



## 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

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### MINUTES REGULAR/VIRTUAL MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE MARCH 8, 2022

The Regular/Virtual Meeting of Council of March 8, 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/Virtual Meeting of Council – February 22, 2022

**MOTION MADE BY MR. BITTNER,** Seconded by Mrs. Thompson, for Approval of the Minutes of the February 22, 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:**

Mr. Morris stated he received an email on February 14, 2022, from Pamela Schafer, daughter of Tom Schafer, concerning the new driveway put in and fence repair by a neighbor. Mr. Schafer's concern was that the new driveway is on his property and the new fence is also on his property. Mr. Morris talked to Mrs. Bartone about this. The contractor who is working on the house did not pull a permit. He asked Mrs. Bartone if she had made any headway on this. Mrs. Bartone stated she has not been able to reach the contractor and has been visiting the house every day to try to catch someone there. No one has responded to her requests. The file is flagged so that the house cannot be sold or rented until it passes inspection.

**ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:**

**Mayor & Safety Director – Mr. Eva**

Mayor Eva said at the last meeting Council passed a Resolution for Renee Sheaffer as Assistant Clerk of Council. He asked Mrs. Shaeffer to come up and she was then sworn in as Assistant Clerk of Council.

Mayor Eva said Mr. Sayles is here tonight, and he wanted to thank Mr. Sayles for his years of service. He has helped him a lot with all of the City's engineering and other projects, and he appreciates everything

Mr. Sayles has done. Mayor Eva wished him well in his retirement. He introduced Tim Lannon, who will be taking over for Mr. Sayles.

As he mentioned last night, last week Mayor Eva attended a focus group at the Mentor Library. The task of the focus group was to look at what the library has to offer today, what programs they could offer in the future, and also at the library branch here, what could our community benefit from. He knows the Parks and Recreation Board has been discussing Seniors being able to attend programs at the library. The study should be complete in the next six months or so, and they are looking to put together a three-year strategic plan for the library. As he gets updates, he will mention them to Council.

Mayor Eva read the Fire Department report for February 2022. During the month of February there were a total of 104 calls for service as follows: Fire/Service – 14 calls; Rescue/EMS – 90 calls, one requiring the use of Narcan; and Invalid Assist – 28 calls.

**Administrative Director – Mrs. Bartone**

Mrs. Bartone said she had nothing additional to report.

**Law Director – Mr. Lyons**

Mr. Lyons said he did not have a report, but did want to say he will miss Mr. Sayles. Any time he had a question Mr. Sayles gave great advice, with great common sense, and he did a tremendous job for Mentor-on-the-Lake. He will miss him, and the community is better off because of his work here.

**City Engineer – Mr. Sayles**

Mr. Johnson said Mr. Sayles has been an asset to this City and he thanked him for his service to the City. He will be greatly missed.

Mr. Sayles said he appreciates that, his intent on being here tonight wasn't to have this about him. He certainly enjoyed working with everyone and previous Members of Council. His replacement, Tim Lannon, has lots of experience in municipal planning. He replaced Mr. Sayles in Willoughby, and is currently the Willoughby City Engineer. Tim was the person who did the drainage study for him for the draining projects in the City, so he is familiar with a lot of the drain issues in the City. Tim oversaw the engineers working on the design of the Holly, Miami, Pinehurst, projects while he supervised, so he is very familiar with Mentor-on-the-Lake and will fit right in. The City will be well-served with him. They have worked together for thirty-two years. Mr. Sayles thanked everyone for their kind words. He will miss a lot of people.

For the real Engineer's Report, Mr. Sayles said they are waiting for Mentor to set up the pre-construction meetings for the annual road program, same contractors as last year. The intent is to start work soon on the design of the Southland project.

**QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:**

Mr. Morris said he was trying to understand a couple of comments made by Mayor Eva at last night's Planning and Zoning meeting concerning the property formerly known as Yeager's. Mayor Eva said he spoke to the developers and they put a five-mile circle around that, and because most of that circle would be in the lake, yet he said he was pretty confident he could get a restaurant in at Mentor Beach Park. How can that happen unless those people are not quite as business savvy as the people who are looking at the other property. Mayor Eva said the reason he can say that is if he is at a restaurant that is right on the lake, that is where he wants to be, he does not want to be in a restaurant right across from the lake, he

wants to be in a restaurant right on the lake, if that makes sense. Mr. Morris said it makes sense but he doesn't necessarily agree.

Mrs. Moore asked Mr. Lyons regarding the recent discussions on point of sale and rental inspection questions, and from a legal standpoint if he could weigh in on that, if there has been any litigation concerns they should be aware of or consider. Mr. Lyons said any time there is a law there is the possibility of litigation. In terms of the City and point of sale inspections or rental inspections, most of the time those laws are done by the bigger cities with a building department and inspectors, and he is not sure the City has that. These were popularized in the bigger cities. Lake County really does not have point of sale inspections except on a modified basis. Those programs in other cities serve a purpose.

