



City of Mentor-on-the-Lake

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MINUTES REGULAR/VIRTUAL MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE SEPTEMBER 28, 2021

The Regular/Virtual Meeting of Council of September 28, 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)
At Large:	KEVIN BITTNER	(Absent/Excused)
Aye: At Large:	PRESTON WOLK	(Appeared in Person)
Aye: Ward 1:	DAVID CHABUT	(Appeared in Person)
Aye: Ward 2:	PAUL MORRIS	(Appeared in Person)
Aye: Ward 4:	DESIREA THOMPSON, President	(Appeared in Person)

READING OF MINUTES: Regular Virtual Meeting of Council – September 14, 2021

Mrs. Thompson stated she had one correction to the Minutes regarding Roll Call. Mr. Bittner was present at the last Meeting; Mr. Wolk and Mr. Chabut were absent.

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, to approve the Minutes of the September 14, 2021, Meeting as corrected. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Morris, Thompson. Nays: None. Abstain: Council Member Wolk, Chabut.

MOTION CARRIED: 4/0/2

MOTION MADE BY MR. LUNDER, Seconded by Mr. Johnson, for Approval of the Minutes of the September 14, 2021, Regular/Virtual Meeting of Council as amended. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Morris, Thompson. Nays: None. Abstain: Council Member Wolk, Chabut.

MOTION CARRIED: 4/0/2

CORRESPONDENCE:

Mr. Chabut stated he had received a phone call from Skip Gray with concerns about the right-of-way/tree lawn. He was concerned that the ordinance that was made up might be the final draft. Mr. Chabut explained to him that it was not, it was only something to work with, and for transparency purposes, Mr. Chabut emailed Mr. Gray that ordinance.

Mr. Chabut stated he had received an email from Kathy Dohnal regarding the right-of-way/tree lawn (attached), and read her email. Mr. Chabut stated as a matter of correction he was the one who personally spoke to Mr. Lyons and asked him to write up that ordinance. Nobody else did; it was only a working copy.

Mrs. Thompson stated she had correspondence this weekend about campaigning. She had some complaints on a couple of streets that door hangers are being placed on other items besides the door handle; some house numbers were pulled off a house. She asked that everyone be mindful of the residents and their properties, and put the door hanger on the door handle, the residents would appreciate it.

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva stated the City has hired two new part-time patrol officers. Andrew Mastrocola began his field training with Sgt. Daubenmire on September 15, 2021. On Friday, Mayor Eva will swear in Jacob Reik who will begin his field training in mid-October.

Mayor Eva advised he had received a Proclamation from Frank LaRose, Ohio Secretary of State, that the census for 2020 has officially been looked at and certified, and Mentor-on-the-Lake has a population of 7,131 per the census.

The Safety Forces Open House will be held on Sunday, October 10, 2021, from Noon until 4:00 P.M. This is a free event for residents. This is organized by Firefighter Gabe Ananea.

Administrative Director – Mrs. Bartone

Mrs. Bartone stated Resolution No. 2021-R-22 is on for Second Reading tonight. This has to be passed tonight as it has to be certified to the County Auditor by October 1, 2021. Ordinance No. 2021-O-25 are new properties, and Ordinance No. 2021-O-26 are repeat offenders.

Law Director – Mr. Lyons

Mr. Lyons followed up on Mr. Chabut's comments regarding the tree lawn/right-of-way ordinance. He gets requests from the Ordinance Committee and sends drafts of an ordinance to the Ordinance Committee. The ordinances are prepared after comments from Council, the Ordinance Committee, Mr. Sayles, and review of other communities' ordinances. The draft is then sent to the Ordinance Committee. The Ordinance Committee gets back to him with any comments/changes. He thought the entire process had been very transparent. When it is all finalized, it is sent to Council to be put on the Agenda, after which Council votes on it. The right of way ordinance is not done yet, and he has changes to make on it. The Mayor and Administration does have some input on an ordinance, but ultimately any laws that are passed, resolutions and/or ordinances, all have to be approved by Council, not by the Mayor.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Johnson asked Mrs. Bartone, regarding the lawn maintenance/culvert repair ordinances, what percentage of residents pay the invoice rather than it ends up coming before Council. Mrs. Bartone said about 90%.

