



City of Mentor-on-the-Lake

5860 Andrews Road, Mentor-on-the-Lake, OH 44060-2827

Phone: (440) 257-7216 Fax: (440) 257-2766

www.CityMOL.org

MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE APRIL 10, 2018

The Regular Meeting of Council of April 10, 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 27, 2018

MOTION MADE BY MR. MORRIS, Seconded by Mr. Chabut, for Approval of the Minutes of the March 27, 2018, Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

CORRESPONDENCE:

Council Member Morris advised he had received an email from a lady on Fern Drive, which was also sent to Council Member Bittner, complaining about the ditch in front of her house. He believes she may have twisted her ankle trying to maintain it, and she was asking what it would take to have the ditch done with culvert and back fill. Council Member Morris told her he would talk to Mr. Moore at the opportune time, and he will wait until Mr. Moore is back from vacation to discuss this with him. He also advised as the City is progressing southerly they are trying to correct a lot of the flooding but it will be several years before it gets there. She is waiting until Council Member Morris can talk to Mr. Moore and he will see if Mr. Moore can contact her directly.

Council Member Morris also heard from Mr. Sullins who is very happy he is getting his permits all in place but he did have one concern. He had an issue with the County when he went to get his building permit and was chastised by the secretary for not submitting his plans to the Fire Department. Mr. Sullins wanted to know why the City does not have a check list at the Planning & Zoning desk so when people come in for a building permit they will know what they need to complete the steps for a permit. Council Member Morris said he would recommend this to the City Administration.

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva swore-in Samuel “Wayne” Davis as a Part-Time Telecommunications Officer for the Police Department.

Mayor Eva turned the meeting over to Police Chief John Gielink who presented Patrol Officer Tina DeSapri with the 2017 Officer of the Year Award. Officer DeSapri became a member of the Mentor-on-the-Lake Police Department in January of 2015 as a Part-Time Police Officer. During that time she became a resident of the City of Mentor-on-the-Lake. She has always had evaluations from her Supervisors that have met or exceeded expectations. In the past year, she has really excelled. In 2017 she led the Department in OVI arrests. Additionally, she was second in the Department for overall arrests and led the Department in traffic citations. Not only has she been a proactive Police Officer, she serves the Community well. In 2017 she participated in the following Community events: Bingo Night at Lake Elementary, Safety Day at Lake Elementary at the end of the school year, Boo Bash at Lake Elementary, the food drive at Marc’s, and Santa’s Blue Helpers. She started Santa’s Blue Helpers in 2015 with about nine families and with the help of other members of the Department, they took almost 35 children this past year, giving each of them a \$100.00 gift card, pizza party, Jungle Terry visit, and a visit from Santa. She puts this event together every year with the help of many others both within and outside the Department.

Mayor Eva advised he has sent an email to Council with the First Quarter Prosecutor’s Report for review. If anyone has any changes or revisions, please let him know. He thinks the Chief did a great job putting this out with good explanations.

Mayor Eva stated last Wednesday morning he met with the Lake/Geauga Area Association of Realtors explaining the CRA program. They wanted some history of Mentor-on-the-Lake, which he gave them. They are very interested in bringing potential buyers to Mentor-on-the-Lake. He sent them an email listing the open/available parcels of property in the City. They explained to Mayor Eva a lot of the first-time home buyers are looking for homes in the \$130,000 range, and he is hopeful this meeting will generate some interest in Mentor-on-the-Lake.

Mayor Eva advised he was contacted last week by the Ohio Department of Transportation. John Rogers had suggested the intersection of Lakeway Boulevard and Munson Road may need a traffic signal. Mayor Eva confirmed that there is some congestion going left from Lakeway to Munson and also from Munson turning onto Lakeway. ODOT will do a survey on that intersection and get back to the City.

Administrative Director – Mrs. Bartone

Mrs. Bartone stated Resolution 2018-R-10, which is on the Agenda tonight, is to accept the bid from D.B. Bentley, Inc. for the Pinehurst project. In opening the bids last week, they ranged from a low of \$722,700.00 from Bentley to a high of \$812,000.00. The City is happy that Bentley came in with a bid lower than the Engineer’s estimate and we should be pretty happy with their work. Mrs. Bartone stated she would appreciate this Resolution being passed tonight.

