



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 VIRTUAL REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE SEPTEMBER 22, 2020

The Virtual Regular Meeting of Council of September 22, 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	(Appeared in person)
Aye:	Ward 3:	ROB JOHNSON	(Appeared in person)
Aye:	At Large:	KEVIN BITTNER	(Appeared in person)
Aye:	At Large:	PRESTON WOLK	(Appeared in person)
Aye:	Ward 1:	DAVID CHABUT	(Appeared in person)
Aye:	Ward 2:	PAUL MORRIS	(Appeared in person)
	Ward 4:	DESIREA THOMPSON, President	Absent/Excused

READING OF MINUTES: Virtual Regular Meeting of Council – September 8, 2020

MOTION MADE BY MR. MORRIS, Seconded by Mr. Bittner, for Approval of the Minutes of the September 8, 2020, Virtual Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.

MOTION CARRIED: 6/0

CORRESPONDENCE: (None)

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva advised there was a structure fire on Driftwood late Saturday night, early Sunday morning, and thanked the other Departments in the area who helped out. The Fairport Fire Department watched the Station along with Concord. At the scene of the structure fire they had assistance from Mentor, Kirtland, and Willoughby Hills, and Mayor Eva thanked them. He talked to Chief Pechatsko Sunday morning, who told him the Firefighters did a great job containing the fire and all of the people and pets got out of the house safely.

Mayor Eva stated Council has received the Memo from Mr. Lyons regarding Lake Vistas. The City has reached an agreement that all of the filler that was Lake Vistas property has been removed and the City paid for testing on Lake Vistas property which all came back negative. The City is working with them now to improve the drainage between their property and the City property.

Mr. Johnson had asked a question about Lake Overlook Park, and Mayor Eva talked to Mr. Moore this morning. There was quite a mess that had to be cleaned up Monday morning. Mr. Moore said the

Service Department usually gets to the parks between 7:30 A.M. and 8:00 A.M. every morning, and Monday morning they spent quite a bit more time cleaning it up than was usual.

Mayor Eva stated Trick or Treat will be held in the City on Saturday, October 31, 2020, between 6:00 P.M. and 8:00 P.M. Last night he sent each Member of Council the guidelines from the Ohio Department of Health that have been published so far. One thing they stated is it will be assessed and updated as the situation evolves and we will learn more in the weeks leading up to Halloween. There is general guidance in the published guidelines which will be posted on the City's website and Facebook tomorrow. Participation will be up to the residents and those who do not want to participate should turn their outside lights off.

Administrative Director – Mrs. Bartone

Mrs. Bartone stated there are two expenditure requests on the Agenda tonight. One is for an additional truck for the Service Department. As a reminder, in the notes, this will help the City follow the guidelines set by the State to have one employee per vehicle. Additionally, the new ambulance for the Fire Department will allow them to have a designated squad for COVID related calls which will reduce the amount of time to sanitize and put the squad back into service when it has to go out on a call, and will allow the other two squads to go out on non-COVID related calls. Mrs. Bartone asked that these be passed tonight.

Law Director – Mr. Lyons (No Report)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Wolk asked Mrs. Bartone, regarding the two vehicles to be approved tonight, is there any administrative reason to pass these tonight. Mrs. Bartone stated the City has to have the expenditures encumbered by October 15, 2020, otherwise the money goes back to the County.

BOARD/COMMITTEE/COMMISSION REPORTS:

Planning and Zoning Commission / September 14, 2020 / Mr. Johnson

Mr. Johnson advised the Planning and Zoning Commission met on September 14, 2020, at 7:00 P.M. The first item was the renewal of the 5-year Conditional Use Permit for Marathon Auto Service. They had completed the striping of the parking lot and limited the number of spaces they had. This was approved for five years. Tiffany Adams, 7877 Lake Shore, was requesting a fence installation permit. Current Ordinance requires that all four pins be required to be located on the property to install the fence. Only one pin could be located, and the lot could not be surveyed. There was a lot of discussion on that topic, and because it was an extension of an existing fence, it was decided to go ahead and grant a waiver at this time.