#### **BOARD/COMMITTEE/COMMISSION REPORTS:**

##### **Parks and Recreation Board / February 23, 2022 / Mr. Morris**

Mr. Morris advised the Parks and Recreation Board met on February 23, 2022, at 6:00 P.M. Present were Chairperson Samantha Wolfe, Committee Members Tim Covelli, Renee Sheaffer, Council Members Morris, Moore, Council Vice President Bittner, and Council President Johnson. Mr. Covelli was sworn in as the newest member of the Board. The Minutes of the previous meeting were approved, and the Council Report was given. Mayor Eva's report was also given. Ms. Wolfe gave a review of the survey taken to ascertain how we can better serve senior citizens, and a volunteer sheet should be available at the next Meeting. Mr. Gray discussed the condition of the planter boxes at the entrance of the City, and offered to get donations for them and replant them. Mayor Eva said he would have the Service Department take care of them. He also brought up getting plants or flags to place on the telephone poles. Mr. Bittner addressed this issue, stating a separate organization handles it in Mentor and he will look into this more. The City Wide Yard Sale will be on June 9, 2022, from 9:00 A.M. to 3:00 P.M.; the Trunk Sale will be on August 13, 2022, from 9:00 A.M. to 3:00 P.M.; the Fall Festival will be on September 10, 2022, from Noon until 8:00 P.M. Mrs. Wolfe went into more details about the meeting that was held at Andrews Place concerning senior citizens. There was a discussion of having events on social media and internet. The Meeting adjourned at 6:31 P.M.

##### **Ordinance Committee / February 28, 2022 / Mrs. Thompson**

Mrs. Thompson advised the Ordinance Committee met on February 28, 2022, at 6:00 P.M. Present were Council Members Chabut, Morris, Moore, Thompson, Council Vice President Bittner, Council President Johnson, and Mayor Eva. Also present were Renee Sheaffer, Mr. and Mrs. Dohnal, and Skip Gray. The Committee discussed Council meeting time. It was felt that only a thirty minute earlier start time would not make that big of a difference, and would like to propose no change in start time as of now. The Committee discussed posting locations and discussed updating the name of Cal's Marathon to Marathon Auto Service as well as adding the City's website as an additional posting location. Also discussed was reaching out to Joy's Skating Rink and the library to see if these could possibly be additional locations. The Committee talked about the new fireworks ordinance and the letter from Chief Pechatsko. The Committee agrees with his recommendation on keeping our Ordinance as is, and asked that the Fire Chief and Law Director look for any additional changes to the fire code that may need to be updated to comply with the current Ordinance. The Committee discussed having one of the Service Department employees certified to do home inspections. Inspections should not replace a home buyer's inspection. The Committee also discussed keeping inspection fees as is until the Committee has a better understanding if they need to be raised or lowered. The Committee discussed the right of way and received documentation from Mr. Gray. They tabled this at that time to review the documents. The Meeting adjourned at 7:07 P.M.

**Community Development Committee / February 28, 2022 / Mr. Morris**

Mr. Morris advised the Community Development Committee met on February 28, 2022, at 6:05 P.M. to discuss the pending CRA application. Present were Council Members Morris, Thompson, Chabut, Moore, Council Vice President Bittner, Council President Johnson, Mayor Eva, Renee Sheaffer, Mr. and Mrs. Dohnal, Mr. Gray, and Kyle Kozlowski. The meeting started a little late due to the previous meeting running over. The Committee discussed the CRA application that was being considered. To recap the situation, a contractor bought the property and built a new house. They advertised that a tax abatement was available on the property for the buyer. The builder and their realtor were instructed to stop the promotion of the tax abatement. In the meantime, the buyers, Frank Dawson and his partner, had believed that the abatement had been approved and in place as their property taxes were \$144.00 per half. When the taxes went to \$2,134.08 per half, they found that the CRA had not been applied for and promptly applied for the abatement. This was two years into their ownership of the home. They are the first residents of the home. The Committee had a lengthy discussion as to if the application should be approved and for how long, including if the abatement should have started when the house was built, or first occupied, or when it was finally applied for. A motion was made by Mrs. Thompson to recommend approval of the CRA by Council for the fifteen years from the date of the application, which was November 18, 2021. The motion was seconded by Mr. Chabut and all members of the Committee were in favor of it. There was a brief discussion as to the functions of this Committee as described by Council Rules. The meeting adjourned at 7:25 P.M.