Law Director – Mr. Lyons

Mr. Lyons advised he and Mayor Eva had a conference call with the Lake County Auditor regarding the Primrose property. The Auditor wanted them to follow up with a written request to clarify the tax issue which he indicated he would refer to the Prosecutor’s Office for a determination. As soon as they hear back, the City will be in a position as to how to proceed in moving forward on this property. The property is currently listed on the Lake County website as the City of Mentor-on-the-Lake Land Bank

program which means the City would not receive any money from any sale of the property except for its costs in maintaining the property, and the taxes would then go on a prorated basis to the different tax entities.

City Engineer – Mr. Sayles (No Report)

Fire Chief – Mr. Pechatsko

Chief Pechatsko stated on March 2, 2018, as a result of the winter storm, much of the City was without power. The occupant of 7766 Salida Road, Apartment 214, Mrs. Bemice Maljarik, was unable to use her oxygen machine, and with her portable tank almost empty, the Fire Department provided her with oxygen until her oxygen company could deliver her a new bottle. Mrs. Maljarik sent a letter thanking the Fire Department for their help, which Chief Pechatsko read.

Chief Pechatsko read the Fire Department's Monthly Report for March 2018. In March there were 107 calls for service as follows: Rescue/EMS – 71 calls, one of which was for an overdose; Fire/Service – 31 calls; and Invalid Assist – 5 calls. This is an increase of 16 calls from March 2017. For the year 2018, to date for the first quarter there has been 266 calls for service which is a decrease of 40 calls from the first quarter of 2017. However, when he ran comparisons, the second quarter of previous years have increased, which seems to be the trend and he expects it to be the same this year. The breakdown for the first quarter is as follows: Rescue/EMS – 190 calls, 193 for overdoses; Fire/Service – 55 calls; Invalid Assist – 20 calls. For the Fire Prevention Report, the semi-annual alarm tests were conducted for Giant Eagle and Walgreens; the hood test was completed at Kentucky Fried Chicken; the hood and fryer test was done at Amvets; and two lock boxes were installed. There were no inspections scheduled for March. Chief Pechatsko advised the Fire Department took delivery of the new squad on Wednesday, March 14, 2018, and it was placed in service on March 19, 2018. On Sunday, March 25, 2018, the Fire Department held the annual Easter Egg Hunt at Lake Elementary, which was a great success. Chief Pechatsko thanked the members of the Fire Department that spent many hours preparing and running this event for the children of the City. The Fire Department's relationship with the community is one of its highest priorities. He also thanked Mayor Eva and the Members of Council who took time out of their day to help and support this event. On Tuesday, March 27, 2018, two new members of the Fire Department were sworn in by Mayor Eva.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Council Member Morris said he was negligent in bringing up that, after the March 1, 2018, storm, he had a resident call whose basement was flooded because she could not reach anyone when the phone system was down. He was able to reach Mr. Moore and asked him to stop at the Fire Department, who responded and hooked up the generator and was able to pump out her basement enough to mitigate a lot of loss of personal valuables, which he appreciates.

Council Member Morris asked Mr. Sayles about the expenditure for Woodford Construction. They were coming back in the Spring to do more work and he asked if they were done. Mr. Sayles advised they are not done, there is more work to do, and the City is holding back final payment until the work is done. Council Member Morris asked Mr. Sayles about the work that still needed to be done. Mr. Sayles stated there is trench settlement over the winter which has to be repaired, they put in additional drainage but the grass was not done as this was in December, so grass restoration has to be done in those locations, there is a little bit of pavement that has to be patched, minor things. The drainage system is functioning fine, just the cosmetic things have to be done. Council Member Morris asked about a time frame. Mr. Sayles stated he talked to them about a week and a half ago, and they want to watch the weather because of the work that has to be done as they do not want to make a bigger mess. There is an outstanding bill for some fascia that was torn off a house that has to be paid. He hopes everything is wrapped up by the end of May.

Council Member Morris told Mayor Eva he thinks the Prosecutor's Report was excellent and very complete.

BOARD/COMMITTEE/COMMISSION REPORTS:

Parks & Recreation Board / March 29, 2018 / Mr. Chabut

Council Member Chabut advised the Parks & Recreation Board met on March 29, 2018, at 7:00 P.M. Present were Jenifer Jakosh, Committee Chair, Katherine Roos, Michelle Moore, Dorinda Myers, Council Members Chabut, Council Vice President Lunder, and Council President Thompson, Mayor Eva, Brent Moore, Service Director, and Nikki Velez, Secretary. The Board discussed three items. The School Supply Car Wash will be held on June 23, 2018, from 11:00 A.M. until 2:00 P.M. Mentor-on-the-Lake Clean-Up Day will be held on May 5, 2018, from 10:00 A.M. until Noon. Victory Church will also be helping. The School Supply Drive to Fill the Cruiser will be held on August 4, 2018, from 10:00 A.M. until 2:00 P.M. The tutoring program at Lake Elementary ended successfully, and they are hoping to do it again. The meeting adjourned at 7:20 P.M.

