



# City of Mentor-on-the-Lake

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## MINUTES VIRTUAL REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE SEPTEMBER 8, 2020

The Virtual Regular Meeting of Council of September 8, 2020, 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:	<b>At Large:</b>	JIM LUNDER, Vice President (Appeared in person)
Aye:	<b>Ward 3:</b>	ROB JOHNSON (Appeared in person)
Aye:	<b>At Large:</b>	KEVIN BITTNER (Appeared in person)
Aye:	<b>At Large:</b>	PRESTON WOLK (Appeared Virtually)
	<b>Ward 1:</b>	DAVID CHABUT (Appeared Virtually; logged in late because of computer problems)
Aye:	<b>Ward 2:</b>	PAUL MORRIS (Appeared in person)
Aye:	<b>Ward 4:</b>	DESIREA THOMPSON, President (Appeared in person)

**READING OF MINUTES:** Virtual Regular Meeting of Council – July 28, 2020

**MOTION MADE BY MR. MORRIS,** Seconded by Mr. Lunder, for Approval of the Minutes of the July 28, 2020, Virtual Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Morris, Thompson. Nays: None.

**MOTION CARRIED: 6/0**

**CORRESPONDENCE:**

Mr. Morris advised he had been contacted by a resident on Sharon Drive who asked if Council could look into the cat issue again as there is a problem with people letting their cats roam free. He told her they would try to look at it again in the Ordinance Committee, but does not think anything could really be done. Second, Mr. Gray, on Dahlia Drive, called to complain about the cars parked overnight on Dahlia Drive. Mr. Morris talked to Chief Gielink about this and Chief Gielink advised, per an agreement between him and the Mayor, they have suspended any citations for overnight parking due to the pandemic. Mr. Gray also complained about a man on Dahlia Drive changing the oil in his car parked on the road and Chief Gielink said that had been addressed. Mr. Morris also had a complaint from Bill Brown on Pinehurst Road about dogs living in the house across the street from him, waking him up between 6:00 A.M. and 6:30 A.M. every morning with their barking. Mr. Morris talked to Chief Gielink about this, and he will advise Mr. Brown to call 9-1-1 the next time this happens.

**ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:**

## **Mayor & Safety Director – Mr. Eva**

Mayor Eva advised Lake Tran would be starting the new City bus route on Monday, September 14, 2020. He, Chief Gielink, and Mr. Lunder have signed up for a tour of the new bus route on Thursday at 2:00 P.M.

Mayor Eva read an email from Elizabeth Light regarding the spraying of chemicals on the property at the corner of Andrews Road and Miami Drive and her concerns with the mother deer and her babies drinking out of the toxic water, as well as people walking their dogs, and children in that area. Mayor Eva responded when they learned about this, they had the Health Department come out and assess the health risk of the chemicals sprayed on the property. They found no hazard to people or animals. The City has no ordinance to prevent this from happening, and he will bring this up at the September 8, 2020, Council Meeting. Mayor Eva said he would like to discuss this during New Business because whether it is on a main highway or anywhere in the City, we have to come up with a way to prevent this. If someone is going to kill grass, there has to be a way to replant grass. Ms. Light was not the only person who contacted him about this. Mr. Moore talked to the property owner and it sounds like he had someone spray something similar to Round-Up on the lot. The property owner does not intend to replant anything and will leave it “as is” so that the property owner does not have to come out and take care of the property.

Regarding the overnight parking, when he and Chief Gielink looked at this, due to COVID-19, there are a lot of people out of work, causing families to be in the same residence, and he would like the Ordinance Committee or another Committee look at the overnight parking Ordinance and determine if the residents actually want it. As Chief Gielink put in his email, it could slow down traffic on the streets, but in winter the snow ban would still be in effect and the overnight parking ban would be enforced. As mentioned by Mr. Morris, there were parking problems in the 7500 Block of Dahlia. They did get a call, and the caller was advised the City was not currently issuing overnight parking citations due to COVID-19. The caller still felt the need to be walking up and down the street. This is the same individual he mentioned during the last Council Meeting who again decided to use profanity with our Police Officers. Mayor Eva said he still does not have an apology from the last time, and the caller decided he was going to treat the Officers the same way again, which is unacceptable.

Mayor Eva stated one of the things that came up, and Mr. Morris had some correspondence with Mrs. Bartone about, was culvert installation and maintenance. He thinks this is also something the Ordinance Committee should look into. When you look at Ordinance 1024 (e) and (f), (e) the charges for installation should include materials equal to the cost to the City, the key word being “installation.” He feels the materials should be paid for in advance, but he would ask the Ordinance Committee to look into maybe additional wording to interpret this, because what it comes down to, he and Mrs. Bartone feel the City should be charging labor on culvert repairs. If a resident had to get an outside contractor to do this, they would pay for materials and labor. This is not something all of the residents need, and why should all the residents pay for this when not all the residents use this service.

