

**MINUTES**  
**City of Mentor**  
**COUNCIL REGULAR MEETING**  
**April 18, 2017**

The meeting was called to order by Council President Dowling at 7:00 p.m.

INVOCATION was given by Councilman Landeg, immediately followed by the Pledge to the Flag.

ROLL CALL:

Bruce R. Landeg, Ward 3 Councilman  
Scott J. Marn, Councilman-at-Large  
Sean P. Blake, Ward 1 Councilman  
Matthew E. Donovan, Ward 2 Councilman  
Janet A. Dowling, Councilwoman-at-Large  
Ray Kirchner, Councilman-at-Large  
John A. Krueger, Ward 4 Councilman

ALSO PRESENT:

Richard A. Hennig, Law Director  
Julie A. Schiavoni, Clerk of Council  
Kenneth Filipiak, City Manager  
David A. Swiger, City Engineer  
David Malinowski, Finance Director  
Matt Schweikert, Public Works Director  
Kenn Kaminski, Parks, Recreation & Public Facilities Director  
Kevin Knight, Police Chief  
Robert Searles, Fire Chief  
Ronald M. Traub, Economic & Community Development Director  
Andy Rose, Code Enforcement Supervisor/Administrative Services Manager

The Clerk of Council confirmed that notice of the meeting was given in conformity with the Ohio Revised Code Section 121.22.

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APPROVAL OF MINUTES:

**MOTION** by Councilman Kirchner, second by Councilman Marn to approve the minutes of the April 4, 2017 Regular Meeting. **ROLL CALL:** Yeas: Council Members: Landeg, Marn, Blake, Donovan, Dowling, Kirchner and Krueger. Nays: None. Motion Passed 7/0.

MINUTES OF APRIL 4, 2017  
REGULAR MEETING APPROVED.

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**PUBLIC HEARINGS:**

**RESOLUTION NO. 17-R-108:**

A RESOLUTION APPROVING WITH MODIFICATIONS THE APPLICATION OF DEBORAH L. KUIVILA FOR THE PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT, TO WIT: APPROXIMATELY 35.80 ACRES OF LAND LOCATED ON LAKESHORE BOULEVARD.

Public Hearing Opened at: 7:02 p.m.

**SPEAKING IN FAVOR:** Deborah Kuivila at 8400 Lakeshore Boulevard gave a presentation of their business and activities related to it. Also, provided the history of different agricultural uses of the property over the years. Advised of the various community youth sports teams and organizations that they sponsor and assist.

**SPEAKING IN OPPOSITION:** None.

Public Hearing Closed at: 7:11 p.m.

**RESOLUTION NO. 17-R-109**

A RESOLUTION APPROVING WITH MODIFICATIONS THE APPLICATION OF MENTOR HEIGHTS NURSERY FOR PLACEMENT OF FARMLANDS IN AN AGRICULTURAL DISTRICT, TO WIT: APPROXIMATELY 13.54 ACRES OF LAND LOCATED ON CHILLICOTHE ROAD.

Public Hearing Opened at: 7:11 p.m.

**SPEAKING IN FAVOR:** None.

**SPEAKING IN OPPOSITION:** None.

Public Hearing Closed at: 7:13 p.m.

The Public Hearing for this item took place simultaneously with the public hearing for the resolution below, also related to the Chillicothe Road property by essentially the same applicants (Cynda and Fred Zuch).

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RESOLUTION NO. 17-R-110

A RESOLUTION APPROVING WITH MODIFICATIONS THE APPLICATION OF CYNDA R. ZUCH, TRUSTEE OF THE WILSON FAMILY TRUST FOR THE PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT, TO WIT: APPROXIMATELY 5.84 ACRES OF LAND LOCATED ON CHILLICOTHE ROAD.

The public hearing for this item took place simultaneously with the public hearing for the above resolution also related to the Chillicothe Road property by essentially the same applicants (Cynda and Fred Zuch).

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NEW LEGISLATION:

ORDINANCE NO. 17-O-36:

AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES OF THE CITY OF MENTOR, 2006, AS AMENDED BY ADOPTING CURRENT REPLACEMENT PAGES AND DECLARING AN EMERGENCY.

**MOTION** by Councilman Kirchner, second by Councilman Marn to suspend the rule requiring the legislation to be read on three different days. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**MOTION** by Councilman Kirchner, second by Councilman Marn for passage. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**ORDINANCE NO. 17-O-36 PASSED.**

ORDINANCE NO. 17-O-37:

AN ORDINANCE TO AUTHORIZE TRANSFERS OF FUNDS, ADVANCES OF FUNDS AND REVISIONS TO APPROPRIATIONS AND DECLARING AN EMERGENCY.