Finance Committee / April 2, 2018 / Mr. Johnson

Council Member Johnson advised the Finance Committee met on April 2, 2018, at 6:00 P.M. to discuss the feasibility of converting Charter levies to non-Charter levies on the ballot this Fall. Present were Council Members Johnson, Bittner, Chabut, Lunder, Wolk, and Morris. Also present were Mayor Eva and Mrs. Bartone. The Committee had a brief discussion regarding information Mayor Eva had received from the Election Board. Charter levies can be listed as a renewal. Any other levies would not be listed as a renewal levy; they would be listed as an additional levy. The Committee agreed to leave the levies as Charter levies. The Committee adjourned at 6:07 P.M.

Planning & Zoning Commission / April 2, 2018 / Mr. Johnson

Council Member Johnson advised the Planning & Zoning Commission met on April 2, 2018, at 7:00 P.M. The Commission approved the conditional use permit for Mario's Lakeway Lounge for five years. The Commission agreed to the property adjustments to Yacht Street as basically a formality by the Auditor's Office and as previously agreed to by the City and the Mentor Marsh Beach Club.

Combined Ordinance Committee and Zoning Committee / April 9, 2018 / Mr. Morris and Mr. Johnson

Ordinance Committee: Council Member Morris advised the Ordinance Committee met on April 9, 2018, at 6:00 P.M. to discuss various Ordinance changes. Present were Council Members Morris, Johnson, Bittner, Chabut, Council Vice President Lunder, and Council President Thompson. The meeting started with a discussion concerning the landscaping and snow plowing issues. A review was completed of the documents returned from Mr. Lyons. Council Member Morris will be forwarding some changes the Committee wants to make to these documents to Mr. Lyons. The Committee also discussed the documents Mr. Lyons submitted concerning ditch maintenance. The Committee discussed the issue concerning the watercraft noise Ordinance 670.30, and there are some issues they want to discuss with Chief Gielink before the next Meeting. The next issue discussed was concerning the Tree Preservation Chapter. A copy was handed out to all members present for review before the next Meeting. There are many sections of this Ordinance that are outdated or not enforced. The last points the Committee discussed were concerning the possibility of prohibiting solicitation within the City and the issue of the annual business licenses. The Committee is waiting for Mr. Lyons for some guidance on these issues. Meanwhile, Council Member Johnson reported he had found a case online concerning prohibiting solicitation within a city. The city that attempted to do this was sued and lost. 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 April 9, 2018, for a continued discussion regarding Andrews Road rezoning, particularly buffering between residential and commercial/business districts. Present were Council Members Johnson, Morris, Bittner, Chabut, Council Vice President Lunder, and Council President Thompson. The Committee decided the buffering requirements would include an 8' privacy fence as well as a required vegetation buffer with the fence a minimum of 6' high. The Committee also discussed multi-use buildings, those being businesses on the bottom, condo type residential on top. The Committee would allow a three-story building in those cases. More discussion needs to be done, and Council Member Morris is reaching out to Willoughby to see what their zoning requirements are for equivalent structures in Downtown Willoughby. The meeting adjourned at 7:10 P.M.

OPEN TO THE PUBLIC TO SPEAK: 7:23 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:24 P.M.

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2018-R-10

A RESOLUTION ACCEPTING THE BID OF D. B. BENTLEY, INC. FOR THE PINEHURST DRIVE DRAINAGE SYSTEM PROJECT AND AUTHORIZING THE MAYOR AND ADMINISTRATIVE DIRECTOR TO ENTER INTO AN APPROPRIATE CONTRACT THEREFORE, AND DECLARING AN EMERGENCY.

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

MOTION CARRIED: 7/0

Council President Thompson stated, for the following three Ordinances (2018-O-11, 2018-O-12, and 2018-O-13), pursuant to discussions with the Law Director, Council would like to amend the wording in these Ordinances so that the levies will be continuing levies for five years, not additional levies.

ORDINANCE NO. 2018-O-11 (THIRD 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

Mr. Lyons advised he styled these Ordinances as a continuation of an additional five years, and explained the amendments to Sections 12.04, 12.05, and 12.06 of the Charter so that Council has the right to renew the levies for an additional five years and so that the wording would be clearer that what was originally used.

