



# City of Mentor-on-the-Lake

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## MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE August 14, 2018

The Regular Meeting of Council of August 14, 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 – July 24, 2018

**MOTION MADE BY MR. MORRIS,** Seconded by Mr. Lunder, for Approval of the Minutes of the July 24, 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 additional conversations with Skip Gray, 7574 Dahlia, regarding problems in the neighborhood including open burning. Council Member Morris has talked to Chief Pechatsko and Chief Pechatsko will take care of this and see that the open burning gets stopped. He hopes he has resolved some of Mr. Gray's issues but there are some other outstanding issues regarding trespassing and what constitutes trespassing.

**ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:**

**Mayor & Safety Director – Mr. Eva**

Mayor Eva turned the meeting over to Tony Ramos, Community Outreach Manager for NOPEC. Mr. Ramos discussed the "Do Not Knock" Registry Program and the possibility of setting up a registry for the program in Mentor-on-the-Lake which NOPEC will manage. This is a free program provided by NOPEC in response to its communities asking if there was any way NOPEC could help in eliminating some issues experienced with door to door solicitors. The City or Village provides a registry for residents to list their addresses and when a solicitor comes to the community and obtains a permit to

solicit, they are provided a list of all the homes who do not want to be disturbed. Any information obtained is not used for any other purpose. Mr. Ramos briefly described how the registry program works. Council Member Bittner asked if communities are making it mandatory for solicitors to obtain the list from NOPEC. Mr. Ramos stated each of the communities have different rules, but in most cases most require a background check on the solicitor, obtain a permit and pay a fee to solicit. At the time of obtaining a permit they are provided with a registry list. After that they have the ability to request an updated list through the NOPEC website.

Mayor Eva then turned the meeting over Cheryl Kuonen, Executive Director of the Mentor Public Library who introduced Mary Detling, the new Mentor-on-the-Lake Branch Manager.

Mayor Eva advised the Parks & Recreation Board car wash and Fill The Cruiser events on August 4, 2018, raised about \$600.00 and a large amount of school supplies for Lake Elementary. There was huge support from this community and neighboring communities. He thanked Council Member Chabut and the Parks & Recreation Board members for their volunteering and support. Mrs. Bartone and Nikki Velez delivered the supplies to Lake Elementary and they were very grateful everything.

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

Mrs. Bartone stated Council has been given a Memo regarding Ordinance No. 2018-O-26 on the Agenda tonight which is the list of houses in foreclosure and she asked that this Ordinance be passed tonight.

Mrs. Barton stated Council has also received a request for an expenditure to Davis Diggers. She requested that the amount be increased to \$40,000.00 as it was pointed out to her by Mr. Sayles that we always run into extra things and it is better to have it now than later. This is all covered by the Storm Water Fund and will be reimbursed by the County.

Mrs. Bartone advised that the City Auction along with the trunk sale was held on Saturday. The trunk sale went well; there were about 24 sales cars set up in the parking lot. Everyone was happy with the event and this is something to be continued. The City Auction raised about \$1,100.00.

Mrs. Bartone stated, in looking at next year's budget, and at vehicle purchases throughout the years, statewide they are doing a complete overhaul of the model years for 2020. For the fire vehicle they are looking for a letter of intent that will hold the City a car at the current price for next year. For the police vehicle, they are looking for a letter of commitment to purchase. The difference is the Police Chief goes with the blue cars and there are very few of those left to be had. If we do not commit, there is zero chance of getting one for the current model year and type. If we do not get that and have to wait until next year to order, we are guaranteed to get a 2020 which means everything we currently has will not fit. They are going to a smaller scaled vehicle than what they have now and everything will need to be retrofitted plus the price will go up. She is going to prepare this for the next meeting but wanted to let Council know now this is what they are talking about. If we do not commit, we will spend an additional minimum \$3,000.00 just on the price of the car and another \$2,000.00 to \$3,000.00 on fitting it with the retro upgrades that will be needed to be done.

#### **Law Director – Mr. Lyons**

Mr. Lyons stated regarding Council Member Morris' discussions with a resident, it is his understanding there are no outstanding items that exist at the City level and complaints to the Police Department have been ruled on, except for the Fire Department and the open burning issue. He is aware of complaints from the resident for some period of time.

**City Engineer – Mr. Sayles**

Mr. Sayles advised the Pinehurst Road project is moving along well. There are no problems with meeting the deadline of getting the stretch of road done by Lake Elementary, and they are on schedule. He is very happy with the work being done so far.