**MOTION** by Councilman Kirchner, second by Councilman Marn to suspend the rule requiring the legislation to be read on three different days. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**MOTION** by Councilman Kirchner, second by Councilman Marn for passage. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**ORDINANCE NO. 17-O-37 PASSED.**

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ORDINANCE NO. 17-O-38

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO AWARD A BID CONTRACT TO GREAT LAKES CRUSHING, LTD FOR THE MIDLAND ROAD STORM SEWER IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

**MOTION** by Councilman Kirchner, second by Councilman Marn to suspend the rule requiring the legislation to be read on three different days. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**MOTION** by Councilman Kirchner, second by Councilman Marn for passage. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**ORDINANCE NO. 17-O-38 PASSED.**

ORDINANCE NO. 17-O-39

AN ORDINANCE AUTHORIZING PAY DIFFERENTIAL TO A CITY EMPLOYEE ASSIGNED TO ACTIVE MILITARY DUTY, AND DECLARING AN EMERGENCY.

**MOTION** by Councilman Kirchner, second by Councilman Marn to suspend the rule requiring the legislation to be read on three different days. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**MOTION** by Councilman Kirchner, second by Councilman Landeg for passage. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**ORDINANCE NO. 17-O-39 PASSED.**

ORDINANCE NO. 16-O-40

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PENN CARE, INC. FOR THE PURCHASE OF ONE (1) 2017 BRAUN AMBULANCE SUPERCHIEF XL AMBULANCE ON AN INTERNATIONAL CHASSIS, AND DECLARING AN EMERGENCY.

Councilman Blake inquired if the ambulance purchases will all be SuperChief models from now on and how many miles they usually last.

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Chief Searles confirmed. And this purchase will replace a squad, when it goes out of service, that will have approximately 175,000 miles on it. Previously, purchased less expensive older squad that obtained approximately 75,000 – 80,000-mile life.

**MOTION** by Councilman Kirchner, second by Councilman Marn to suspend the rule requiring the legislation to be read on three different days. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**MOTION** by Councilman Kirchner, second by Councilman Marn for passage. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**ORDINANCE NO. 17-O-40 PASSED.**

RESOLUTION NO. 17-R-108:

A RESOLUTION APPROVING WITH MODIFICATIONS THE APPLICATION OF DEBORAH L. KUIVILA FOR THE PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT, TO WIT: APPROXIMATELY 35.80 ACRES OF LAND LOCATED ON LAKESHORE BOULEVARD.

**MOTION** by Councilman Kirchner, second by Councilman Krueger to suspend the rule requiring the legislation to be read on three different days. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**MOTION** by Councilman Kirchner, second by Councilman Krueger for passage. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**ORDINANCE NO. 17-R-108 ADOPTED.**

RESOLUTION NO. 17-R-109

A RESOLUTION APPROVING WITH MODIFICATIONS THE APPLICATION OF MENTOR HEIGHTS NURSERY FOR PLACEMENT OF FARMLANDS IN AN AGRICULTURAL DISTRICT, TO WIT: APPROXIMATELY 13.54 ACRES OF LAND LOCATED ON CHILLICOTHE ROAD.

**MOTION** by Councilman Kirchner, second by Councilman Krueger to suspend the rule requiring the legislation to be read on three different days. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

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**MOTION** by Councilman Kirchner, second by Councilman Krueger for passage. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**ORDINANCE NO. 17-R-109 ADOPTED.**

RESOLUTION NO. 17-R-110

A RESOLUTION APPROVING WITH MODIFICATIONS THE APPLICATION OF CYNDA R. ZUCH, TRUSTEE OF THE WILSON FAMILY TRUST FOR THE PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT, TO WIT: APPROXIMATELY 5.84 ACRES OF LAND LOCATED ON CHILLICOTHE ROAD.

**MOTION** by Councilman Kirchner, second by Councilman Krueger to suspend the rule requiring the legislation to be read on three different days. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**MOTION** by Councilman Kirchner, second by Councilman Krueger for passage. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**ORDINANCE NO. 17-R-110 ADOPTED.**

RESOLUTION NO. 17-R-111

A RESOLUTION ADOPTING THE LAKE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN FOR THE CITY OF MENTOR.

Councilman Krueger asked if the County had approved theirs yet.

Chief Searles responded that he believes they took formal action and approved it in March.

