



## City of Mentor-on-the-Lake

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### MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE JANUARY 14, 2020

The Regular Meeting of Council of January 14, 2020, for the City of Mentor-on-the-Lake, Ohio, was called to Order at 7:00 P.M. by Council Vice-President Jim Lunder.

**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  
**Ward 4:** DESIREA THOMPSON, President (Absent/Excused)

**7:00 P.M. PUBLIC HEARING**

**ORDINANCE NO. 2019-O-27 THROUGH ORDINANCE NO. 2019-O-34**

(FIRST READING: November 12, 2019; SECOND READING: November 26, 2019; THIRD READING: December 10, 2019)

The Public Hearing on Ordinance Numbers 2019-O-27, 2019-O-28, 2019-O-29, 2019-O-30, 2019-O-31, 2019-O-32, 2019-O-33, and 2019-O-34 was called to order by Council Vice-President Jim Lunder at 7:00 P.M. Mr. Lunder indicated the Clerk will read each Ordinance and he will have Council Member Johnson provide a brief explanation of each Ordinance.

**ORDINANCE NO. 2019-O-27**

**AN ORDINANCE REZONING 7840 LAKESHORE BLVD. FROM BUSINESS DISTRICT II TO MULTIFAMILY**

Mr. Johnson explained this is a property on Lakeshore Boulevard that is currently zoned as an apartment building. This is to correct the zoning to Multifamily as it should be rather than Business. He stated most of these Ordinances are simply correcting existing errors in the Zoning.

Mr. Lunder asked for any questions from the audience. John Hawkins asked if this was rezoning for multifamily; is there any idea about how many units they plan on building. Mr. Johnson stated this is not a new building. It is a currently an existing apartment building that is improperly zoned. Mr. Lyons asked to weigh in. He disagrees with Mr. Johnson that it was an error. Back a long time ago, the City had pyramid zoning so multifamily units could be built in a business zone. What this one is, and most of them are, is changing it to reflect what is actually there right now rather than in terms of something that existed historical. For example, the ordinance was changed eliminating the rebuilding of property if there was a fire that destroyed more than 50% of a residential building in a Business District.

Mr. Lyons believes a couple of these Ordinances address that particular issue to make it consistent to what is there now. Everyone who was personally affected was sent a letter indicating that this process was happening. Mr. Hawkins stated his question was how do you put a Multifamily unit in a Business zone. Mr. Lyons said when it was built, it was built lawfully under the zoning at the time because you were allowed to have Multifamily in a Business Zone. Mr. Hawkins asked where the property was located on Lakeshore as he had driven down there looking for it. He stated he does not believe multifamily generally is good for Mentor-on-the-Lake. Mr. Johnson stated this is not creating any new multifamily units. Mr. Hawkins asked if the other Ordinances changing the zoning from Business to Multifamily are already preexisting, and Mr. Johnson stated that was correct. Mr. Hawkins asked what a Garden Condominium was. Mr. Johnson indicated Chapter 1257 defines what a Garden Condominium is and read the definition. This applies to Windsor Place Apartments. Garden condominiums were briefly discussed. Mr. Hawkins said he was glad to see the City's zoning being "squared up." There were no other questions on this Ordinance.

**ORDINANCE NO. 2019-O-28**

**AN ORDINANCE REZONING FIVE PROPERTIES FROM SINGLE FAMILY B TO THE SINGLE FAMILY A-1 ZONING CLASSIFICATION**

Mr. Johnson indicated these are the properties that include Lake Elementary School. The reason this is being rezoned is a lot of schools in the District are being sold or repurposed. Mr. Johnson stated this may not necessarily include Lake Elementary, but they are planning ahead and correcting the zoning to be consistent with the other properties on the south side of Salida so that the entire area is the same zoning.

A resident attending tonight's meeting asked what A-1 was. Mr. Johnson stated A-1 strictly defines the size of the lots so it is the largest lot size. The resident stated he lives at 7492 Salida and wondered if the property behind had been sold or what was going on with it. Mr. Johnson had no information on that; they were just cleaning up the area zoning so it is all consistent as there were properties that looked like they were split-zoned and other things going on there and they wanted to make it all clear. There were no other questions.