**Fire Chief – Mr. Pechatsko**

Chief Pechatsko gave the July 2018 Fire Department Monthly Report. For the month of July 2018, there were a total of 87 calls for service as follows: Rescue/EMS – 60 calls, one of which was for an overdose; Fire/Service – 21 calls; and Invalid Assist – 6 calls.

Chief Pechatsko then gave the Fire Prevention Report for July 2018. The Fire Prevention Officer had the fireworks duty at Mentor Harbor Yacht Club. He did the semi-annual hood test at Music Lynx and Angie's Pizza. He inspected two apartments for State approval and two home inspections for foster families for State approval.

Chief Pechatsko advised on Sunday, July 15, 2018, the Fire Department held a picnic for its members and their families. It turned out to be a very nice day and everyone had a good time. On Saturday, July 28, 2018, the Fire Department was honored to attend the annual Larkspur Drive Block Party. Monthly drills included water systems/hydrant hookups (Sunday morning) and Mayday operations (Wednesday night).

Chief Pechatsko briefly touched on Mrs. Bartone's comments on the letter of intent for the car. The Fire Department's letter of intent is not a financial one and basically the difference between the Fire Department and the Police Department is the Fire Department does not care what color the car is, so they do not have to do the letter to purchase. The Fire Department just needs to let them know they want one of the vehicles.

**QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:**

Council Member Morris stated at the Agenda Meeting he and Mr. Lyons discussed the issue with Mr. Gray and wanted if Mr. Lyons still felt Council Member Morris should have the Police Chief, Mr. Gurley, and Mr. Gray meet to discuss what a technical trespassing is. Mr. Lyons was still ok with that. He discussed criminal versus civil matters and with that background, if Mr. Gray could get some benefit with meeting with the Police Chief, it would be a good idea.

Council Member Morris advised he has heard from residents on Pinehurst that the project is going very well and the street looks wonderful. Mr. Sayles said he would pass that on to the contractor.

**BOARD/COMMITTEE/COMMISSION REPORTS:**

**Parks & Recreation Board / July 26, 2018 / Mr. Lunder**

Council Member Lunder advised the Parks & Recreation Board met on July 26, 2018, at 7:00 P.M. It was a short meeting and organizing the car wash and trunk sale was discussed.

**Planning and Zoning Commission / August 6, 2018 / Mr. Johnson**

Council Member Johnson advised the Planning and Zoning Commission met on August 6, 2018, at 7:00 P.M. The Commission approved the renewal of the Conditional Use Permit for Ninja Sushi & Hibachi as well as a fence variance for 7940 Lakeshore Boulevard, which at the corner of Lake Shore Boulevard and Marine Parkway.

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

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

**LEGISLATION BEFORE COUNCIL:**

**ORDINANCE NO. 2018-O-24 (SECOND READING)**

**AN ORDINANCE AMENDING CHAPTER 1258 – BUSINESS DISTRICT OF THE CODIFIED ORDINANCES**

Council Member Johnson advised there were a couple of corrections to be made under Section 1258.01 Compliance Required. It states that “Business District II are those lots that Business District II are those lots that” and the second “Business District II are those lots that” should be stricken. In that same sentence, the last portion states “as a general rule the Business District I lots” and it should be corrected to say “Business District II lots.”

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Bittner, to amend Ordinance No. 2018-O-24, Section 1258.1 Compliance Required, to strike the second “Business District II are those lots that” and to correct the last portion stating “the Business District I lots” to read “Business District II lots.” **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

There was no Motion for Suspension of the Rules. Ordinance No. 2018-O-24 (Amended) is placed on Third Reading.

**ORDINANCE NO. 2018-O-25**

**AN ORDINANCE AMENDING CODIFIED ORDINANCES 804.01, 804.02, 804.03, 804.04, 804.05, 804.06, 804.07, 804.11 AND 804.99 RELATING TO BUSINESS REGISTRATION**

Mayor Eva asked how the cost ended up being \$10.00. Council Member Morris said he thought that was either the cost Mrs. Bartone came up with or it may have come from the Committee. Mentor-on-the-Lake is the only City that had an annual renewed business license for every business within the City, and in order to make Mentor-on-the-Lake more competitive in the business market, they felt it was best to get away from a licensure routine. He and Mrs. Bartone discussed the idea they should at least have some sort of a business registry and, he apologized to Mrs. Bartone, the \$10.00 may have come from the Committee as opposed to free to cover some of the costs of administrative work in maintaining the registry.

There was no Motion for Suspension of the Rules. Ordinance No. 2018-O-25 is placed on Second Reading.

