. The meeting adjourned at approximately 7:00 P.M.

OPEN TO THE PUBLIC TO SPEAK: 7:21 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:22 P.M.

LEGISLATION BEFORE COUNCIL:

ORDINANCE NO. 2018-O-11 (SECOND READING)

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF MENTOR ON THE LAKE AUTHORIZING THE LEVY OF AN ADDITIONAL 1.1-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR FIRE OPERATIONS OF THE CITY

There was no Motion for Suspension of the Rules. Ordinance No. 2018-O-11 is placed on Third Reading.

Council President Thompson advised that during the last Council Meeting the title of Ordinance No. 2018-O-12 was read and the Agenda was amended to put the title on the Agenda because there was the spot reserved for this. At the last Agenda meeting in talking with the Law Director, Mr. Lyons, since we did not go back and re-read the title after the Agenda was amended, he suggested this Ordinance be put back on First Reading for this meeting and we will be reading this as a First Reading tonight.

ORDINANCE NO. 2018-O-12

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF A PROPOSED AMENDMENT TO THE CHARTER OF THE CIT OF MENTOR ON THE LAKE AUTHORIZING THE LEVY OF AN ADDITIONAL 1.5-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR POLICE OPERATIONS OF THE CITY

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2018-O-12 (Continued):

There was no Motion for Suspension of the Rules. Ordinance No. 2018-O-12 is placed on Second Reading.

ORDINANCE NO. 2018-O-13 (SECOND READING)

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF MENTOR ON THE LAKE AUTHORIZING THE LEVY OF AN ADDITIONAL 1.2-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR THE CONSTRUCTION AND REPAIR OF ROADS OF THE CITY

Council Member Wolk asked as a matter of order, if all of these Ordinances need to go on three readings. Mr. Lyons said no. Council Member Wolk asked if they needed a super majority to pass. Mr. Lyons said yes. Council Member Wolk stated he wanted to discuss his position on these. Previously when the Charter Amendment levies were proposed and some passed, he was against them because it was difficult for a number of the residents of Mentor-on-the-Lake to afford an increase in taxes. He is supporting renewing the levy funds coming in this time around because we have seen tax reform at the Federal level and he believes very strongly that shortly we will see tax reform at the State level, and this will give tax relief at a higher level. This is giving us the opportunity to pay taxes at the local level as opposed to the higher levels, and he believes when taxes are paid at the local level, your money is spent more wisely and more towards your own immediate needs which he thinks is important, and he thinks with the tax relief at the higher levels, people are now in a better position to afford to pay at a lower level in order to keep the services they need. The tax dollars are critical to maintaining a police force at the place we are out now; it is critical to keeping the roads in good shape; and it is critical to the Fire Department in keeping them equipped properly. With that being said, Council Member Wolk said he does not necessarily understand why this is being done as a Charter Amendment this time around, and he would really be more supportive of these if they were made standard 5-year levies as opposed to Charter Amendment levies. Council Member Morris stated he agreed with Council Member Wolk. Council Member Morris asked the Administration if it had thought what is going to happen if these do not make it. Mayor Eva said if they are on the ballot this year and fail, we would have another chance in 2019 to pass them. Council Member Morris asked what if they do not pass then. Mayor Eva said the City would have to adjust. Council Member Morris asked if he had any thoughts on how they would adjust, and Mayor Eva stated not at this point as it is way too early to say in 2020 this is what we would do, but depending on how the residents feel, the City will adjust what it does going forward. Council Member Wolk stated he would like to recommend that the Finance Committee take a look at these levies and for a discussion making the levies standard levies as opposed to Charter levies. He would like to have this meeting before the next Regular Meeting of Council. There was discussion regarding changing the levies from Charter Amendment levies to standard levies, and that Mayor Eva or Mrs. Bartone talk to the Auditor's Office about changing the wording on the levies. Council Member Wolk stated he would like to see set millage, not something that can be altered by Council. Council has demonstrated it is not going to lower these and he thinks there is a certain level of dishonesty to this to propose it as something to tell people Council has the ability to lower it when that is not the intention. There was additional discussion about the ability of Council to change the millage as well as the wording of the levies.

There was no Motion for Suspension of the Rules. Ordinance No. 2018-O-13 is placed on Third Reading.

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2018-O-14 (SECOND READING)

**AN ORDINANCE AMENDING CODIFIED ORDINANCE 1034.01 – TRIMMING OR REMOVAL
REQUIRED AND CODIFIED ORDINANCE 1034.99**

There was no Motion for Suspension of the Rules. Ordinance No. 2018-O-14 is placed on Third Reading.