**ORDINANCE NO. 2019-O-29**

**AN ORDINANCE REZONING 5382 LINCOLN FROM THE YACHT CLUB ZONING DISTRICT TO THE RESIDENTIAL SINGLE FAMILY E ZONING DISTRICT**

Mr. Johnson said this is another clean-up. A number of zoning maps seemed to change it from being Yacht Club to Single Family E, and this makes it clear it is Single Family E. There is a house there and if the house burned down, he does not think a yacht club would be built on the property. This is correcting that zoning.

A resident attending tonight's meeting said this resident is his next-door neighbor and she is in her 90's. All the mail he has ever seen to this house has been "Coronada." He is not sure how Lincoln came to be on the zoning maps. Mr. Johnson said it is the Auditor's site. The resident stated everything he has seen states "Coronada," Coronada is used as her address. Mr. Johnson stated this is probably why it keeps getting bounced from one zone to another. There were no other questions.

**ORDINANCE NO. 2019-O-30**

**AN ORDINANCE REZONING FOUR PROPERTIES FROM BUSINESS II TO THE BUSINESS I ZONING CLASSIFICATION**

Mr. Johnson stated these are properties along Lakeshore Boulevard. In 2018, Business I and Business II zoning was created rather than just having a single Business district. Business II requires additional buffering between residential and business, so since these are abutting residential properties, they wanted to insure they had zoning as Business II. This is just a correction. There were no questions.

**ORDINANCE NO. 2019-O-31**

**AN ORDINANCE REZONING MULTIPLE PROPERTIES FROM GARDEN CONDOMINIUM TO THE MULTIFAMILY ZONING CLASSIFICATION**

Mr. Johnson stated these are Windsor Place Apartments. They are not individually owned units, they are owned by a single corporate entity. This is to correct these to a Multifamily classification rather than condo. There were no questions.

**ORDINANCE NO. 2019-O-32**

**AN ORDINANCE REZONING MULTIPLE PROPERTIES FROM BUSINESS II TO THE SINGLE FAMILY E ZONING CLASSIFICATION**

Mr. Johnson stated these are properties along Lakeshore Boulevard that have basically the frontage zoned Business and the rest of the property is zoned Residential. This corrects all these properties to be residential so that it is consistent across the entire lot. There were no questions

**ORDINANCE NO. 2019-O-33**

**AN ORDINANCE REZONING PROPERTY ON MARINE PARKWAY FROM THE BUSINESS AND/OR INDUSTRIAL ZONING DISTRICT TO MULTIFAMILY**

Mr. Johnson stated these are Lake Point Apartments. They have been apartments and the zoning has not been corrected. This Ordinance corrects that zoning.

A resident from the audience tonight asked when Business Zoning went into effect. Mr. Johnson stated the business districts were probably created at the same time the residential districts were created. Mr. Johnson said it wasn't that the whole property was zoned. It is just the frontage. It made no sense which is why they are going to correct it all, so that the odd mistakes that have existed for years are continued. There were no other questions.

**ORDINANCE NO. 2019-O-34**

**AN ORDINANCE REZONING MULTIPLE PROPERTIES FROM GARDEN CONDOMINIUM TO THE SINGLE FAMILY E ZONING CLASSIFICATION**

Mr. Johnson stated the vast majority of properties in this area were corrected last year, but a couple of streets were missed. There was an entire swatch of property in the City that was zoned as garden condominium and they were all residential houses. This corrects that so if a house burns down, it can be rebuilt. There were no questions.

Mr. Lunder asked if anyone wished to speak in favor of the Ordinances. There was no one who wished to speak in favor of the Ordinances.

Mr. Lunder asked if anyone wished to speak against the Ordinances. There was no one who wished to speak against the Ordinances.

Mr. Lunder asked if any members of Council wished to comment on the Ordinances. Mr. Johnson said they were a lot of work. Mr. Chabut said we need to give Mr. Johnson a lot of credit. Mr. Lunder said Mr. Johnson did a terrific job on this all last year and he put a lot of time and effort into it; he would like to give Mr. Johnson a hand for what he has done here, and thanked Mr. Johnson very much.

The Public Hearing on Ordinance Numbers 2019-O-27, 2019-O-28, 2019-O-29, 2019-O-30, 2019-O-31, 2019-O-32, 2019-O-33, and 2019-O-34 closed at 7:16 P.M.

**READING OF MINUTES:**

Regular Meeting of Council – December 10, 2019

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Chabut, for Approval of the Minutes of the December 10, 2019, Regular Meeting of Council. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.