Ordinance Committee / September 21, 2020 / Mr. Morris

Mr. Morris advised the Ordinance Committee met on September 21, 2020, at 6:00 P.M. Present were Council Members Morris, Johnson, Wolk, Council Vice-President Lunder, Mayor Eva, and City Engineer Jim Sayles. The meeting started with a conversation concerning the plot of land along Andrews Road where the owner killed the vegetation to prevent having to mow the grass. Mr. Johnson found where the individual was in violation of City Ordinance 1459 concerning "Erosion and Sediment Control." Mr. Sayles seemed to agree with this, and also presented a copy of an Ordinance from Willoughby that was perhaps a little clearer. A permit is required to do something like this. The Committee will look into modifying the City Ordinance to clear it up. Mayor Eva will have a letter sent to inform the property

owner of the violation and to order him to replant the grass. Everyone present agreed to this plan of action. The next order of business was concerning the parking ban on City streets, and concerned several different ordinances. There was considerable discussion concerning this topic. Mr. Johnson had run a poll on the City's Facebook, and it came back as overwhelmingly in support of keeping the ban. There were several questions as to why there is a ban, and Mr. Morris explained it is extremely difficult to get emergency vehicles down many of the streets when there are cars parked on the street. It also makes it difficult and dangerous for the Service Department to plow the streets in winter. This does not apply to people who park in a gravel area in front of their homes. The Committee unanimously agreed to keep the parking ban. The Committee next discussed 1036.04(D)-Trees. This item was tabled again due to the length of the topic and the volume of material to cover tonight. The Committee next discussed 1258.03 to provide standards for the appearance and location of accessory buildings in Business I and Business II zoning districts. The draft was provided to all Members by Mr. Lyons. It was approved by everyone present and will be on the Agenda for the next Meeting. The Committee then discussed the 232.01 amendment concerning staffing of the Fire Department. The current Ordinance permits a full-time lieutenant or captain. This amendment removes the captain's position, and was proposed to make it compliant with the Civil Service Rules that state a person must serve in the rank below that position. There must be a competitive test to rise in rank. The full-time Fire Department structure does not support a promotion from lieutenant to captain as there is only one full-time lieutenant, thus there cannot be a competitive test. There was concern that not having a captain might prohibit someone from moving up the ranks to Chief. It was pointed out that there have been chiefs appointed from the ranks of firefighter and lieutenant, with examples given. It was suggested that verbiage be added to the amendment to describe that it is being suggested to bring the ordinance into compliance with the Civil Service Rules. Everyone agreed to pass this on to Council for approval after the change. The Committee next discussed the amendment to 1258.02. This amendment was to further describe what businesses are permitted or not permitted or must have a conditional use permit. Mr. Lyons pointed out that there was an area that needed clarification as to whether it is permitted or not and involved "Parking Lot for Noncommercial Vehicles as Principal Use." This was to be "Not Permitted," and the amendment was to be forwarded to Mr. Lyons for correction. There was a request by a resident to look into a "nuisance cat" ordinance. This is referring to people who let their cats out to run wild. There is property damage from some of these cats. The Committee is aware that Mayfield has an ordinance that states a cat must be contained to the owner's property or on a leash, and this will be looked into. The last topic was a concern by Mrs. Bartone that when the City gets a request to do culvert work, the resident is only charged for the actual material and not for labor. She was curious as to if we should be charging for the labor. There was some discussion both pro and con. The Committee will need more information, and Mr. Morris will gather the information for the next meeting. The Committee had a brief conversation regarding the ordinance requiring the location of property pins to erect a fence. There was recently a case in front of the Planning and Zoning Commission where a surveyor could not locate a pin. The Committee felt the ordinance was very solid and it was not necessary to change it. The meeting adjourned at 7:27 P.M.

OPEN TO THE PUBLIC TO SPEAK: 7:14 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:14 P.M.

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2020-R-13 (SECOND READING)

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

Mrs. Bartone advised this has to be filed with the County by October 1, 2020.

LEGISLATION BEFORE COUNCIL (Continued):

RESOLUTION NO. 2020-R-13 (SECOND READING) (Continued):

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. Nays: None.
MOTION CARRIED: 6/0

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Morris, for Passage of Resolution No. 2020-R-13. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.
MOTION CARRIED: 6/0

RESOLUTION NO. 2020-R-15 (SECOND READING)

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 Mr. Chabut, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Bittner, Chabut. Nays: Council Member Johnson, Wolk, Morris.
MOTION FAILED: 3/3

