



# City of Mentor-on-the-Lake

5860 Andrews Road, Mentor-on-the-Lake, OH 44060-2827

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www.CityMOL.org

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## AGENDA

### VIRTUAL REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE SEPTEMBER 8, 2020 7:00 P.M.

**CALL TO ORDER:** PLEDGE OF ALLEGIANCE

**ROLL CALL:**

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

**APPROVAL OF MINUTES:** Virtual Regular Meeting of Council – July 28, 2020

**CORRESPONDENCE:**

**ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:**

**Mayor & Safety Director – Mr. Eva**  
**Administrative Director – Mrs. Bartone**  
**Law Director – Mr. Lyons**  
**Police Chief – Mr. Gielink**

**QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:**

**BOARD/COMMITTEE/COMMISSION REPORTS:**

**OPEN TO THE PUBLIC TO SPEAK:**

**LEGISLATION BEFORE COUNCIL:**

**RESOLUTION NO. 2020-R-13**

A RESOLUTION ACCEPTING THE RATES AS DETERMINED BY THE LAKE COUNTY BUDGET COMMISSION FOR TAX YEAR 2020, AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE LAKE COUNTY AUDITOR

**RESOLUTION NO. 2020-R-14**

A RESOLUTION APPROVING A PETITION FOR THE CREATION OF A SHORELINE SPECIAL IMPROVEMENT DISTRICT AND FOR THE LEVY OF SPECIAL ASSESSMENTS FOR SHORELINE IMPROVEMENT PROJECTS, AND DECLARING AN EMERGENCY

**RESOLUTION NO. 2020-R-15**

A RESOLUTION RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE PART TIME FIREFIGHTERS AND AUTHORIZING THE MAYOR AND ADMINISTRATIVE DIRECTOR TO EXECUTE A WRITTEN CONTRACT WITH THE MENTOR-ON-THE-LAKE PART TIME FIREFIGHTERS ASSOCIATION, AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2020-O-13 (THIRD READING)**

AN ORDINANCE AMENDING CODIFIED ORDINANCE 1064.04 – TIME PERIOD ON ACCUMULATIONS

**ORDINANCE NO. 2020-O-14 (THIRD READING)**

AN ORDINANCE AMENDING CODIFIED ORDINANCE 678.01(b) – NOTICE TO OWNER TO CUT NOXIOUS WEEDS; REMOVE LITTER; SERVICE AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2020-O-15 (THIRD READING)**

AN ORDINANCE AMENDING CODIFIED ORDINANCE 232.06(b) – RESCUE SQUAD FEES: PAYMENT AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2020-O-17**

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 FIRE FIGHTER'S IAFF, LOCAL 3049, AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2020-O-18**

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

**ORDINANCE NO. 2020-O-19**

AN ORDINANCE TO AMEND THE 2020 APPROPRIATION ORDINANCES AND DECLARING AN EMERGENCY

**OLD BUSINESS:**

**NEW BUSINESS:**

**Expenditure Approval:**

Vendor: Middletown Ford  
Items: 2021 F-250 Super Duty 4x4 Pickup Truck  
Cost: \$31,277.00  
Fund: CARES ACT Fund  
(Per Memorandum of September 8, 2020, from Mrs. Bartone)

**Expenditure Approval:**

Vendor: Stryker EMS  
Items: Lifepak 15 Monitor  
Cost: \$31,225.14  
Fund: CARES ACT Fund  
(Per Memorandum of September 8, 2020, from Mrs. Bartone)

**Expenditure Approval:**

Vendor: Euclid Glass  
Items: Automatic door controllers, doors  
Cost: \$49,500.00  
Fund: CARES ACT Fund  
(Per Memorandum of September 8, 2020, from Mrs. Bartone)

Review of Community Reinvestment Area (CRA) Program applications

**OPEN TO THE PUBLIC TO SPEAK:**

**ANNOUNCEMENTS AND SETTING OF MEETINGS:**

Planning and Zoning Commission

Monday, September 14, 2020, at 7:00 P.M.