OLD BUSINESS:

Council Member Chabut asked if now would be the time to have the straw vote on Habitat for Humanity and the Primrose property. Council President Thompson said Council could discuss this. Council Member Chabut stated he would like to see if Council could put this through and was hoping for support from the rest of Council. He asked if anyone had any questions about Habitat and what it was trying to do. Council Member Wolk said he would like to hear an explanation about what exactly they are trying to accomplish. Council Member Chabut explained that the basic purpose of Habitat for Humanity is to help someone who is not able to purchase a home obtain a home. Council Member Wolk asked if this was a gift, and Council Member Chabut advised it was not. There is extensive paperwork for someone to be qualified, and the buyer also has to put in "sweat equity" in the building of the home as well as make the house payments and maintain the home, and take classes on budgeting their money and maintaining a home. Council Member Chabut stated they are hoping to get a Mentor-on-the-Lake resident to qualify and he has been working on this. Council Member Wolk asked how people would go about submitting an application, do they do it themselves or does someone else do it. Council Member Chabut stated they have to go through the Habitat for Humanity website, there is extensive paperwork that has to be filled out, and everything is looked at, job, credit, everything. St. John Vianney is backing this project. Habitat builds a well-built house, well insulated, with good quality material. He would say this is going to be about a 1500 square foot single level house with a two-car garage which will fit nicely on the lot. Council Member Wolk asked if he knew, because the house will be built in the City, that it would be more likely that someone from the City would get approved. Council Member Chabut stated he has no control over who gets approved, the CEO of Habitat, Bill Myers, does. All he can do is encourage him one way or the other, and they do have to go through a rigid program to qualify, but he cannot guarantee it will be a City resident. Mr. Lyons brought up that the buyer could apply for a CRA, and if approved by Council, this could have an effect on the taxes. There was discussion on Habitat purchasing the property and making the land productive as well as questions from Council as to how a person can apply and if they can apply for a specific address. Council Member Chabut stated the City has other vacant property and if we could get a few more houses through Habitat, it would be a positive result for the City. Council Member Chabut said he would like to make a motion to transfer the Primrose property to Habitat for Humanity through the Land Bank. Mr. Lyons said a formal vote was not needed, just an indication from Council how they wished to proceed or if they would like to see the proposal come up before Council. Council President Thompson asked for a Roll Call. Ayes: Council Member Lunder, Johnson, Bittner, Chabut and Thompson. Council Member Wolk would like to see more details. Council Member Morris stated he would also like more details but is generally in favor of it. Mayor Eva said he would talk to the Auditor's Office, and asked if they were looking for more details from Habitat. Council Member Wolk said he would like to see the proposal, he does not have all the information he wanted to make a decision. Council Member Chabut stated he would ask Bill Myers to attend a Council Meeting to explain the organization and program.

NEW BUSINESS:

Council Member Morris asked what the Inland Marine insurance was for. Mrs. Bartone said she did not have the information with her tonight but it is generally underwriter's insurance and she can get him details on it.

Expenditure Approval

Vendor: Travelers Insurance Company
Cost: \$60,497
Item: Renewal of various insurance policies

<u>Coverage</u>	<u>Premium</u>	<u>Deductible</u>
General Liability	\$ 2,449	\$25,000
Employers Overhead Liability	\$ 521	\$25,000
EMS Liability	\$ 3,400	\$25,000
Employee Benefit Liability	\$ 192	\$25,000
Auto	\$18,423	\$1,000-\$10,000
Property	\$ 9,502	\$1,000
Inland Marine	\$ 1,043	\$1,000
Law Enforcement Liability	\$ 8,721	\$25,000
Public Entity Mgmt. Liability	\$ 2,227	\$10,000
Public Entity Employment Practices Liability	\$ 6,902	\$25,000
Umbrella Coverage - \$2m	\$ 6,536	\$25,000
CyberFirst Liability	\$ 581	\$1000
TOTAL:	\$60,497	

(per Memorandum of March 9, 2018, from Mrs. Bartone)

MOTION MADE BY MR. LUNDER, Seconded by Mr. Chabut, to approve the expenditure for payment of the renewal of various insurance policies. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

Expenditure Approval

Vendor: Gardiner
Item: HVAC Rooftop Unit Replacement
Cost: \$38,505
Fund: General Fund

(per Memorandum of March 9, 2018, from Mrs. Bartone)

MOTION MADE BY MR. LUNDER, Seconded by Mr. Morris, to approve the expenditure for the HVAC Rooftop Unit Replacement. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

OPEN TO THE PUBLIC TO SPEAK: 7:54 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:55 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Parks & Recreation Board	Thursday, March 29, 2018, at 7:00 P.M.
Finance Committee	Monday, April 2, 2018, at 6:00 P.M.
Planning & Zoning Commission	Monday, April 2, 2018, at 7:00 P.M.
Combined Ordinance Committee and Zoning Committee:	Monday, April 9, 2018, at 6:00 P.M.
Regular Agenda Meeting	Thursday, April 5, 2018, at 6:00 P.M.
Regular Council Meeting	Tuesday, April 10, 2018, at 7:00 P.M.

Mayor Eva advised he had received a message from Joe Kirkpatrick at Amvets Post 109 that the Memorial Day Parade is scheduled for Sunday, May 27, 2018, with step-off from the former Rice Elementary at 1:00 P.M.

Mrs. Bartone advised Mr. Sayles was kind enough to look up Inland Marine insurance which includes construction equipment, medical diagnostic equipment, mobile equipment, all contractor's equipment, and all other types of cameras, movie equipment, etc.

ADJOURNMENT:

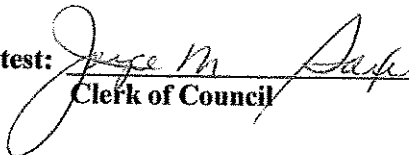
MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Adjournment. **ROLL CALL:**
Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.
MOTION CARRIED: 7/0

The Regular Meeting of Council adjourned at 7:57 P.M.

APPROVED:

April 10, 2018
Date


DESIREA THOMPSON
President of Council

Attest: 
Clerk of Council