**MOTION CARRIED: 6/0**

Organizational Meeting of Council – January 6, 2020

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Morris, for Approval of the Minutes of the January 6, 2020, Organizational Meeting of Council. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.

**MOTION CARRIED: 6/0**

**CORRESPONDENCE:**

Mr. Morris stated he had received a call from Pat Lavigna who lives on Pinehurst Drive regarding the vacant house on the south side of Pinehurst. This house has been vacant for years. Mr. Moore is aware of it. She was upset that the City has not condemned the house and has not taken it down. Mr. Morris said he patiently explained to her that the City has done everything it can in their due diligence regarding that property, and every time there is a violation, the property owner, which he believes is a bank, corrects the problem. Mr. Moore indicated it was Bank of America. They are actively trying to sell it. Mr. Morris stated she has called Mr. Moore several times about this same thing. Mr. Morris did look at the property and he cannot understand why anyone would want to buy the property; it is a mess.

**ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:**

**Mayor & Safety Director – Mr. Eva**

Mayor Eva read several Memos from Chief Gielink regarding the 2019 Santa's Blue Helpers Program. Memos were sent to Ptl. Tina Messinger, Fire Chief Jamie Pechatsko, Firefighters Gabe Ananea and Dustin Langford, Ptl. Clay Braidic and Cassie, Ptl. Megan Carney, Ptl. Nate Hamilton and Kayla, Ptl. Ken Wuchte and Janet, Dispatcher Jeannie McPeek, thanking them for their participation in the program this year.

Mayor Eva read the Fire Department Report for December 2019. For the month of December 2019 there were a total of 119 calls for service as follows: Rescue/EMS – 82 calls, one of which was for an overdose requiring Narcan; Fire/Service – 21 calls; and Invalid Assist – 16 calls. The Fire Prevention report for December 2019 is as follows: sprinkler tests were completed for Marc's, Dollar Tree, and Giant Eagle, with no issues found. Alarm tests were completed for St. Andrews Church, Aqua Ohio, and Lake Vistas with no problems found. The Fire Prevention Officer attended the lock down drill at Lake Elementary; talked to the Principal about possibly moving some of the students to the infirmary as currently the students walk in front of the windows to the south. The Principal was going to talk to Mentor Schools about possibly putting in a new door as compared to the curtain they currently have. She is also trying to get Police and Fire key cards to the building. Department training in December 2019 consisted of the first three Mondays of the month, the EMS drill was presented by Lake Health; the training subjects were

various EMS tropics. Department activity in December 2019, on Sunday, December 8, 2019, the Department held its annual Santa rounds. It was a beautiful day and the turn-out by residents was outstanding. Chief Pechatsko thanked those who were able to help with special thank-yous to Mayor Eva, Police Chief Gielink, Council Member Wolk, and Ralph Boomer for their help and support. On Sunday, December 15, 2019, Firefighter Gabe Ananea, Lt. Dustin Langford, and Chief Pechatsko were honored to assist with Santa's Blue Helpers. The Fire Department's Year-End Report is as follows: in 2019 the Fire Department responded to 1,269 calls for service, which is an increase of 140 calls from 2018. The call breakdown is as follows: Rescue/EMS – 831 calls, of which there were 17 calls for overdoses requiring Narcan; Fire/Service – 288 calls; and Invalid Assist – 150 calls.

Mayor Eva stated the Holiday Lighting Contest was held. First Place -7622 Holly Drive; Second Place – 5560 Reef Road; Third Place – 5604 Walnut. Approximately 246 Toys for Tots were collected.

Mayor Eva stated on January 8, 2020, he received a letter from William Bowers, Aqua Ohio, announcing a reduction in water bills for the Aqua Lakeshore Mentor Division. The reduction will appear in the form of a credit on monthly bills, and will remain in place for the next year, at which time the credits will be based on future rate and tax structures. The credits will begin to appear on December bills which are distributed in January. The credits reflect Aqua's tax savings resulting from the Federal Tax Cut and Jobs Act of 2017 (TCJA). Aqua requested permission from the Public Utilities Commission of Ohio to adjust bills and asked for guidance on how to appropriately implement the change. Customers will be notified about the credits through an insert included in January bills. Mayor Eva stated he called Mr. Bowers for an idea on the credits for Mentor-on-the-Lake residents, and based on households and number of residents, it looks like in general there should be a \$4.34 savings per month for Mentor-on-the-Lake residents.

