



City of Mentor-on-the-Lake

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

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

OLD BUSINESS: Swearing in of President and Vice-President of Council

Mr. Lunder stated Mrs. Thompson is not here tonight to be sworn in and he was sworn in prior to tonight's Meeting. Mrs. Thompson will be sworn in at the next Meeting.

READING OF MINUTES: Virtual Regular Meeting of Council – February 23, 2021

MOTION MADE BY MR. MORRIS, Seconded by Mr. Chabut, for Approval of the Minutes of the February 23, 2021, Virtual Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.

MOTION CARRIED: 6/0

CORRESPONDENCE:

Mr. Morris advised he had received an email from Kathy Dohnal, Thunderbird Drive, requesting that City meetings be posted at least 48 hours in advance.

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Presentation of the 2020 "Citizen of the Year" Award to Brandon Towns.

On May 25, 2020, George Floyd, an African-American man, was killed in Minneapolis, Minnesota. During the arrest, Derek Chauvin, a white Police Officer, kept his knee on the side of Mr. Floyd's neck for almost nine minutes while Mr. Floyd was handcuffed and lying face down. On June 1, 2020, Mayor Eva received an email from Brandon Towns, a Mentor-on-the-Lake resident. Brandon is a PhD student at Cleveland State University and is also an Assistant Principal at Collinwood High School. Brandon requested to meet with everyone who was willing to discuss the legal/judicial and law enforcement

policies in Mentor-on-the-Lake. Brandon's hope was to be proactive instead of reactive in terms of racially motivated law enforcement. Mayor Eva scheduled time with Brandon, and Brandon also met with Chief Gielink and several Officers in order to understand our law enforcement policies. On June 11, 2020, Brandon sent a draft proposal to Chief Gielink and the Mayor along with Mentor's City Leaders for Mentor Racial Justice Week to take place the week of July 6, 2020. As most of us know, these events were well attended, peaceful, and thoughtful. Brandon also sent a copy of legislation which was passed by Council last July 28, 2020. The Resolution denounced all forms of racism and stated the City's commitment of being welcoming to all people, irrespective of race or any other characteristics. Brandon Towns demonstrated leadership in our community along with several other communities in Lake County. His initiative and proactive approach led to great discussions in 2020. For these reasons, Brandon Towns is Mentor-on-the-Lake's 2020 Citizen of the Year. Brandon thanked Mayor Eva for this honor in receiving this award. He stated he was grateful and appreciative of the support from Mentor-on-the-Lake and Mentor, as well as for the legislation that was passed. There is still a lot of work to be done and this is the first step.

Mayor Eva read the Fire Department Report for February 2021. In February of 2021, the call breakdown is as follows: Rescue/EMS – 48 calls, one of which required Narcan; Fire/Service – 26 calls; and Invalid Assist – 22 calls. The Fire Department is still tracking 47 active COVID cases in the City. Department Training in February: Department training is still on schedule and they continue to do a monthly shift and weekly training on Mondays with Lake Health. As reported at the last Meeting, in the early morning hours of February 14, 2021, the Fire Department responded to a structure fire on Southland Drive. On arrival, the occupants had safely evacuated thanks to their working smoke detector. The entire front of the structure was involved in fire and the Department spent several hours controlling and extinguishing the fire. There were no injuries to the occupants or firefighters. The Fire Department was assisted by Mentor and Willoughby Fire Departments through the auto aid agreements. Mayor Eva thanked those on duty that morning: B. C. Konitsky, Lt. Brown, FF Ananea, FF Padley; those responding to the recall: Chief Pechatsko, FF Spencer, FF Heimberger, FF Husted; and the on-coming shift who also assisted: Lt. Langford, FF Corbe, FF Santos, FF Huelsman.

Mayor Eva stated, as explained in the Spring Newsletter, it has been decided to cancel the Fall Festival this year for health and safety reasons, and look forward to bringing this back in 2022.

Administrative Director – Mrs. Bartone

Mrs. Bartone asked that Ordinance No. 2021-O-08 on tonight's Agenda be passed. This is for property clean-up for two separate properties. The resident of one of the properties is now deceased and it is anticipated that the house will be sold shortly.

Back in January, a CRA application was tabled, waiting for a response from the County. The County generally does not make the determination for our CRA applications since our Ordinance is written that Council has the final say and it is up to Council. They said, in looking it over, given the extensive remodel of the interior it could be qualified as an exemptible amount; they do not know if it will increase the taxes or not, but it is up to Council. She asked that this be brought back on the table under Old Business tonight.

