



City of Mentor-on-the-Lake

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

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

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MINUTES VIRTUAL REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE FEBRUARY 9, 2021

The Virtual Regular Meeting of Council of February 9, 2021, 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	(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 Virtually)
Aye: Ward 1:	DAVID CHABUT	(Appeared in Person)
Aye: Ward 2:	PAUL MORRIS	(Appeared in Person)
Aye: Ward 4:	DESIREA THOMPSON, President	(Appeared Virtually)

READING OF MINUTES: Virtual Regular Meeting of Council – January 26, 2021

MOTION MADE BY MR. MORRIS, Seconded by Mr. Chabut, for Approval of the Minutes of the January 26, 2021, Virtual Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

CORRESPONDENCE:

Mr. Morris advised he has received several inquiries, either by phone or email, about the CARES Act monies and what it was spent on as well as questions regarding the ambulance in the back field. He contacted Chief Pechatsko and he was gracious enough to answer his questions which he is forwarding to those who asked about the ambulance. He believes Mrs. Bartone will give him the information he requested by the end of the week.

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva advised Joe Parks was hired on February 1, 2021 to fill the opening in the Service Department. He previously worked with Shaker Heights in their Service Department for fifteen years.

Mayor Eva asked Council to suspend the Rules for Resolution No. 2021-R-04 which allows the City to enter into an agreement with the City of Mentor for the 2021 Road Program. Mentor Council has already passed an Ordinance allowing the City to take part in their Road Program. This Resolution will allow the City to get funds over to the City of Mentor as soon as possible.

Mayor Eva read the Fire Department Report for January 2021 which has also been sent to Council. In January of 2021 there were a total of 125 calls for service as follows: Rescue/EMS – 75 calls, two requiring the use of Narcan; Fire/Service – 25 calls; Invalid Assist – 25 calls. There have been a total of 327 confirmed COVID-19 cases reported in the City; the Fire Department is currently tracking 84 of those cases. Fire Prevention for January 2021: hood inspections were completed for Wendy's and Mentor Harbor Yacht Club; inspections were conducted of Way Out Toys, Geeks Gambit, and the new Dollar Tree expansion. Dollar Tree is looking to open back up in February. EMS: the Fire Department continues to do virtual training and also monthly shift drills. Data on COVID-19 cases was supplied by the Lake County General Health District.

Administrative Director – Mrs. Bartone

Mrs. Bartone advised we are about ¼ of the way through the annual audit with the new, private outside auditors. One of the newer requirements she is required to report to Council annually based on the City-issued credit card from Chase Bank, is that the City does not earn points on the credit card.

Law Director – Mr. Lyons (No Report)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Morris thanked Mr. Lyons for his help with the Ordinance Committee over the last four years while he was the Chair of that Committee. Mr. Lyons thanked Mr. Morris for the acknowledgment.

BOARD/COMMITTEE/COMMISSION REPORTS:

Planning and Zoning Commission / February 1, 2021 / Mr. Johnson

Mr. Johnson advised the Planning and Zoning Commission met on February 1, 2021, at 7:00 P.M. There was a preliminary discussion of the property at 7799 Lake Shore Boulevard which is a cluster of homes. All of the homes except one belong to the same owner. There is an interested buyer in one of the properties and information is still being gathered.

Finance Committee / February 2, 2021 / Mr. Johnson

Mr. Johnson advised the Finance Committee met on February 2, 2021, at 6:00 P.M. Present were Council Members Johnson, Bittner, Wolk, Morris, Chabut, Council President Thompson and Council Vice-President Lunder, Finance Director Mrs. Bartone, Mayor Eva, Service Director Mr. Moore, Fire Chief Pechatsko, Police Chief Gielink. They went through the budget section by section; questions were asked and answered. There was one outstanding item and this was a question from Mr. Morris regarding the Fire Department and the cost difference between how the Department was run previously and how it is set up now. The meeting adjourned at 6:27 P.M.

OPEN TO THE PUBLIC TO SPEAK: 7:09 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:09 P.M.

LEGISLATION BEFORE COUNCIL:

ORDINANCE NO. 2020-O-23 (THIRD READING) (TABLED) (REFERRED TO ORDINANCE COMMITTEE)

AN ORDINANCE AMENDING CODIFIED ORDINANCE 232.01 – COMPOSITION OF FIRE DEPARTMENT

Mrs. Thompson stated this is still in the Ordinance Committee and they have not met yet.

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2020-O-28 (REFERRED TO ORDINANCE COMMITTEE)

AN ORDINANCE AMENDING CRA ORDINANCE 2016-O-28 AND DECLARING AN EMERGENCY

Mrs. Thompson stated this is also still in the Ordinance Committee and they have not met yet.

RESOLUTION NO. 2021-R-03

A RESOLUTION AUTHORIZING THE ADMINISTRATIVE DIRECTOR TO PERFORM ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2021 ENERGIZED COMMUNITY GRANT(S) FUNDS

Mrs. Thompson asked if there was a time limit on this. Mrs. Bartone stated the Resolution has to be submitted to NOPEC late spring, early summer. This is for the grant they have already awarded the City. We can now ask for any reimbursements as soon as this is finalized.