Mayor Eva read the August 2020 Fire Department Report. For the month of August 2020, there was a total of 103 calls as follows: Rescue/EMS – 65 calls, one of which was for an overdose; Fire/Service – 17 calls; and Invalid Assist – 21 calls. There are 31 confirmed COVID-19 cases in the City. It has been decided, in order to protect the Fire Department employees from COVID-19, that Fire Prevention activities have been suspended. EMS drills presented by Lake Health have gone virtual, so they can continue to receive training. The training subject for August was Ambulance Operations. The Fire Department took delivery of two Defibtech Lifeline automatic chest compression systems, and August shift drills have been the operation of this new life saving equipment. Congratulations to those members who celebrated a work anniversary in July: F.F. Justin Corbe – 5 years; F.F. Mike O’Connell – 5 years; and F.F. Brian Sedmak – 4 years. Mayor Eva also read the breakdown of COVID-19 between males and females.

**Administrative Director – Mrs. Bartone**

Mrs. Bartone stated there is quite a bit of legislation on the Agenda tonight, which she reviewed. Resolution No. 2020-R-13 does not need to be passed tonight as it is not due to the County until October 1, 2020. Resolution No. 2020-R-14 is time-sensitive relating to the shoreline improvement district and has to be passed tonight to be included in the SID Project. Resolution No. 2020-R-15 is the Part-Time Firefighters contract which is retroactive to January, and she asked if that could be passed tonight. Ordinance No. 2020-O-17 is the Full-Time Firefighters Memorandum of Understanding since the Fire Department went to 24/48 and is also retroactive to the beginning of August. Ordinance No. 2020-O-18 is for grass cuttings in June and July of this year, and there are only two people on the list. Ordinance No. 2020-O-19 is for the second round of the CARES Act money received by the City which needs to be appropriated. All of the expenditures related to the CARES Act are to provide added safety measures, and you will see a lot of changes at City Hall, so this needs to be passed so the City can legally spend these funds.

**Law Director – Mr. Lyons**

Council was unable to hear Mr. Lyons and Mrs. Thompson stated we would get back to Mr. Lyons, at which time he advised the City had an issue with a property owner regarding property lines on Andrews Road which has been resolved. He will be sending a Memo regarding this to Council.

**Police Chief – Mr. Gielink**

Chief Gielink presented the following awards: the MADD Award of Excellence was presented to Ptl. Tina Messenger; the Exceptional Service Award was presented to Ptl. Nate Hamilton and Ptl. Clay Braidic; and the 2019 Officer of the Year Award for the Mentor-on-the-Lake Police Department was presented to Ptl. Kyle Baker. All of these Officers received a round of applause.

**QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS: (None)**

**BOARD/COMMITTEE/COMMISSION REPORTS: (None)**

**OPEN TO THE PUBLIC TO SPEAK: 7:22 P.M.**

**CLOSED OPEN TO THE PUBLIC SECTION: 7:23 P.M.**

**LEGISLATION BEFORE COUNCIL:**

**RESOLUTION NO. 2020-R-13**

A RESOLUTION ACCEPTING THE RATES AS DETERMINED BY THE LAKE COUNTY BUDGET COMMISSION FOR TAX YEAR 2020, AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE LAKE COUNTY AUDITOR

There was no Motion for Suspension of the Rules. Resolution No. 2020-R-13 is placed on Second Reading.

**RESOLUTION NO. 2020-R-14**

A RESOLUTION APPROVING A PETITION FOR THE CREATION OF A SHORELINE SPECIAL IMPROVEMENT DISTRICT AND FOR THE LEVY OF SPECIAL ASSESSMENTS FOR SHORELINE IMPROVEMENT PROJECTS, AND DECLARING AN EMERGENCY

**LEGISLATION BEFORE COUNCIL (Continued):**

**RESOLUTION NO. 2020-R-14 (Continued):**

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

**MOTION MADE BY MR. BITTNER**, Seconded by Mr. Morris, for Passage of Resolution No. 2020-R-14. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Morris, Thompson. Nays: None.  
**MOTION CARRIED: 6/0**

**RESOLUTION NO. 2020-R-15**

A RESOLUTION RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE PART TIME FIREFIGHTERS AND AUTHORIZING THE MAYOR AND ADMINISTRATIVE DIRECTOR TO EXECUTE A WRITTEN CONTRACT WITH THE MENTOR-ON-THE-LAKE PART TIME FIREFIGHTERS ASSOCIATION, AND DECLARING AN EMERGENCY

Mr. Bittner asked if this was the agreement that both parties collectively agreed to. Mrs. Bartone advised everyone has signed off on a three-year contract. Mr. Bittner said this goes back to January.