**ADJOURNMENT:**

The next **AGENDA MEETING** will be held on  
**September 17, 2020, at 6:00 P.M.**

The next **REGULAR MEETING OF COUNCIL** will be held on  
**September 22, 2020, at 7:00 P.M.**

**RESOLUTION NO. 2020-R-13**

**A RESOLUTION ACCEPTING THE RATES AS DETERMINED BY THE LAKE  
COUNTY BUDGET COMMISSION FOR TAX YEAR 2020,  
AUTHORIZING THE NECESSARY TAX  
LEVIES AND CERTIFYING THEM TO THE LAKE COUNTY AUDITOR**

**BE IT RESOLVED** by the Council of the City of Mentor-on-the-Lake, County of Lake, and State of Ohio:

**Section 1.** That there be and hereby is levied on the 2020 tax duplicate of the City, the following rates of tax necessary to be levied inside and outside the ten mill limitation:

**Inside the Ten Mill Limitation**

General Fund - 101	2.70	mills
Police Pension Fund - 211	<u>.30</u>	mills
<b>Total Inside the Ten Mill Limitation</b>	<b><u>3.00</u></b>	<b>mills</b>

**Outside the Ten Mill Limitation**

Fire Protection Levy - 221	7.30	mills
Police Protection Levy - 212	9.20	mills
Safety Forces Levy - 240	4.50	mills
Charter Police Levy - 241	1.50	mills
Charter Fire Levy - 242	1.10	mills
Charter Road Levy - 243	<u>1.20</u>	mills
<b>Total Outside the Ten Mill Limitation</b>	<b><u>24.80</u></b>	<b>mills</b>

**Section 2.** That the Clerk of this Council be and hereby is directed to certify and deliver a copy of this Resolution forthwith to the Lake County Auditor.

**Section 3.** That all formal actions of this Council concerning the passage of this Resolution were adopted in an open meeting and that all deliberations of this Council, or any of its Committees which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**WHEREFORE,** this Resolution shall be in full force and effect as provide by law.

**ADOPTED:** \_\_\_\_\_

\_\_\_\_\_  
**DESIREA A. THOMPSON**  
**PRESIDENT OF COUNCIL**

**ATTEST:** \_\_\_\_\_

**CLERK OF COUNCIL**

\_\_\_\_\_  
**DAVID R. EVA**                      **DATE**  
**MAYOR**

**RESOLUTION NO. 2020-R-14**

**A RESOLUTION APPROVING A PETITION FOR THE CREATION OF A SHORELINE SPECIAL IMPROVEMENT DISTRICT AND FOR THE LEVY OF SPECIAL ASSESSMENTS FOR SHORELINE IMPROVEMENT PROJECTS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, pursuant to Revised Code Chapter 1710 (the Act), property owners are authorized to include their properties within a special improvement district (the District) by submitting a petition to a municipal corporation or township in order to undertake shoreline improvement projects for their properties and to finance such shoreline improvement projects through voluntary special assessments;

**WHEREAS**, Owners of certain real property located within the City have submitted to the City Manager and to this Council a Petition for Creation of Shoreline Special Improvement District for Shoreline Improvement Projects (the Petition), together with the Lake County Communities Shoreline Special Improvement District Program Plan (the Plan) and the form of Articles of Incorporation of the Shoreline Special Improvement District, Inc. (the Articles of Incorporation); and

**WHEREAS**, this Council is required to approve or disapprove the Petition within 60 days of the submission of the Petition pursuant to the Act;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MENTOR-ON-THE-LAKE, COUNTY OF LAKE, AND THE STATE OF OHIO, THAT:**

**SECTION 1.** This Council, upon the approval of all cities, villages, and townships intended to constitute the initial participating political subdivisions of the District, approves the Petition, the Plan, and the Articles of Incorporation substantially in the form on file with the Clerk of Council. This Council hereby appoints the Mayor or his designee to serve on the Board of Directors of the District.

**SECTION 2.** This Council hereby approves and consents to the addition of real property to the territory of the District and the addition of municipal corporations or townships in which such real property is located as a "participating political subdivision," and any amendment to the Articles of Incorporation necessary to recognize or effect such addition, all as set forth in the Plan.

**SECTION 3.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in meetings open to the public in compliance with the law.