**Planning and Zoning Commission / March 8, 2022 / Mr. Chabut**

Mr. Chabut advised the Planning and Zoning Commission met on March 8, 2022, at 6:00 P.M. Present were Chairperson Suzanne Cason, Al Buescher, Brent Moore, Mike Sweeney, Council Members Chabut, Lunder, Moore, Morris, Council Vice President Bittner, Council President Johnson, Mayor Eva, and several residents. Mr. Chabut did not get all their names. The Committee spent a long time working on a proposed zoning change to Ordinance 1255 known as the Lakefront Planned Unit Development District. Hopefully if it passed and a future plan comes in, we have something more to work with or something more up to date. The ordinance changes were agreed upon and forwarded to Council. The Committee then updated the Committee Rules for appointing the President and Vice President of the Committee, and updated the wording on recordings of the meetings. The Committee then reviewed the CRA Ordinance and suggested that Council consider a more prorated formula for the abatements on home owners, for example, possibly the first five years at 100% with reducing percentages to the end of the term of fifteen years. The Committee voted for Suzanne Cason as President and Mr. Buescher as Vice President. The Meeting adjourned at 7:45 P.M.

**Zoning Committee / March 8, 2022 / Mr. Chabut**

Mr. Chabut advised the Zoning Committee did not meet last night because the previous meeting was quite long.

**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. 2022-O-01 (THIRD 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 if there was any discussion. There was none.

**MOTION MADE BY MR. LUNDER**, Seconded by Mr. Bittner, for Passage of Ordinance No. 2022-O-01. ROLL CALL: Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson. Nays: None.

**MOTION CARRIED: 7/0**

**ORDINANCE NO. 2022-O-02 (THIRD 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 was any discussion. There was none.

**MOTION MADE BY MR. LUNDER**, Seconded by Mr. Chabut, for Passage of Ordinance No. 2022-O-02. ROLL CALL: Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson. Nays: None.

**MOTION CARRIED: 7/0**

**OLD BUSINESS:**

Review of Council Rules: Mr. Johnson said the Clerk is retyping the Council Rules, so they are not ready yet. Mrs. Thompson said the name of Cal's Marathon needs to be changed and she is still waiting to hear from the skating rink and library. Mr. Johnson said this will stay on the Agenda.

Mr. Morris asked to amend Old Business to approve the pending CRA or do we have to have legislation. Mr. Johnson said pursuant to our passage of the amendment to the CRA legislation last year, we no longer vote to approve, so we do not need to vote on that.

**NEW BUSINESS:**

Mr. Johnson advised there is an opening on the Tax Review Board now that Mrs. Sheaffer has been appointed as an employee of the City, so if anyone is interested in the Tax Review Board, we now have a form to fill out to apply to indicate your interest. You can see Mayor Eva or him for the form.

Mayor Eva said, with Planning and Zoning approving the ordinance last night, what would be the next step in the process. Mr. Johnson stated that the next step, since it has been approved by Planning and Zoning, it now goes to the Zoning Committee for their review. We will put it on the Agenda at the next Agenda Meeting while it is at the Zoning Committee so it starts at First Reading, and go from there. Mr. Bittner asked if they were looking at a time frame for that. Mayor Eva said last week they talked about clearing the property in the next thirty to forty-five days. He would anticipate they would not want to do anything until their plans are approved by Council.

**OPEN TO THE PUBLIC TO SPEAK: 7:28 P.M.**

Al Buescher, 5426 Coronado. Mr. Buescher is also Vice President of the Planning and Zoning Commission. Mr. Buescher said there was a point made last night by CT, and that was overlay zoning vs. rezoning, and discussed this. He asked Council to consider overlay zoning. He also brought up regarding the CRA for prorating the formula over the fifteen years. He suggested builders be included in the tax abatement program and asked Council to consider opening that up to builders. He also thinks point of sale inspections are a good idea as there are properties in the City of serious questionable integrity with unpermitted work that are being sold and the City needs to find the resources to pay for a point of sale inspector.

Karen Brooks, 7516 Pinehurst. Mrs. Brooks commended Mr. Sayles for his many years of service for the City.

Tom Schafer, 7701 Pinehurst. Mr. Schaeffer's neighbor built a driveway that is 4" higher than his property. He has pictures of the property. Mr. Johnson asked Mr. Schafer to meet with him and Mrs. Bartone after the meeting.

**CLOSED OPEN TO THE PUBLIC SECTION: 7:40 P.M.**

**ANNOUNCEMENTS AND SETTING OF MEETINGS:**

Zoning Committee	Tuesday, March 15, 2022, at 6:00 P.M.
Ordinance Committee	Monday, March 21, 2022, at 6:00 P.M.
Parks and Recreation Board	Wednesday, March 23, 2022, at 6:00 P.M.
Regular Agenda Meeting	Thursday, March 17, 2022, at 6:00 P.M.
Regular Council Meeting	Tuesday, March 22, 2022, at 7:00 P.M.


**ADJOURNMENT:**

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Bittner, 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 7:44 P.M.

**APPROVED:**

March 22, 2022  
Date  
President of Council

  
ROBERT JOHNSON

Attest: Joyce M. Sayle  
Clerk of Council