She has a request from a builder who has a contract to build a house on Hickory. We are looking at the same issue we had a couple of months ago. It is under contract with the stipulation that it will be approved for the CRA exemption. The reason she is bringing this up tonight is the person who is buying the house is a Veteran and is getting a VA loan. He is not able to purchase the lot individually to secure the CRA exemption. He has to finance it as one package. Mrs. Bartone had indicated she would bring this up to Council. Technically, under the Ordinance, it would be qualified and she did not want to run into the same problems as the last time. Given the circumstances, she thought Council would probably be

amenable to the request. She stated the house is under contract for \$210,000.00. She asked that this be discussed under New Business.

Law Director – Mr. Lyons (No Report)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Morris said he is not going to fight about the Fire Department stuff, but had a quick request. He asked the Fire Chief to come up with a 5-Year Plan for the Fire Department with the proposal that all the part-time officers are gone and include what is prompting the proposed change, who would be in charge of the different shifts, what rank would they hold, what training would they receive to qualify and be capable of running a shift, what training would they receive to command a fire call, so that when this change occurs they are ready to do the job they are required to do; a cost comparison between the current system and the proposed organization; the advantages and disadvantages of the change; why eliminate the part-timers from Civil Service, but if this change is going to occur, it starts to make sense; and the advantages and disadvantages to the residents. If Mayor Eva wants, he can send this request in an email to both Mayor Eva and Chief Pechatsko. Mayor Eva said he would appreciate it. Mr. Morris said one of the things that got to him was that he noticed at the last two major structure fires, very few part-timers have turned out for the fires. It is time to start looking at the Fire Department kind of like every other station in Lake County. He understands that but does not understand the correlation between part-time and full-time. He knows that since the full-timers have gone to 24/48's, two of the full-timers have reduced the amount of availability for them to call back as they are working full time in other Departments. There are currently three part-time firefighters in the Department that would make reasonable officers given time to prove themselves. If this change is made, their experience and on the job training is wiped away and they would not be given a chance to show they can run a scene. The current education of the firefighters he has noted by reading the ISO rating, and he does not know if anyone else on Council actually read this document that the Chief sent to Council, has not really changed over the years but we are also not preparing the firefighters for this change. If this change is to go through that education needs to be brought forward. Just because you hang a badge on somebody, doesn't mean they know the job. He knows currently the part-time officers, with the exception of the Battalion Chiefs, took a managerial test which is not a fire fighting test, and he thinks this was a shame as it does not test their overall knowledge of the job. Mr. Morris has noticed a couple of other things: the poor knowledge of the equipment and the City streets. He does not think the firefighters are taught to learn the City streets when they are hired as was done in the past. One of the part-timers told him a lot of the younger guys don't learn the streets; they use their phones as a GPS. This cuts down on response time. He hopes the Chief is addressing this, and he would be glad to forward this to the Chief as part of his concerns. The other point he wants to make is the Chief has restricted the part-timers from talking outside of the Department about any of these changes or anything else concerning the Department. When he said he feels there is an ulterior motive, this is part of it; why is he hiding it? If this change is necessary, which it might be, he should be proud of the plan he has come up with and step up in front of it and let people talk about it. It does not show much transparency. The other comment he would like to make was the Chief made the comment he wants the Department to be more like other Departments. He is not sure why, but in the past, the Department was second to none in the County and it was all part-time, but he knows times have changed and things are tougher for every Department in Lake County. The younger generation does not want to get their hands dirty and become firefighters/paramedics.

Mr. Lunder stated Mr. Morris just said he would send an email to the Mayor and Administration. Mr. Lunder has noticed over the last month or so, Mr. Morris has been sending emails requesting information and then Council finds out later when the Administration sends them a copy. Council does not get copies of his emails and then they are blindsided when Mrs. Bartone sends them copies. Mr. Lunder asked Mr. Morris to copy Council on his emails. Mr. Morris said he had no problem with that, but he was doing that as a private resident, not as a Councilman. As he told Chief Pechatsko, in due time he will explain why

he is requesting this information. He is not just trying to waste people's time, just like he is not trying to waste Mrs. Bartone's time. There are reasons why he has asked for information from her. He will explain it in due time.

Mrs. Bartone said her only response would be if he is looking for transparency, it should be on both sides. Mr. Morris said he agreed, but he is not required to give a reason why he is asking for the information; he will be very transparent when he is done.