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, to amend the wording in Ordinance No. 2018-O-11, from additional to continuous, including its title. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2018-O-11 (AMENDED)

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 AMENDMENT OF ARTICLE XII, SECTION 12.05 IN ORDER TO CONTINUE THE EXISTING 1.1-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR FIRE OPERATIONS OF THE CITY FOR FIVE MORE YEARS THROUGH TAX YEAR 2023

Council Member Johnson asked if anyone else felt this needed to be thoroughly read now that the wording has been changed and if everyone is comfortable with that. There was no other response from Members of Council. Mr. Lyons suggested that the Rules be suspended, although it might not be necessary but since this is going on the ballot, he does not want anyone to challenge these on any kind of technical defect.

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

MOTION CARRIED: 7/0

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

MOTION CARRIED: 7/0

ORDINANCE NO. 2018-O-12 (SECOND READING)

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

MOTION MADE BY MR. CHABUT, Seconded by Mr. Lunder, to amend the wording in Ordinance No. 2018-O-12, from additional to continuous, including its title. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

ORDINANCE NO. 2018-O-12 (AMENDED)

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 AMENDMENT OF ARTICLE XII, SECTION 12.04 IN ORDER TO CONTINUE THE EXISTING 1.5-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR POLICE OPERATIONS OF THE CITY FOR FIVE MORE YEARS THROUGH TAX YEAR 2023

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

MOTION CARRIED: 7/0

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

MOTION CARRIED: 7/0

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2018-O-13 (THIRD 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

MOTION MADE BY MR. MORRIS, Seconded by Mr. Chabut, to amend the wording in Ordinance No. 2018-O-12, from additional to continuous, including its title. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

ORDINANCE NO. 2018-O-13 (AMENDED)

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 AMENDMENT OF ARTICLE XII, SECTION 12.06 IN ORDER TO CONTINUE THE EXISTING 1.2-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR ROAD CONSTRUCTION AND REPAIR PURPOSES OF THE CITY FOR FIVE MORE YEARS THROUGH TAX YEAR 2023

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

MOTION CARRIED: 7/0

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

AN ORDINANCE AMENDING CODIFIED ORDINANCE 1034.01 - TRIMMING OR REMOVAL REQUIRED AND CODIFIED ORDINANCE 1034.99

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

MOTION CARRIED: 7/0

OLD BUSINESS:

Council Member Morris asked Mr. Sayles about the Pinhurst project and the Resolution passed last Fall by Council for the Administration to attempt to find funds for the widening of Pinehurst by about a foot if possible. He asked if this was in the plan. Mr. Sayles stated it was not in the plan but theoretically in looking at the overall budget this may be able to be accomplished. Council Member Morris brought up the safety of the children in walking to and from school. Mr. Sayles agreed it was certainly appropriate for that street.

NEW BUSINESS:

Council Member Wolk asked to discuss the covering of ditches and allowing residents to put in culverts. Right now residents are not allowed to do this. Mrs. Bartone said she was not familiar with the ins and outs of zoning. Council Member Wolk stated he would call Mr. Moore and discuss it with him, but it

was his understanding that it is not permitted at this point. Mrs. Bartone said generally it is not unless it is something that was preexisting and needed to be replaced. Council Member Wolk stated he has talked to several residents who would like to cover their ditches and are willing to spend their own money to do so. His big concern is that it is not permitted and when residents see it being done on Pinehurst, they are going to want to do it. He thinks we should look into a plan to allow this if residents are willing to spend their own money. Mr. Sayles said the City developed a policy against this because dropping a pipe into the existing ditches and burying it significantly reduces the capacity of the drainage system on the street, and further discussed the criteria and proper size for any pipes that would be installed as well as proper drainage and potential flooding issues. This policy is not by ordinance. He and Mr. Moore will pull up the policy and take a look at it. Council Member Wolk asked Mr. Sayles to email him a copy. Mr. Sayles said he would email it to Council and the Administration.

OPEN TO THE PUBLIC TO SPEAK: 7:41 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:42 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Combined Ordinance Committee and Zoning Committee:	Monday, April 16, 2018, at 6:00 P.M.
Regular Agenda Meeting	Thursday, April 19, 2018, at 6:00 P.M.
Regular Council Meeting	Tuesday, April 24, 2018, at 7:00 P.M.

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 7:42 P.M.

APPROVED:

April 24, 2018
Date



DESIREA THOMPSON
President of Council

Attest: 

Clerk of Council