MOTION MADE BY MR. BITTNER, 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 Resolution No. 2021-R-03. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

RESOLUTION NO. 2021-R-04

A RESOLUTION AUTHORIZING AND DIRECTING THE ADMINISTRATIVE DIRECTOR TO ENTER INTO AGREEMENTS WITH THE CITY OF MENTOR FOR THE 2021 ROAD PROGRAM AND DECLARING AN EMERGENCY

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

Mr. Wolk asked if anyone knows how much participating in this collaboration with Mentor is saving the City. Mrs. Bartone said there is no good way to define this as the City has not gone out on its own in so long. Mentor's road program is 4 or 5 times larger than the City's, so just by sheer volume she cannot qualify that at this point.

MOTION MADE BY MR. MORRIS, Seconded by Mr. Johnson, for Passage of Resolution No. 2021-R-04. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

ORDINANCE NO. 2021-O-01 (THIRD READING)

AN ORDINANCE RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE FULL-TIME POLICE SERGEANTS AND LIEUTENANTS AND AUTHORIZING THE MAYOR AND ADMINISTRATIVE DIRECTOR TO EXECUTE A WRITTEN CONTRACT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION AND DECLARING AN EMERGENCY

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2021-O-01 (THIRD READING) (Continued):

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Chabut, for Passage of Ordinance No. 2021-O-01. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

ORDINANCE NO. 2021-O-02 (THIRD READING)

AN ORDINANCE RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE FULL-TIME COMMUNICATIONS OFFICERS AND AUTHORIZING THE MAYOR AND ADMINISTRATIVE DIRECTOR TO EXECUTE A WRITTEN CONTRACT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION AND DECLARING AN EMERGENCY

MOTION MADE BY MR. BITTNER, Seconded by Mr. Chabut, for Passage of Ordinance No. 2021-O-02. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

ORDINANCE NO. 2021-O-03 (SECOND READING)

AN ORDINANCE PROVIDING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MENTOR-ON-THE-LAKE FOR THE YEAR 2021, REPEALING ANY ORDINANCE PRIOR THERETO, AND DECLARING AN EMERGENCY

Mr. Morris stated, concerning the budget for this year, he had been approached by a resident on Dahlia who had concerns that the Charter Amendments extending those monies out for another 4 to 5 years was to maintain services. It has been brought to his attention that the Fire Department staffing change is an improvement on services. He asked "does everyone feel that this qualifies for the Charter Amendments." The next question he has is can we quantitatively prove that the staffing changes improved their services so we can show the taxpayers that this was a good move. He personally cannot think of anything that would quantitatively prove one way or the other. He wondered if anyone else had any thoughts on that. No other Council Member did. Mayor Eva said quantitatively what they would do is look at the four man staffing, how many times they were able to have a back-up call without calling in assistance. We could quantify that. Mr. Morris said that is why he asked for the information on the Fire Department as it might show something. He said he did not want people to get the wrong impression, he is not against the staffing change. He wants it to be a benefit for the City, not just changing, and if it shows that it is a benefit for the City, then God bless it. It is something to think about. Obviously the residents are watching. He had multiple people asking this question. They are getting some of their information from the Minutes that are posted on-line and on the City web site.

There was no Motion for Suspension of the Rules. Ordinance No. 2021-O-03 is placed on Third Reading.

ORDINANCE NO. 2021-O-04 (SECOND READING)

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND APPOINTED SALARIED AND HOURLY EMPLOYEES OF THE CITY OF MENTOR-ON-THE-LAKE; REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS THEREOF WHICH MAY BE INCONSISTENT HERewith OR WHICH MAY BE REDUNDANT HERETO, AND DECLARING AN EMERGENCY

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2021-O-04 (SECOND READING) (Continued):

Mr. Wolk asked about the requirements for the Service Director, and would we want to draw back the salary range for that position. Mayor Eva said they would have to take a look at it, and asked Mr. Wolk if there was a reason why he would want to draw it back. Mr. Wolk said if we are bringing someone in on the low end, is the low end still appropriate, or is the high end high enough to bring in a qualified candidate. Mayor Eva said it works both ways, and he sees Mr. Wolk's point. Mr. Wolk asked Mrs. Bartone if she had looked at comparables and is that range appropriate; does it put us in a position to make a good quality hire at a reasonable cost. Mrs. Bartone said, on the low end, she would not feel comfortable hiring someone making less than their subordinates, which is something that needs to be considered. She doesn't know, on the higher end, where they are fully qualified, however, Mentor-on-the-Lake has generally paid less than all of its neighbors in all Departments across the board. This is something they will look into, but fortunately with Mr. Moore they have some time to review the needs of that position and what qualifications they absolutely have to have and what can be allocated to others in that Department, so it is something she and the Mayor are looking at for the long term.

There was no Motion for Suspension of the Rules. Ordinance No. 2021-O-04 is placed on Third Reading.

ORDINANCE NO. 2021-O-06

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 FIREFIGHTERS IAFF, LOCAL 3049, AND DECLARING AN EMERGENCY

There was no Motion for Suspension of the Rules. Ordinance No. 2021-O-06 is placed on Second Reading.