**MOTION** by Councilman Kirchner, second by Councilman Krueger to suspend the rule requiring the legislation to be read on three different days. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

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**MOTION** by Councilman Kirchner, second by Councilman Marn for passage. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**ORDINANCE NO. 17-R-111 ADOPTED.**

RESOLUTION NO. 17-R-112

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S WINTER CONTRACT (018-18) FOR ROAD SALT, AND DECLARING AN EMERGENCY.

Councilman Blake inquired about the amount of road salt left over from this past winter.

Mr. Schweikert replied approximately 4,000 tons.

Councilman Marn asked what the price was last year.

Mr. Schweikert answered it was in the low \$40's range; this year \$32.56 is the current price, which is very low.

**MOTION** by Councilman Kirchner, second by Councilman Krueger to suspend the rule requiring the legislation to be read on three different days. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**MOTION** by Councilman Kirchner, second by Councilman Krueger for passage. ROLL CALL: Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**ORDINANCE NO. 17-R-112 ADOPTED.**

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SECOND READING

None.

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THIRD READING:

None.

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**MANAGER'S REPORT**

Congratulated Communications Technician Torrie Hendricks, who recently received the 2016 Solid Gold Award and was one of two finalists for the 2016 Telecommunicator of the Year Award for all of Ohio.

Fire Department placed a level of service survey on their Facebook page and requested improvement suggestions.

2017 Road Program is underway. A & J Cement and Chagrin Valley Paving have begun concrete removal and replacement, along with asphalt milling. Letters were sent out to all residents on affected streets prior to the commencement of the work. All work is expected to be completed well in advance of the August 18<sup>th</sup> deadline.

The decorative traffic signal poles for Heisley Road have been ordered. Expect them in 14 weeks, but, in the interim, the pole foundations, traffic controller, underground conduit and all other associated work will take place, so pole installation can occur sometime in August, with operation in September.

Mentor Area Chamber of Commerce will present an evening of great food from 21 of Mentor's best restaurants and caterers with the Taste of Mentor taking place on April 19<sup>th</sup> from 5:00 p.m. – 8:00 p.m. at the Ice Arena.

Ignite the Ice end of season party is this weekend at the Ice Arena. Admission is \$5.00 with a \$3.00 skate rental.

Blackbrook Golf Course is holding a Free Golf Clinic and Open House on Sunday, April 23<sup>rd</sup> from 11:30 a.m. – 12:30 p.m.; the event is open to all ages and abilities. Registration is required.

Councilman Blake noted full depth repairs have taken place on Hopkins Road; it is a great deal smoother. Believes a resurfacing would be in order within the next year or two.

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**CLERK'S CORRESPONDENCE:**

None.

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**COMMISSION/COMMITTEE REPORTS:**

Meeting Minutes – Board of Building and Zoning Appeals, March 14, 2017.  
Tree Commission, March 15, 2017.  
Municipal Planning Commission, March 23, 2017.

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**OLD BUSINESS:**

None.

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**NEW BUSINESS:**

Councilman Kirchner asked if there are any prohibitions on the location of satellite dishes in residential districts. Received a call that someone placed one in the front yard.

Mr. Rose advised the FCC (Federal Communications Commission) has a requirement that every dish under 36-inches in diameter is exempt from local ordinances. The ruling was confirmed by the Assistant Law Director and the Planning Administrator. Cannot restrict their location.

**MOTION** by Councilman Kirchner, second by Councilman Marn to submit Mark Freeman's name to the County Commissioners for the newly created seat on the Lake County Port and Economic Development Authority. **ROLL CALL:** Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**MARK FREEMAN'S NAME SHALL BE  
SUBMITTED FOR THE NEWLY CREATED  
SEAT ON THE LAKE COUNTY PORT AND  
ECONOMIC DEVELOPMENT AUTHORITY.**

**MOTION** by Councilman Marn, second by Councilman Kirchner to cancel the May 2, 2017 Regular Meeting due to circumstances where members will be out of town for Economic Development purposes. **ROLL CALL:** Yeas: Council Members: Krueger, Landeg, Marn, Blake, Donovan, Dowling and Kirchner. Nays: None. Motion Passed 7/0.

**MAY 2, 2017 REGULAR MEETING  
SHALL BE CANCELLED.**

Councilman Blake wished safe travels to Councilman Kirchner, Mr. Filipiak and Ms. Sanchez as they travel to Europe for the International Trade Initiative.

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**PERSONS BEFORE COUNCIL:**

None.

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**MOTION** by Councilman Kirchner, second by Councilman Marn to adjourn.

Meeting adjourned at 8:17 p.m.

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President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council