Mr. Morris asked Mrs. Bartone is she has heard anything about the elevator at Mentor Beach Park. Mrs. Bartone said the City did not get chosen.

BOARD/COMMITTEE/COMMISSION REPORTS:

Ordinance Committee / September 20, 2021 / Mr. Chabut

Mr. Chabut stated the Ordinance Committee met on September 20, 2021, at 6:00 P.M. Present were Council Members Chabut (Chair), Johnson, Wolk, Morris, President of Council Mrs. Thompson, and Vice-President of Council Mr. Lunder. Also present were Mayor Eva, and residents Michelle Moore, Renee Sheaffer, Ron Dohnal, Kathy Dohnal, and Skip Gray. (1) The Committee discussed the CRA Ordinance 2016-O-28 and it was agreed by the Committee that this Ordinance is ready to be put on the next Council Meeting Agenda.. (2) The right-of-way/tree lawn, as there are various sizes and layouts, it is difficult to establish a blanket ordinance for the entire City. The Committee agreed to obtain Mentor's Ordinance 913.09 to see if any parts of it are suitable for our use. (3) Ordinance 1036 regarding trees, it was decided to possibly model the tree ordinance after the Willoughby Ordinance and delete the current Ordinance. The Committee will review this at the next Meeting. (4) Mr. Johnson suggested that if extensions are added to an existing driveway, they should be composed of the same material as the original driveway to avoid a patchwork look. He was just making the suggestion. Further discussion is obviously needed. The next Meeting of the Ordinance Committee is scheduled for October 18, 2021, at 6:00 P.M. The Meeting adjourned at 6:51 P.M.

OPEN TO THE PUBLIC TO SPEAK: 7:12 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:13 P.M.

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2021-R-22 (SECOND READING)

A RESOLUTION ACCEPTING THE RATES AS DETERMINED BY THE LAKE COUNTY BUDGET COMMISSION FOR TAX YEAR 2021, AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE LAKE COUNTY AUDITOR

MOTION MADE BY MR. MORRIS, Seconded by Mr. Johnson, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

MOTION MADE BY MR. MORRIS, Seconded by Mr. Johnson, for Passage of Resolution No. 2021-R-22. ROLL CALL: Ayes: Council Member Lunder, Johnson, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

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

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

Mr. Chabut stated this Ordinance has been referred to be placed on this Agenda.

MOTION MADE BY MR. LUNDER, Seconded by Mr. Johnson, to take this Ordinance out of Committee. ROLL CALL: Ayes: Council Member Lunder, Johnson, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2020-O-28 (Continued):

Mrs. Thompson asked if this Ordinance needs to be amended. Mr. Lyons advised it does. Mr. Lyons added additional language for the Motion to Amend.

MOTION MADE BY MR. MORRIS, Seconded by Mr. Johnson, to amend Ordinance No. 2020-O-28 as currently written to include the language that was approved by the Ordinance Committee at its September 20, 2021, Meeting. ROLL CALL: Ayes: Council Member Lunder, Johnson, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Morris, for Passage of Ordinance No. 2020-O-28(Amended). ROLL CALL: Ayes: Council Member Lunder, Johnson, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

ORDINANCE NO. 2021-O-25

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

Mr. Wolk asked which of these two Ordinances are the properties under foreclosure. Mrs. Bartone stated this one is not. Mr. Morris said, at the last meeting, Mrs. Bartone had stated that even if these go for three readings, nobody has come forward to pay the bill, is that correct. Mrs. Bartone said she does not have it in front of her, but these were probably cut in late July, early August.

