



City of Mentor-on-the-Lake

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MINUTES REGULAR/VIRTUAL MEETING OF COUNCIL CITY OF MENTOR-ON--THE-LAKE FEBRUARY 22, 2022

The Regular/Virtual Meeting of Council of February 22, 2022, for the City of Mentor-on-the-Lake, Ohio, was called to Order at 7:00 P.M. by Council President Robert Johnson.

CALL TO ORDER: PLEDGE OF ALLEGIANCE

ROLL CALL:

Aye: **At Large:** **KEVIN BITTNER, Vice-President**
Aye: **At Large:** **JIM LUNDER**
Aye: **Ward 4:** **DESIREA THOMPSON**
Aye: **At Large:** **MICHELLE MOORE**
Aye: **Ward 1:** **DAVID CHABUT**
Aye: **Ward 2:** **PAUL MORRIS**
Aye: **Ward 3:** **ROB JOHNSON, President**

READING OF MINUTES: Regular Meeting of Council – February 8, 2022

MOTION MADE BY MR. MORRIS, Seconded by Mr. Bittner, for Approval of the Minutes of the February 8, 2022, Regular/Virtual Meeting of Council. **ROLL CALL:** Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson. Nays: None.

MOTION CARRIED: 7/0

CORRESPONDENCE: (None)

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva advised he was copied on a Memo from Chief Pechatsko to Mrs. Thompson, Committee Chair of the Ordinance Committee, dated February 17, 2022, regarding the new fireworks law. Chief Pechatsko mentioned on July 1, 2022, there will be a new law in Ohio making it legal to shoot off fireworks on certain holidays. The new law allows the use of consumer-grade fireworks and includes more than twenty days in a year, including New Year's Eve, New Year's Day, Cinco de Mayo, Juneteenth, Memorial Day, and Labor Day weekends, and July 3, 4, and 5 as well as the three-day weekends bracketing July 4. The new law gives local communities the option to opt out. Chief Pechatsko wanted to share his professional opinion with the Committee as it relates to this subject, and it is his opinion that Mentor-on-the-Lake should opt out of this new law and should not make any changes to the current Ordinance dealing with fireworks. Mayor Eva said he also agrees with Chief Pechatsko. We should opt out and leave things

the way they are in the City. Some of the other points made by Chief Pechatsko, after doing research, states an estimated 15,600 people required emergency room treatment in the U. S. hospitals due to accidents involving fireworks last year, up from about 10,000 in 2019. He thinks the Ordinance Committee should take a look at this.

Administrative Director – Mrs. Bartone

Mrs. Bartone advised part of her annual report contains the report that the City's credit card does not earn any points. This is part of the requirement in the report to the Auditor.

Regarding the CRA Application which is on the Agenda tonight, Mrs. Bartone said everyone has received the application. This is for a master bathroom inside the house. It is her opinion that this provides no additional tax value to the home, and there is no reason to approve this nor is there any real value that would be added to something that already existed.

The Administration shared on social media that there will be a taxpayer assistance night on March 4, 2022. A representative from the CCA will be in the Community Room from 3:00 P.M. to 7:00 P.M. to assist anyone on a first come, first serve basis with their local taxes.

Mrs. Bartone said she would skip ahead to the Service Department Report.

Service Director - Mrs. Bartone

Mrs. Bartone advised the Service Department has been focusing on salting, snow removal, and maintenance of all things snow related in Winter. This week and last week, they took a couple of days to patch potholes they could get to while the weather gave them the opportunity. They have been monitoring the ditches and drains.

Law Director – Mr. Lyons

Mr. Lyons stated it was his understanding that the Governor this past week has signed into law that we can once again have zoom meetings and they will count as members being present. This goes to June 30, 2022.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mrs. Thompson said she has to agree with Mrs. Bartone on the CRA application. When she gets these applications, she usually skims through them to see what kind of value, items purchased, and a couple of things stuck out to her personally, including the completion date of 12/10/2021, but then on 12/13 and 12/14 items were still purchased. In looking at the items, she found items that did not relate to the bathroom remodel.

BOARD/COMMITTEE/COMMISSION REPORTS:

Board of Zoning Appeals / February 21, 2022 / Mr. Lunder

Mr. Lunder advised the Board of Zoning Appeals met on February 21, 2022, at 6:00 P.M. The purpose of the meeting was a variance request for the property at 5448 Woodside Road by the property owner. Present were Ray Gieling, Chair, Mike Sweeney, Brandon Towns, Mayor Eva, Council Member Lunder,

Vice-President of Council Bittner, Council President Johnson, Paul Rozewski, and Andrea Hathaway, Secretary. Mr. Rozewski was representing the family for the property at 5448 Woodside, asking for a variance to the property which is going to be demolished and a new home built. He asked for a 10-foot variance on the side yard. The Service Director submitted an email stating Ordinance 1252.08(f) allows the Board of Zoning Appeals unlimited variances in cases where it will not be contrary to the public interest. After discussion and talking to Mr. Rozewski, a motion for passage was made and seconded, and the motion was passed unanimously. Mr. Lunder asked Mr. Rozewski the time frame on the build and was told demo would start next month and construction would start around May, weather permitting. The meeting adjourned at 6:14 P.M.