OLD BUSINESS: (None)

NEW BUSINESS:

Mr. Morris, in light of Mrs. Thompson's comment, when she wanted to change up the positions on the Committees, that she wanted to give all of Council experience on the different Committees, he started thinking about that very seriously. One, he wanted to thank her for taking him off the Ordinance Committee because he has a lot more free time on his hands, but just the same, with that in mind, he wanted to propose that we put term limits on Council President and Vice-President so that other people can have a shot at those positions as well. Mrs. Thompson said absolutely, and asked if any other Members of Council had any thoughts on this. Mr. Johnson said he liked the idea. Mr. Wolk asked how would Council go about that. Mrs. Thompson said that would be a Rule change in Council Rules. Mr. Morris asked what Mr. Lyons thought. Mr. Lyons said Council could do it by way of Council Rules, however, you can always change Council Rules by a majority and take it away. You could pass an Ordinance to place this as a Charter Amendment and put it in front of the electorate. Mr. Morris said he certainly did not want his suggestion to mean that he thinks anybody is doing a bad job, it is just to give everybody more opportunities. Mrs. Thompson stated everyone has the opportunity to be nominated for President and Vice-President. You do not have to go with the standing President and Vice-President from the previous years. Mr. Morris said he understood. Mayor Eva said this was his point exactly. Back when he served on Council, if you were interested in the Vice-President or President spot, you would call your colleagues and see if you had their vote, and you would know going into the

Organizational Meeting if you had the votes or not. If there were others interested, they are nominated and voted on. Mr. Morris said he would rather see it changed as a Rule or an Ordinance. Mr. Wolk said if we made a change in Council Rules, it would be no different than having unlimited terms because the majority of Council would be able to change those Rules, just like the majority of Council can reelect someone who has been in office for longer than the Rules we would set forth. The only way we would effectively do that is with a Charter Amendment. He asked Mr. Lyons if he agreed with that. Mr. Lyons said he would, the only problem with proposing it as a Charter Amendment, voters may think that maybe there should be terms limits on Council people too. Mayor Eva said going back to the Charter Commission, there was talk about going down to five Members. Mr. Lyons said the next Charter Review Commission is in 2024. Council could try it as a Council Rule if people wanted to do that. Mr. Bittner said we all have the same opportunity right now. As the Mayor pointed out, if he had an interest in any of these two positions, he would have gone to Council and said so. If you go to one year, you could almost force someone to be in a position they do not want to be. Mr. Morris said he did not think you could force someone to be in a position they did not want to be as an elected position, they can always turn it down. Mr. Bittner said if you change the Rules, you would have to incorporate this into the Rules. Mr. Morris said there are seven of us, not just two. Mr. Morris said he threw it out there for thought, so think about it. Mr. Lyons said you may be creating more of a division in Council by passing that type of a Rule because if you have, for example, a three/three split on Council and there is one person that appealed to both sides, you could cause more problems in the future by limiting that one candidate who seems to be acceptable to both sides.

Mayor Eva asked Mr. Morris, since he has residents asking for financial information, he wondered if it should come directly from Mrs. Bartone to the resident. Mr. Morris said the one individual, he is not sure they would want him coming to City Hall. Mayor Eva said not coming here, he is saying an email to them from Mrs. Bartone, that way we are eliminating the middle man. Mr. Morris said he is just forwarding this back and forth, and he is curious himself. Mayor Eva said he is not saying he is not, he is just thinking it would be easier coming from Mrs. Bartone rather coming from Mr. Morris. Mrs. Bartone said this also appears to be close to a public records request, and she has to follow those Rules very carefully, she would not want to have that information misconstrued if someone asks for specific information on the purchases. She asked Mr. Morris to keep that in mind.

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

Dorinda Myers, 7734 Sharon Drive. Ms. Myers commented the video and audio looks much better, you must have purchased a new system. She really likes it and it is working out better. Her other comment could be to what was just being discussed about Council terms, and her understanding is every year Council has an organizational meeting and every year every member is eligible to be President and Vice-President, so why do you need some sort of resolution or even a Charter Amendment stating something to that effect, because every one of Council is available to be President and Vice-President, and each one has that opportunity. All you have to do is speak up, and say you are interested, and nominate yourself or have someone nominate you. There is nothing holding you back from doing that. Her other question is about the Burger King property. Do you know why the owner closed the business and is there any talk about what might be taking over that property. Mayor Eva said the best answer is it is corporate owned right now and there is no one lined up to go in there at this point.

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

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Ordinance Committee
Board of Zoning Appeals

Monday, February 15, 2021, at 6:00 P.M.
Monday, February 15, 2021, at 7:00 P.M.

Regular Agenda Meeting
Regular Council Meeting

Thursday, February 18, 2021, at 6:00 P.M.
Tuesday, February 23, 2021, 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 Virtual Regular Meeting of Council adjourned at 7:37 P.M.

APPROVED:

February 23, 2021
Date


Desirea Thompson
President of Council

Attest: Joyce M. Aup
Clerk of Council