Mr. Bittner asked for discussion. He doesn't understand, and asked if anyone had any suggestions or thoughts as this is something that has been agreed upon by both parties. Mr. Morris stated he has a problem, as he understands it, that part-time dispatchers are still being paid more than a part-time battalion chief, and asked Mrs. Bartone if this was true. Mrs. Bartone said she did not know without having this information available. Mr. Morris stated he has stood soundly behind the part-time firefighters; they deserve a decent wage. If this was vice-versa, he would not have a problem, but he does, because a part-time dispatcher, even though their job is very important and very stressful, and he does not ever mean to demean what a part-time dispatcher does, but when they get paid more than the people who actually go out and do the job, there is something wrong with that, especially when the part-time battalion chiefs are supposedly the second in command in the Department. Mr. Bittner stated they agreed to this. Mrs. Bartone stated the part-timers are getting a 5% increase; they can't bring everyone up at the same time, it has to be done incrementally. The last time they also got a larger increase than the rest of the City. Mr. Morris asked if she was telling him that the plan is to actually get them up at least equal. Mrs. Bartone said they are getting closer, she cannot do it all at one time, but the hope is to get closer.

Mr. Wolk stated his objection to suspending the Rules is simply that it is the Rule, the Rule is there for a reason, and honestly, the burden of explaining why Council is going to suspend the Rules should actually be placed on the people suggesting suspending the Rules. Mr. Bittner stated his reason for suspending the Rules, and he wanted it duly noted that Mr. Wolk voted to suspend the Rules the first time but now is not, is that, as he has stated, this is an agreed upon thing between two parties, and is retroactive, so it is going back no matter what Council does, to January. This is agreed upon, Council is not changing it. To him this is telling them no. Mr. Morris disagreed with Mr. Bittner that it is telling them no as this is not the vote to approve it. It is a matter of a time frame as to when it gets approved.

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

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2020-O-17 (SECOND READING)

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

Mr. Lunder asked Mrs. Bartone if this was time sensitive because it is a contract. Mrs. Bartone said it is effective August 9, 2020.

MOTION MADE BY MR. BITTNER, Seconded by Mr. Chabut, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Bittner, Chabut. Nays: Council Member Johnson, Wolk, Morris. Abstain: Council Member Lunder.

MOTION FAILED: 2/3/1

Mr. Bittner wanted to state again that the reason he voted to suspend this one is because this is the contract currently being worked under, it was agreed to by both sides, and is currently what they are following.

Resolution No. 2020-O-17 is placed on Third Reading.

OLD BUSINESS: (None)

NEW BUSINESS:

Mr. Morris asked Mrs. Bartone if all the CARES Act money has been accounted for or spent. Mrs. Bartone said it has not. Mr. Morris suggested, in years past, we tried to get a system to record the Council meetings, and to get them on the Internet. He believed the CARES Act fund was supposed to help governments deal with the isolation of the COVID. Mrs. Bartone said that was correct. Mr. Morris recommended so that Council can have more normal meetings, (1) to find a video/audio system where these meetings could be broadcast live over the City's Facebook page, and possibly have screens between Council Members so they can all sit at their desks, and (2) as Council can attest, when attending different Committee Meetings, this system is horrible. Sometimes you get logged in, you get bumped out, you cannot hear half of what is said, he hears complaints about not being able to hear what is said, and he thinks some of this money should be spent to accommodate this. Mrs. Bartone said she has a new sound system on order. Mr. Morris asked about video. Mrs. Bartone said the video has not been priced out yet, as they were hoping that this would not be as long term. Mr. Morris asked if she could. Mrs. Bartone said the sound system was to be integrated with an iPad on the podium which would then be more focused and easily accessible for that purpose. Mr. Morris asked if it would cover all of Council, and Mrs. Bartone said yes. Mr. Morris said they are still having trouble logging into Google Meets or whatever, could this be streamed live on the Facebook page. Mrs. Bartone said it could be streamed anywhere he would like it to be streamed. Mr. Morris said rather than having a computer sitting out there, a dedicated video system with a camera actually mounted somewhere out there would be a more professional system rather than just by a computer set up facing Council. Mrs. Bartone said part of the timing on this is that everybody is doing this right now and all the cities are upgrading, not just us, it is a lot of employers, and she is having a hard time in getting enough manpower here to get it all done. She has been working on this for four months. An order has been placed for a new sound system. Mr. Morris again asked about a video system. Mrs. Bartone said she is working on a quote for that. She is also working on a quote for the server since the server cannot handle all of the additional traffic. Mr. Morris said he would like to see an expenditure by October 15, 2020, so that this is a done deal. Mrs. Bartone agreed with him. Mr. Morris said everyone can attest this is a horrible system, and it would be a big plus to be able to put everybody on a more professional stand to do this, as well as looking into

plastic screens between Council Members so that they could all sit at their desks during a meeting. Mrs. Bartone said she has looked at dividers, and if they are only put on the actual desktop, it does not provide enough distance to the person sitting next to you. If they are extended out, the space required to get around might not be enough, so they are trying to come up with another solution. They discussed the dividers and the space needed.