Mayor Eva said, just to be clear about this change in Civil Service, the change is just that he does not expect a part-time firefighter/paramedic to take a test in order to qualify to take another test for a full-time position. It is as simple as that. Why would he want to give two tests, when they can give one if they are interested in a full-time position. This has nothing to do with whether or not they are protected under Civil Service. They are protected under their Union contracts. He does not know if there is a misunderstanding about what is happening, but this is all it is, instead of taking two tests, taking one test if they are interested in a full time position that may or may not be open at a specific time. Mr. Morris said he is not sure what two tests Mayor Eva is talking about. Mayor Eva said currently, without a change, there is a test to take to be put on Civil Service. Once you are on Civil Service, then you would take a test if there is a full-time opening. The change for the Ordinance Committee to look at, or to put on the ballot in November, would be to eliminate that first test and still have a test similar to the Police Department where all the part-time guys, either in Mentor-on-the-Lake or somewhere else, could take a test for full-time if there is a full-time opening in the Fire Department. Mr. Morris said that explains a lot of what Mayor Eva is after, and it makes sense.

BOARD/COMMITTEE/COMMISSION REPORTS:

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

Mr. Johnson said the Planning and Zoning Commission met on March 1, 2021, at 7:00 P.M. The topic was a lot split for Aqua Ohio so the Lake County Department of Utilities can take a portion of their land for a pump station to replace the existing pump station on Twilight. Basically, the pump station that exists has passed its useful lifetime and is inaccessible seasonally. The Commission agreed to the lot split.

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

CLOSED OPEN TO THE PUBLIC SECTION: 7:23 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

Mr. Lunder asked if this is still in the Ordinance Committee and Mr. Chabut advised it was. It will probably be brought back at the next Meeting.

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

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

Mr. Lunder stated this would be brought forward under Old Business. Mrs. Bartone said it is not related.

LEGISLATION BEFORE COUNCIL (Continued):

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

Mr. Lunder said this Ordinance would remain tabled.

RESOLUTION NO. 2021-R-08

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF GEOFFREY D. SNOW TO THE CIVIL SERVICE COMMISSION

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. Nays: None.

MOTION CARRIED: 6/0

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Bittner, for Passage of Resolution No. 2021-R-08. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.

MOTION CARRIED: 6/0

ORDINANCE NO. 2021-O-06 (THIRD 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 FIREFIGHTERS IAFF, LOCAL 3049, AND DECLARING AN EMERGENCY

MOTION MADE BY MR. MORRIS, Seconded by Mr. Bittner, for Passage of Ordinance No. 2021-O-06. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.

MOTION CARRIED: 6/0

ORDINANCE NO. 2021-O-07 (SECOND READING)

AN ORDINANCE FURTHER AMENDING CODIFIED ORDINANCE 1242.10

There was no Motion for Suspension of the Rules. Ordinance No. 2021-O-07 is placed on Third Reading.

ORDINANCE NO. 2021-O-08

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

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. Nays: None.

MOTION CARRIED: 6/0

MOTION MADE BY MR. MORRIS, Seconded by Mr. Johnson, for Passage of Ordinance No. 2021-O-08. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.

MOTION CARRIED: 6/0

OLD BUSINESS:

Mrs. Bartone asked for the reintroduction of the CRA tax exemption application first read in January for the property located at 5887 Springwood Drive, which was a complete remodel of bedrooms, first floor, main house area, bathrooms, kitchen and other miscellaneous items in the amount of \$32,760.00.

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Morris, to approve the CRA tax exemption application for 5887 Springwood Drive. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None.

MOTION CARRIED: 6/0

NEW BUSINESS:

Mrs. Bartone asked to discuss a CRA application for new construction on Hickory. Mr. Morris said he would like to be in support of this, because as Mr. Johnson has said before, it does improve the housing in the community. He understands Mrs. Bartone's concerns but it is a benefit to the community. Mr. Lunder agreed with Mr. Morris and is in favor of it. Mr. Chabut said he favors it as did Mr. Wolk. Mrs. Bartone said she will convey this information to the builder.

OPEN TO THE PUBLIC TO SPEAK: 7:30 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:30 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Ordinance Committee
Parks and Recreation Board

Monday, March 15, 2021, at 6:00 P.M.
Wednesday, March 24, 2021, at 7:00 P.M.

Regular Agenda Meeting
Regular Council Meeting

Thursday, March 4, 2021, at 6:00 P.M.
Tuesday, March 9, 2021, 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.. Nays: None.

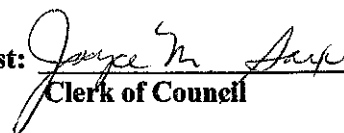
MOTION CARRIED: 6/0

The Virtual Regular Meeting of Council adjourned at 7:32 P.M.

APPROVED:

March 23, 2021
Date


Desirea Thompson
President of Council

Attest: 
Clerk of Council