**MOTION MADE BY MR. BITTNER**, Seconded by Mrs. Thompson, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Bittner, Wolk, Thompson. Nays: Council Member Johnson, Morris. Abstain: Council Member Lunder.  
**MOTION FAILED: 3/2/1**

Resolution No. 2020-R-15 is placed on Second Reading.

**ORDINANCE NO. 2020-O-13 (THIRD READING)**

AN ORDINANCE AMENDING CODIFIED ORDINANCE 1064.04 – TIME PERIOD ON ACCUMULATIONS

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Johnson, for Passage of Ordinance No. 2020-O-13. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Morris, Thompson. Nays: None.  
**MOTION CARRIED: 6/0**

**ORDINANCE NO. 2020-O-14 (THIRD READING)**

AN ORDINANCE AMENDING CODIFIED ORDINANCE 678.01(b) – NOTICE TO OWNER TO CUT NOXIOUS WEEDS; REMOVE LITTER; SERVICE AND DECLARING AN EMERGENCY

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Johnson, for Passage of Ordinance No. 2020-O-14. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Morris, Chabut, Thompson. Nays: None.  
**MOTION CARRIED: 7/0**

**ORDINANCE NO. 2020-O-15 (THIRD READING)**

AN ORDINANCE AMENDING CODIFIED ORDINANCE 232.06(b) – RESCUE SQUAD FEES; PAYMENT AND DECLARING AN EMERGENCY

**LEGISLATION BEFORE COUNCIL (Continued):**

**ORDINANCE NO. 2020-O-15 (THIRD READING) (Continued):**

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Johnson, for Passage of Ordinance No. 2020-O-15. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**ORDINANCE NO. 2020-O-17**

**AN ORDINANCE TO AMEND THE COLLECTIVE BARGAINING AGREEMENT WITH THE FULL-TIME FIREFIGHTERS AND AUTHORIZING THE MAYOR AND ADMINISTRATIVE DIRECTOR TO AMEND THE CONTRACT WITH THE MENTOR-ON-THE-LAKE FIRE FIGHTER'S IAFF, LOCAL 3049, AND DECLARING AN EMERGENCY**

There was no Motion for Suspension of the Rules. Ordinance No. 2020-O-17 is placed on Second Reading.

**ORDINANCE NO. 2020-O-18**

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

Mr. Morris asked if this were time-sensitive. Mrs. Bartone said these are grass cuttings that occurred in June and July. Given that these same people were on the last legislation that was passed, they are habitual offenders.

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Johnson, 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. Johnson, for Passage of Ordinance No. 2020-O-18. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**ORDINANCE NO. 2020-O-19**

**AN ORDINANCE TO AMEND THE 2020 APPROPRIATION ORDINANCES AND DECLARING AN EMERGENCY**

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Lunder, 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. Johnson, for Passage of Ordinance No. 2020-O-19. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**OLD BUSINESS:**

Mr. Bittner stated on Resolution No. 2020-R-15, we did not have a Member voting who was here and he feels should have been included in the vote. There was a short discussion on reopening the vote on Resolution No. 2020-R-15 as Mr. Chabut has been having internet problems. Mrs. Thompson stated, now that Mr. Chabut is with us, Council will go back and revisit Resolution No. 2020-R-15, if there can be a recount vote.

**RESOLUTION NO. 2020-R-15**

**A RESOLUTION RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE PART TIME FIREFIGHTERS AND AUTHORIZING THE MAYOR AND ADMINISTRATIVE DIRECTOR TO EXECUTE A WRITTEN CONTRACT WITH THE MENTOR-ON-THE-LAKE PART TIME FIREFIGHTERS ASSOCIATION, AND DECLARING AN EMERGENCY**

**MOTION MADE BY MR. BITTNER**, Seconded by Mrs. Thompson, for Suspension of the Rules.  
ROLL CALL: Ayes: Council Member Bittner, Wolk, Chabut, Thompson. Nays: Council Member Johnson, Morris. Abstain: Council Member Lunder.  
**MOTION FAILED: 4/2/1**

Mrs. Thompson advised Ordinance No. 2020-O-15 goes to Second Reading. Mr. Johnson said it should pass as the Abstain goes with the majority. Mr. Lyons advised pursuant to Local Rules and Roberts Rules of Order, abstain votes do not go with the majority and the Motion for Suspension of the Rules of Ordinance No. 2020-O-15 does not pass and goes to Second Reading.