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

MOTION CARRIED: 5/1

MOTION MADE BY MR. LUNDER, Seconded by Mr. Johnson, for Passage of Ordinance No. 2021-O-25. ROLL CALL: Ayes: Council Member Lunder, Johnson, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

ORDINANCE NO. 2021-O-26

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

MOTION MADE BY MR. LUNDER, Seconded by Mr. Johnson, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

MOTION MADE BY MR. LUNDER, Seconded by Mr. Chabut, for Passage of Ordinance No. 2021-O-26. ROLL CALL: Ayes: Council Member Lunder, Johnson, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

OLD BUSINESS: (None)

NEW BUSINESS:

Mr. Wolk asked Mayor Eva and Mrs. Bartone if they had a plan for replacing the Service Director next month. Mayor Eva said they have a plan, as far as placing him, it will be handled internally. Mr. Wolk asked if the Mayor was able to expand upon that in an open meeting. Mayor Eva said not at this time.

OPEN TO THE PUBLIC TO SPEAK: 7:20 P.M.

Pete French, Beach Street. Mr. French stated as he and his wife were walking to the lake, they saw twelve vacant houses. The grass is cut, but he wondered if Council was aware of this and if there is anything that can be done to encourage the owners to try to turn the houses over while the market is good.

CLOSED OPEN TO THE PUBLIC SECTION: 7:22 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Mrs. Thompson advised the Zoning Committee Meeting scheduled for Thursday, September 30, 2021, has been cancelled. The Sommers Group needs more time to put their materials together for the Zoning Committee to look over. The Planning and Zoning Commission Meeting is presently pending and may be cancelled as well.

Parks and Recreation Board
Planning and Zoning Commission
Ordinance Committee

Wednesday, September 29, 2021, at 7:00 P.M.
Tentative Monday, October 4, 2021, at 6:00 P.M.
Monday, October 18, 2021, at 6:00 P.M.

Regular Agenda Meeting
Regular Council Meeting

Thursday, October 7, 2021, at 6:00 P.M.
Tuesday, October 12, 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, Wolk, Chabut, Morris, Thompson. Nays: None.
MOTION CARRIED: 6/0

The Virtual Regular Meeting of Council adjourned at 7:24 P.M.

APPROVED:

October 12, 2021
Date


Desirea Thompson
President of Council

Attest: Joyce M. Dake
Clerk of Council



Joyce Saxe <councilclerk@citymol.org>

Fwd: tree lawn ordinance

1 message

Dave Chabut <dchabut@citymol.org>
To: Joyce Saxe <councilclerk@citymol.org>

Tue, Sep 28, 2021 at 7:27 PM

Sent from my iPad

Begin forwarded message:

From: "K.D." <rnkcreations@yahoo.com>
Date: September 20, 2021 at 10:10:50 AM EDT
To: dchabut@citymol.org
Subject: tree lawn ordinance

Dear Councilman Chabut,

I am deeply disappointed in how this right-of-way / tree lawn issue is being handled. This has become an obvious personal vendetta with the mayor. Having attended both the ordinance meeting and the last Council meeting in July, I understand this issue is still being discussed in the ordinance committee. As ordinance Chair, you had specifically replied to the mayor that Mr. Lyons did not need to be involved as your committee had yet to reach a decision. I know understand the mayor has instructed Mr. Lyons to craft a resolution without your committee's input (per your last meeting). This leaves the impression that you and the ordinance committee will just rubber stamp whatever the mayor puts in front of you. That action is disrespectful to you as Chairman, the ordinance committee and City Council as the legislative body. As this new proposed rule will effect a multitude of properties, I feel the ordinance committee needs to make the residents more aware of exactly what is being discussed as your committee needs more input.

I hope the committee will take a step back and put a lid on this can of worms. Thank you for your consideration in this matter.

Sincerely,

Kathy Dohnal