**ORDINANCE NO. 2018-O-26**

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

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Morris, for Suspension of the Rules. **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-26 (Continued):**

**MOTION MADE BY MR. JOHNSON**, 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-27**

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

Council Member Lunder asked Mrs. Bartone what the \$554.85 for John Ferguson was for. Mrs. Bartone advised this was for a culvert repair request. Invoices have been sent, it's been thirty days and it has not been paid. Council Member Lunder asked if she thought this was going to be a problem or it has to be passed tonight. Mrs. Bartone stated not at this time.

There was no Motion for Suspension of the Rules. Ordinance No. 2018-O-27 is placed on Second Reading.

**OLD BUSINESS:** (None)

**NEW BUSINESS:**

Council President Thompson asked Mrs. Bartone if there was anything she wanted Council to take action on tonight with the vehicles, or does she plan to have this for the next meeting. Mrs. Bartone stated she planned to have this for the next meeting; she just wanted Council to know about this.

Packet from NOPEC regarding the "We Are a Do Not Knock Community" Program. Council President Thompson stated Council has received the packet from NOPEC and Mr. Ramos was here tonight to discuss the program.

**Expenditure Approval:**

**Vendor:** Davis Diggers  
**Item:** Walnut Street Drainage Improvement  
**Cost:** \$35,320.00  
(Per Memorandum of August 8, 2018, from Mrs. Bartone)

Council President Thompson stated that amount was adjusted from \$35,320.00 to \$40,000.00. Council Member Morris asked if a motion to approve the adjusted amount was needed. Mr. Lyons stated no, just the motion to approve the expenditure.

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Morris, to approve the expenditure to Davis Diggers for the Walnut Street Drainage Improvement in the amount of \$40,000.00. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.  
**MOTION CARRIED: 7/0**

Mayor Eva asked what the feeling of Council was regarding the NOPEC "Do Not Knock" Program. Council President Thompson turned this over to Council Member Morris as this was discussed in an Ordinance Committee Meeting. Council Member Morris stated this was covered during an Ordinance Committee meeting. They are pretty sure the City's Ordinances are more restrictive than what NOPEC does and it was decided to stay with the City's rather than go into the NOPEC program at this point in

time unless something was changed to make it better than the City's. Mrs. Bartone said the only difference would be NOPEC would keep an active list of residents who do not want to be contacted which the City does not have the means to do. Council Member Morris asked when someone comes in to get a Solicitor's Permit are they given a "do not knock" list. Mrs. Bartone said no, the City does not have one. Council Member Morris said he believed the City is supposed to pursuant to Ordinance. Mrs. Bartone stated the City does not have an active registry for that, and it has not had one since she has been with the City at least. Council Member Morris stated this is one of the things they looked at, and felt that was one of the keys of the Ordinance. Mrs. Bartone said she has not received any questions in the two years she has been here from a resident asking to be put on that list. Council Member Johnson suggested the Ordinance Committee review this and try to merge the two together into one ordinance. Council President Thompson suggested Mr. Ramos be asked to attend the Ordinance Committee Meeting. Background checks on solicitors, notice to residents about the registry, maintaining the registry, were briefly discussed.

**OPEN TO THE PUBLIC TO SPEAK: 7:34 P.M.**

**CLOSED OPEN TO THE PUBLIC SECTION: 7:35 P.M.**

**ANNOUNCEMENTS AND SETTING OF MEETINGS:**

Ordinance Committee	Monday, August 27, 2018, at 6:00 P.M.
Zoning Committee	Monday, August 27, 2018, at 7:00 P.M.

(Council Member Johnson advised Mrs. Bartone has put together a list of the actual lots that are going to be rezoned which he has forwarded for review. He thanked Mrs. Bartone for putting that together)

Public Hearing on Ordinance No. 2018-O-24                      Tuesday, August 28, 2018, at 7:00 P.M.

Regular Agenda Meeting	Thursday, August 23, 2018, at 6:00 P.M.
Regular Council Meeting	Tuesday, August 28, 2018, at 7:00 P.M.

**ADJOURNMENT:**

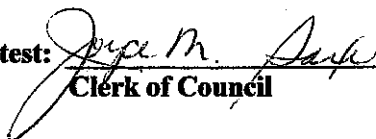
**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Chabut, for Adjournment. **ROLL CALL:**  
Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.  
**MOTION CARRIED: 7/0**

The Regular Meeting of Council adjourned at 7:36 P.M.

**APPROVED:**

August 28, 2018  
Date

  
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**DESIREA THOMPSON**  
President of Council

Attest:   
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Clerk of Council