**NEW BUSINESS:**

Mr. Wolk asked what the City was going to do for October 31<sup>st</sup> Trick or Treating, and will the City advertise that Trick or Treating will go on as normal. Mayor Eva said right now there is no guidance or direction from the State, and once the City has that, a decision will be made. Mr. Wolk said that is an Administrative decision, and Mayor Eva said that was correct. Mr. Morris said there has been a lot of people asking on social media what the City was going to do. Some people have decided that, regardless of the City's decision, they are going to do it themselves, so hopefully there will be a decision soon. Mayor Eva thought there would be something from the State by the next Council Meeting.

**Expenditure Approval:**

Vendor: Middletown Ford  
Items: 2021 F-250 Super Duty 4x4 Pickup Truck  
Cost: \$31,277.00  
Fund: CARES ACT Fund  
(Per Memorandum of September 8, 2020, from Mrs. Bartone)

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Lunder, to approve the expenditure request to Middletown Ford for a 2021 F-250 Super Duty 4x4 Pickup Truck in the amount of \$31,277.00. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**Expenditure Approval:**

Vendor: Stryker EMS  
Items: Lifepak 15 Monitor  
Cost: \$31,225.14  
Fund: CARES ACT Fund  
(Per Memorandum of September 8, 2020, from Mrs. Bartone)

Mr. Morris asked for clarification first. Stryker EMS is the Vendor. Is it a physio control. Chief Pechatsko advised it is the physio control life pack

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Bittner, to approve the expenditure request to Stryker EMS for Lifepak 15 Monitor in the amount of \$31,225.14. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**Expenditure Approval:**

Vendor: Euclid Glass  
Items: Automatic door controllers, doors  
Cost: \$49,500.00  
Fund: CARES ACT Fund  
(Per Memorandum of September 8, 2020, from Mrs. Bartone)

Mr. Morris asked what doors. Mrs. Bartone said this is essentially nearly all the doors for City Hall to be controlled by key fobs so the handles do not need to be used anymore. They are also making the rest room doors automatic, touchless. Any door that gets constant use at City Hall will be controlled by the key fobs.

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Lunder, to approve the expenditure request to Euclid Glass for automatic door controllers, doors, in the amount of \$49,500.00. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

Review of Community Reinvestment Area (CRA) Program applications for 5878 Springwood. Mrs. Bartone stated in reviewing this, while decks are generally not considered a taxable improvement, the entire package will most likely increase the property value.

**MOTION MADE BY MR. JOHNSON**, Seconded by Mr. Lunder, to approve the CRA application for 5878 Springwood. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

**MOTION CARRIED: 7/0**

**OPEN TO THE PUBLIC TO SPEAK: 7:43 P.M.**

**CLOSED OPEN TO THE PUBLIC SECTION: 7:43 P.M.**

**ANNOUNCEMENTS AND SETTING OF MEETINGS:**

Planning and Zoning Commission	Monday, September 14, 2020, at 7:00 P.M.
Ordinance Committee	Monday, September 21, 2020, at 6:00 P.M.

Mayor Eva asked about an Agenda for the Ordinance Committee and asked if overnight parking and installation charges would be included. Mr. Morris stated he has made notes to include these in the Agenda. Mayor Eva asked about spraying to kill grass on property, and had heard that Kirtland had something similar, and discussed the calls he has been getting about this issue. Mr. Johnson said he would come up with something.

Mr. Morris asked Mrs. Bartone about his son's application for a CRA and when that would come up for approval. Mrs. Bartone said it should be at the next meeting as they are waiting for final documents.

Regular Agenda Meeting  
Regular Council Meeting

Thursday, September 17, 2020, at 6:00 P.M.  
Tuesday, September 22, 2020, at 7:00 P.M.

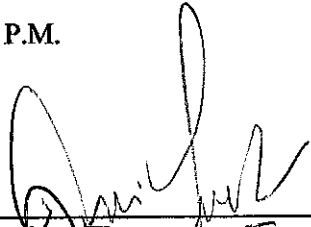
**ADJOURNMENT:**

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

The Virtual Regular Meeting of Council adjourned at 7:50 P.M.

**APPROVED:**

September 22, 2020  
Date

  
Desha Thompson Jim Lunder  
Acting President of Council

Attest: Joyce M. Aape  
Clerk of Council