OPEN TO THE PUBLIC TO SPEAK: 7:08 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:08 P.M.

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2022-R-03

A RESOLUTION CONFIRMING THE EMPLOYMENT OF RENEE L. SHEAFFER AS ASSISTANT CLERK OF COUNCIL, AND DECLARING AN EMERGENCY

Mr. Johnson said he put this on the Agenda because, while it is really Council's job to hire this person, not his, he wanted to have Council's feedback. He would like the Rules suspended tonight so Ms. Sheaffer can be sworn in as soon as possible if this Resolution is approved. Mr. Johnson asked if anyone had any questions or comments. No one did.

MOTION MADE BY MR. MORRIS, Seconded by Mrs. Thompson, for Suspension of the Rules.

ROLL CALL: Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson.
Nays: None.

MOTION CARRIED: 7/0

MOTION MADE BY MR. MORRIS, Seconded by Mrs. Thompson, for Passage of Resolution No.

2022-R-03. **ROLL CALL:** Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson. Nays: None.

MOTION CARRIED: 7/0

RESOLUTION NO. 2022-R-09

A RESOLUTION AUTHORIZING THE ADMINISTRATIVE DIRECTOR TO SELL SURPLUS CITY PROPERTY BY WAY OF INTERNET AUCTION AND DECLARING AN EMERGENCY

Mr. Johnson asked for any questions. Mr. Morris asked Mrs. Bartone if she had a website or internet auction site she was planning on using to sell City property. Mrs. Bartone stated they used to use Ebay, but all they got was people who did not pay. They switched over to a Government website. Mr. Morris asked Mrs. Bartone to email Council the name of the website. Mrs. Thompson said govdeals.net is listed as an option in the Resolution. Mrs. Bartone said she would email Council; they will typically post something and advertise.

LEGISLATION BEFORE COUNCIL (Continued):

RESOLUTION NO. 2022-R-09 (Continued):

MOTION MADE BY MRS. MOORE, Seconded by Mr. Lunder, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson. Nays: None.

MOTION CARRIED: 7/0

MOTION MADE BY MR. LUNDER, Seconded by Mr. Chabut, for Passage of Resolution No. 2022-R-09. ROLL CALL: Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson. Nays: None.

MOTION CARRIED: 7/0

ORDINANCE NO. 2022-O-01 (SECOND READING)

AN ORDINANCE PROVIDING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MENTOR-ON-THE-LAKE FOR THE YEAR 2022, REPEALING ANY ORDINANCE PRIOR THERETO, AND DECLARING AN EMERGENCY

Mr. Johnson asked for any questions.

MOTION MADE BY MRS. THOMPSON Seconded by Mr. Lunder, for Suspension of the Rules.

Mr. Johnson asked if there was any discussion. Mrs. Moore said she supports suspending the Rules because this has been out there for a month and there have been no questions. or comments on it. Mr. Morris said he personally is opposed to suspending the Rules because one more reading doesn't hurt.

ROLL CALL ON THE MOTION FOR SUSPENSION OF THE RULES: Ayes: Council Member Lunder, Thompson, Moore, Chabut. Nays: Bittner, Morris, Johnson.

MOTION FAILED: 4/3

Ordinance No. 2022-O-01 is placed on Third Reading.

ORDINANCE NO. 2022-O-02 (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

Mr. Johnson asked if there were any questions about this Ordinance.

MOTION MADE BY MRS. THOMPSON Seconded by Mr. Lunder, for Suspension of the Rules.

Mr. Johnson asked if there was any discussion. Mr. Morris said same issue, one more reading isn't going to hurt it.

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2022-O-02 (SECOND READING) (Continued):

ROLL CALL ON THE MOTION FOR SUSPENSION OF THE RULES: Ayes: Council Member Lunder, Thompson, Moore, Chabut. Nays: Bittner, Morris, Johnson.
MOTION FAILED: 4/3

Ordinance No. 2022-O-02 is placed on Third Reading.

OLD BUSINESS:

Review of Council Rules:

Mr. Johnson said Mr. Lyons indicated we could actually use the website as one of the official posting places. Do we want to make that amendment to the Council Rules and then we will make it in the Ordinance as well. Council agreed. Mr. Johnson said this is referred to the Ordinance Committee to make that change, and once it is official in an Ordinance, we will make the change in Council Rules.