**SECTION 4.** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City; and for

the further reason that it is urgently necessary to create the shoreline special improvement district at the earliest possible date in order to undertake shoreline improvement projects as soon as possible to address shoreline erosion issues posing an imminent threat to the properties along the shoreline of Lake Erie; therefore, provided that it receives the affirmative vote at least 5 members elected to Council, this Resolution shall be in full force and take effect immediately upon its adoption by Council; otherwise, it shall be in full force and take effect from and after the earliest period allowed by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
DESIREA A. THOMPSON  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
DAVID R. EVA                      DATE  
MAYOR

**RESOLUTION NO. 2020-R- 15**

**A RESOLUTION RATIFYING THE COLLECTIVE BARGAINING AGREEMENT  
WITH THE PART TIME FIREFIGHTERS AND AUTHORIZING THE  
MAYOR AND ADMINISTRATIVE DIRECTOR TO EXECUTE A  
WRITTEN CONTRACT WITH THE MENTOR-ON-THE-LAKE  
PART TIME FIREFIGHTERS ASSOCIATION,  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the City and the Mentor-on-the-Lake part time Firefighters Association, acting on behalf of the part-time firefighters of the City of Mentor-on-the-Lake, have engaged in collective bargaining negotiations and procedures pursuant to Chapter 4117, of the Ohio Revised Code; and

**WHEREAS**, said parties have effected a settlement of all issues raised and have reduced such settlement to writing for a period commencing January 1, 2020 to December 31, 2022; and

**WHEREAS**, this Council has reviewed the terms of such agreement with the Administration, finds the same to be acceptable, and determines that it should be ratified.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MENTOR-ON-THE-LAKE, COUNTY OF LAKE, AND STATE OF OHIO AS FOLLOWS:**

**Section 1.** That this Council does hereby ratify the terms and conditions of that Collective Bargaining Agreement between the City of Mentor-on-the-Lake and the Mentor-on-the-Lake Part time Firefighters Association, pertaining to its part time firefighters, attached hereto as Exhibit "A", and the Mayor and Administrative Director are hereby authorized to execute such contract on behalf of the City.

**Section 2.** That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22, of the Ohio Revised Code.

**Section 3.** That this Resolution is hereby declared to be and is passed as an emergency measure, the emergency being the need to immediately implement the provisions of said Collective Bargaining Agreement. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Mentor-on-the-Lake.

**WHEREFORE**, this Resolution shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

**ADOPTED:** \_\_\_\_\_

\_\_\_\_\_  
**DESIREA A. THOMPSON**  
**PRESIDENT OF COUNCIL**

**ATTEST:** \_\_\_\_\_  
**CLERK OF COUNCIL**

\_\_\_\_\_  
**DAVID R. EVA**                      **DATE**  
**MAYOR**



**ORDINANCE NO. 2020-O-17**

**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 FIRE FIGHTER'S IAFF, LOCAL 3049, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City and the Mentor-on-the-Lake Firefighter's IAFF Local 3049, acting on behalf of the full-time firefighters of the City of Mentor-on-the-Lake, have engaged in collective bargaining negotiations and procedures pursuant to Chapter 4117 of the Ohio Revised Code; and

**WHEREAS**, said parties have effected a Memorandum of Understanding for the period commencing August 9, 2020; and

**WHEREAS**, this Council has reviewed the terms of such agreement with the Administration, finds the same to be acceptable, and determines that it should be ratified.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR-ON-THE-LAKE, COUNTY OF LAKE, AND STATE OF OHIO:**

**Section 1.** That this Council does hereby ratify said Articles and Sections as noted in the Memorandum of Understanding, as amended, of the Collective Bargaining Agreement between the City of Mentor-on-the-Lake and the Mentor-on-the-Lake Firefighters IAFF Local 3049, for the period commencing August 9, 2020, pertaining to its full-time firefighters, attached hereto as Exhibit "A", and the Mayor and Administrative Director are hereby authorized to execute such amendment on behalf of the City.

**Section 2.** That, all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22, of the Ohio Revised Code.

**Section 3.** That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need to immediately implement the provisions of said Collective Bargaining Agreement. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Mentor-on-the-Lake.