Mayor Eva received an email from Cheryl Kuonen, Executive Director of the Mentor Public Library. They do have a contractor in place for the library branch addition to add a meeting room. This will be started after March 15, 2020, and the addition should be completed by the fall.

Mayor Eva heard from the Lake County Commissioners regarding the erosion Special Improvement District requesting the number of residents interested and how much shoreline to be improved. He turned in we have 19 residents and approximately 3000 feet of shoreline. They requested this information as they are still in the process of finding financing for the Cities involved.

Mayor Eva advised the Civil Service Commission met on January 9, 2020, for the Police Department as Lt. Forsythe will be retiring sometime this year. They will be giving a lieutenant, sergeant, and patrol officer civil service tests. Regarding the Fire Department, a civil service exam will be given for those who are not already under civil service and also a full-time test will be given sometime later this year. Also discussed, they are asking that the Ordinance Committee review Ordinance 232.07, which currently reads a fireman must live no more than three miles from the station. The civil service has changed this requirement to six miles, and they are looking to change that Ordinance to six miles.

Mayor Eva stated yesterday he received a Memo from Lt. Forsythe regarding Ptl. Cisternino's actions regarding a possible suicide. Ptl. Cisternino was commended for a job well done in dealing with this situation. Mayor Eva said he also sent Ptl. Cisternino an email commending him for his actions.

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

Mrs. Bartone stated she will be presenting Council two applications for the CRA exemption at the next meeting, both of which appear to meet the criteria for this exemption.

entertainment. He would like to find a way, or everyone on Council, find a way to fund these events or make them happen without spending tax dollars. To that end, Mr. Morris called Willoughby regarding two major events in their City. Willoughby's car show is held by its Frontier Days Committee. Tax dollars are not used to have the Rib Burn Off, it is done by the Willoughby Downtown Merchants. Mr. Morris wondered why the Fall Fest could be done similar to that. It would not be easy, but he has a problem spending tax dollars on this. This is Mr. Morris personally, and he does not want to see these events go away, but there has to be a way to do it. Mr. Lunder asked Mrs. Bartone if tax dollars were being spent on the Fall Fest. Mrs. Bartone said indirect costs such as payroll, but direct costs, no. No tax dollars are spent, it is all from sponsorship and revenue from vendors.

Mayor Eva stated, at the December Council Meeting, he read a Memo about the pinochle club and charging them to use the Community Room. They have decided to relocate to another City. This frees up the Community Room two Saturday nights a month.

**NEW BUSINESS:** (None)

**OPEN TO THE PUBLIC TO SPEAK:** 7:48 P.M.

**CLOSED OPEN TO THE PUBLIC SECTION:** 7:48 P.M.

**ANNOUNCEMENTS AND SETTING OF MEETINGS:**

Ordinance Committee Monday, January 20, 2020, at 6:00 P.M.  
Mr. Morris asked Mr. Wolk if he was available since he is the new member on the Ordinance Committee. Mr. Lunder asked Mr. Wolk if he had received an email on that change from Council President Thompson. Mr. Wolk said he may be a little late but will attend the meeting.

Board of Zoning Appeals Monday, January 20, 2020, at 7:00 P.M.

Mr. Lunder asked about scheduling the Finance Committee/Budget meeting before February 1<sup>st</sup>, 2020, as Mr. Bittner will be out for eight weeks.

Finance Committee/Budget Hearing Monday, January 27, 2020, at 6:00 P.M.

Mr. Morris asked if Council would have all the paperwork by then. Mr. Lunder stated Mrs. Bartone would be sending it to Council this week.

Regular Agenda Meeting Thursday, January 23, 2020, at 6:00 P.M.  
Regular Council Meeting Tuesday, January 28, 2020, at 7:00 P.M.

Mr. Wolk asked for a copy of the 2020 Committee assignments. The Clerk advised the assignments should have been in his mailbox, and Mr. Wolk did find a copy in his paperwork.

**ADJOURNMENT:**

**MOTION MADE BY MR. MORRIS,** Seconded by Mr. Johnson, for Adjournment. **ROLL CALL:**

**Ayes:** Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. **Nays:** None.

**MOTION CARRIED:** 6/0

The Regular Meeting of Council adjourned at 7:52 P.M.

**APPROVED:**

January 28, 2020  
Date

Desiree Thompson  
Desiree Thompson  
President of Council

Attest: Jay M. Day  
Clerk of Council