Mr. Lunder asked Mrs. Bartone about the Council chairs. The ones presently used are cloth, and are hard to sanitize. He asked about going to a leather chair or something similar. Mrs. Bartone said she would be happy to purchase new chairs if that is what Council would like.

Mr. Morris asked how much money is left on the CARES Act funding. Mrs. Bartone there is about \$100,000.00 left, after tonight's expenditures.

Expenditure Approval:

Vendor: PFUND Superior Sales
Items: 2019 Life Line E-450 Ambulance
Cost: \$149,406.00
Fund: CARES ACT Fund
(Per Memorandum of September 15, 2020, from Mrs. Bartone)

Mr. Johnson said he knows the purpose of both expenditure requests, but his question is when those vehicles die, what is being done, as this is being done because of COVID. Mrs. Bartone stated it is the expectation of and agreement with the Department Heads receiving the vehicles, and they fully understand, that these have a life span and are here because of COVID. If we get past this, and they get extra life out of these, that is great. If they don't, they understand the vehicles will not be replaced for ten or twelve years from now. Mr. Lunder said he had a conversation with Mr. Moore, and as you know, he lets his trucks go until they die, twelve, fifteen years. Going forward, we will not have to purchase any more vehicles for the Service Department. Mr. Johnson said his concern was more for a \$100,000 ambulance than for a \$40,000 truck. Mr. Morris said, so that it is clear in his mind, that if the oldest squad the Department has dies, it will not be replaced, the new one will take its place. Mrs. Bartone said that correct. We normally operate with two squads, and this third one will allow the City to have a designated COVID squad. Mr. Morris asked if this one will only go out for COVID patients. Mrs. Bartone said one of the squads will be designated a COVID squad which will afford us to have two additional squads for the remaining runs. Mr. Morris asked when the next ambulance is up for replacement, it will not be replaced because we already have two good squads. Mrs. Bartone said that was correct. Mr. Wolk asked if someone calls in, are they asked if they have COVID symptoms. Mayor Eva said they have been asking this. Mr. Wolk said if the caller says yes, then the COVID squad will be sent, and Mrs. Bartone said yes. Mayor Eva said the 2001 ambulance will go out as the COVID squad; this is already nineteen years old. Mrs. Bartone discussed the additional sanitizing and cleaning of the squads that go out now. Mr. Wolk asked, in the event of a major emergency, they will not hold back on an emergency. Mrs. Bartone said that was correct. Mr. Morris asked Mayor Eva what the Fire Department was currently doing to disinfect a squad. Mayor Eva said he would have to talk to the Chief as it is not the normal spray down.

MOTION MADE BY MR. MORRIS, Seconded by Mr. Bittner, to approve the expenditure request to PFUND Superior Sales to purchase a 2019 Life Line E-450 Ambulance for \$149,406.00. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.
MOTION CARRIED: 6/0

Expenditure Approval:

Vendor: Classic Ford
Items: 2020 Ford F-350
Cost: \$38,217.00
Fund: CARES ACT Fund
(Per Memorandum of September 17, 2020, from Mrs. Bartone)

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Chabut, to approve the expenditure request to Classic Ford to purchase a 2020 Ford F-350 for \$38,217.00. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.

MOTION CARRIED: 6/0

OPEN TO THE PUBLIC TO SPEAK: 7:32 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:32 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Planning and Zoning Commission	Monday, October 5, 2020, at 7:00 P.M., pending an Agenda
Ordinance Committee	Monday, October 19, 2020, at 6:00 P.M.
Regular Agenda Meeting	Thursday, October 8, 2020, at 6:00 P.M.
Regular Council Meeting	Tuesday, October 13, 2020, 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, Chabut, Wolk, Morris. Nays: None.

MOTION CARRIED: 6/0

The Virtual Regular Meeting of Council adjourned at 7:34 P.M.

APPROVED:

October 13, 2020
Date

Desirea Thompson
Desirea Thompson
President of Council

Attest: Joyce M. Payne
Clerk of Council