**WHEREFORE**, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

**ADOPTED:** \_\_\_\_\_

\_\_\_\_\_  
**DESIREA A. THOMPSON**  
**PRESIDENT OF COUNCIL**

**ATTEST:** \_\_\_\_\_  
**CLERK OF COUNCIL**

\_\_\_\_\_  
**DAVID R. EVA**      **DATE**  
**MAYOR**

**ORDINANCE NO. 2020-O-18**

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

**WHEREAS**, pursuant to Chapter 1024 and Chapter 678 of the Mentor-on-the-Lake Codified Ordinances, notice was served on the owner, lessee, agent, or tenant having charge of such land, that weeds & litter and/or driveway culverts were in need of removal, repair and/or replacement; and

**WHEREAS**, the Service Director caused lawn maintenance to be performed and/or such driveway culvert to be removed, repaired, replaced and/or installed and the expense to be invoiced; and

**WHEREAS**, the owner, lessee, agent or tenant having charge of such land failed to pay the amount invoiced.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR-ON-THE-LAKE, COUNTY OF LAKE, AND STATE OF OHIO:**

**Section 1.** That this Council does hereby certify that the amount set forth opposite the name of each respective owner is the true and correct amount of the expense necessarily incurred by the City of Mentor-on-the-Lake for lawn maintenance and/or in the removal, repair and/or replacement of driveway culverts:

<b><u>PROPERTY OWNERS</u></b>	<b><u>PERMANENT PARCEL NUMBER</u></b>	<b><u>AMOUNT DUE</u></b>
<b>Wilson Land Properties</b>	<b>19A090A000010</b>	<b>\$378.38</b>
<b>Joanne Savchek</b>	<b>19A094A000120</b>	<b>\$ 68.80</b>

**Section 2.** That the amounts herein set forth with respect to each respective owner, be entered upon the 2020 tax duplicate by the Auditor of Lake County, Ohio, upon the parcel of land described and set forth and returned to the General Fund of the City of Mentor-on-the-Lake, out of which said services have been paid.

**Section 3.** That the Administrative Director is hereby authorized and directed to send a certified copy of this Ordinance to the Auditor of Lake County, Ohio.

**Section 4.** All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and all deliberations of this Council or any of its Committees, which resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**WHEREFORE**, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

**ADOPTED:** \_\_\_\_\_

\_\_\_\_\_  
**DESIREA A. THOMPSON**  
**PRESIDENT OF COUNCIL**

**ATTEST:** \_\_\_\_\_  
**CLERK OF COUNCIL**

\_\_\_\_\_  
**DAVID R. EVA**      **DATE**  
**MAYOR**

**ORDINANCE NO. 2020-O-19**

**AN ORDINANCE TO AMEND THE 2020 APPROPRIATION ORDINANCES  
AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR-ON-THE-  
LAKE, COUNTY OF LAKE, AND STATE OF OHIO:**

**SECTION 1.** THAT, the following Current and Prior Year Appropriation Sections and provisions of Ordinance No. 2020-O-01 be amended as follows:

**SECTION 2.            General Fund Current Appropriations**

	<u>From</u>	<u>To</u>
226 CARES Act:	\$ 375,568	\$ 563,352

**SECTION 3.** That, The Administrative Director is hereby authorized to issue checks for payment from any of the foregoing appropriations, upon receiving proper certificates and vouchers therefore, and approved by the officer authorized by law to approve same, or an ordinance, resolution, or motion of Council to make expenditure, provided that no checks shall be issued or paid for salaries or wages except to those employed by authority of or in accordance with law or ordinance.

**SECTION 4.** The Administrative Director is hereby directed to forward a certified copy of this Ordinance to the Lake County Auditor.

**SECTION 5.** That, all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22, of the Ohio Revised Code.

**SECTION 6.** That, this Ordinance is hereby declared to be an emergency measure and is passed as such, the emergency being the need to provide for the current expenses and other expenditures required necessary for the immediate preservation of the public peace, health, safety, and welfare of the City.

**WHEREFORE,** this Ordinance shall take effect and be in full force immediately upon its passage by Council and approval by the Mayor, or as otherwise provided by law.

**ADOPTED:** \_\_\_\_\_

\_\_\_\_\_  
**DESIREA A. THOMPSON  
PRESIDENT OF COUNCIL**

**ATTEST:** \_\_\_\_\_  
**CLERK OF COUNCIL**

\_\_\_\_\_  
**DAVID R. EVA            DATE  
MAYOR**