Mr. Lunder asked about the 6:30 starting time change ordinance. Mrs. Thompson said that was assigned; Mr. Johnson said it will go on the Agenda for the next Meeting. Mrs. Thompson said the Ordinance Committee has not met yet, this is the reason why it was not ready for this Meeting.

Mr. Johnson said the CRA Application is still under Old Business, and it was referred to the Community Development Committee. Mr. Morris said they are meeting Monday.

NEW BUSINESS:

Mayor Eva said he had sent to Mr. Johnson and Mr. Bittner today the new redistricting for the Lakeshore development. He is trying to get a sense of how Council would like to handle this. He knows it is a brand new Ordinance, but just the timing. Mr. Johnson said his recommendation is that it go directly to Planning and Zoning, and they give Council their recommendation and advise Council, and then Council can go from there. There were no objections from Council on doing this.

CRA Application for 5743 Chagrin Drive. Mr. Johnson asked if Council still approved them. Mr. Lyons said it is still in the Ordinance which has not been changed yet. Mr. Johnson said since we have not changed the Ordinance yet to not have to approve it or disapprove it, he asked if there is a Motion on this CRA application to approve or reject it. Mr. Bittner asked if Council could make a motion to approve, then vote no. Mr. Johnson asked if it could be a motion to reject it. Mr. Lyons said typically if you go back through the Minutes, all the motions are made affirmatively but there is no requirement that motions be made affirmatively. Mr. Johnson said it makes more sense to make a motion to reject it.

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Lunder, to reject the CRA Application for 5743 Chagrin Drive.

Mr. Johnson asked for discussion. Mr. Morris asked Mrs. Bartone, she had indicated this particular application would not change the taxes for these people, right? Mrs. Bartone said that is correct. Mrs. Moore said from what she read this was just a remodel of a current bathroom so it is not something where

the Auditor's Office would change the taxes. Mrs. Thompson said the total included a lot of tools as well. Mr. Morris said he saw that.

ROLL CALL ON THE MOTION TO REJECT THE CRA APPLICATION FOR 5743 CHAGRIN DRIVE. Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson. Nays: None.

MOTION CARRIED: 7/0

Mr. Morris said this past winter there have been several residents who stood out and offered to help other people who could not get out and clean their driveways. There was a gentleman on Facebook who goes by the tag of DD who offered to clean the driveways of seniors, disabled people, veterans in our community. It would be nice to find out who he is and commend him for that. Mr. Morris knows Tim Cavelli went around with his snowblower to anybody that needed help, and he commended Mr. Cavelli, who was in the audience tonight. Mr. Morris said it is great to live in a community where people look out for each other.

Mr. Johnson said he has referred the existing CRA Ordinance to the Planning and Zoning Commission to review and provide their feedback on any changes or modifications in the Ordinance since we are allowed to review it and change it. We have had this a number of years and seen what comes through.

Mr. Johnson also wanted to take the opportunity to thank the Clerk for all the work she does because to be honest, she keeps him on task and keeps everything going, and she doesn't get enough thanks for what she does. The Clerk thanked him.

OPEN TO THE PUBLIC TO SPEAK: 7:21 P.M.

Kathy Dohnal, Thunderbird Drive. Mrs. Dohnal asked if anyone has looked at the UTube videos of the different meetings, they are not audible and the videos are bad, and asked what options the City has. Mrs. Bartone said you can't hear the Administration, but can hear Council. She said there is an order in for new speakers and microphones.

Dorinda Myers, 7734 Sharon Drive. Mrs. Myers said she does know who DD is, and can privately message Mr. Morris with his name and information. She said there are a couple of others on the same Facebook page who were offering shoveling services for free. She believes Kiefer Roberts was one, Ben Fluss. They were not offering it for free to everyone but on an as needed private basis. She said it was nice that everybody has been helping everyone out this winter.

CLOSED OPEN TO THE PUBLIC SECTION: 7:26 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Parks and Recreation Board	Wednesday, February 24, 2022, at 6:00 P.M.
Ordinance Committee	Monday, February 28, 2022, at 6:00 P.M.
Community Development	Monday, February 28, 2022, at 7:00 P.M.
Planning and Zoning Commission	Monday, March 7, 2022, at 6:00 P.M.
Zoning Committee	Immediately following the Planning and Zoning Commission Meeting

Regular Agenda Meeting
Regular Council Meeting

Thursday, March 3, 2022, at 6:00 P.M.
Tuesday, March 8, 2022, at 7:00 P.M.

ADJOURNMENT:

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

The Regular Meeting of Council adjourned at 7:26 P.M.

APPROVED:

March 8, 2022
Date



ROBERT JOHNSON
President of Council

Attest: Joyce M. Saxe
Clerk of Council