

**RESOLUTION NO. 2021-R-20**

**A RESOLUTION DECLARING IT NECESSARY AND DETERMINING TO PROCEED WITH ACQUIRING, CONSTRUCTING, INSTALLING, EQUIPPING, IMPROVING, MAINTAINING AND REPAIRING IMPROVEMENTS NECESSARY FOR MAKING IMPROVEMENTS TO ABATE EROSION ALONG PROPERTIES WITHIN THE CITY INCLUDED WITHIN THE LAKE COMMUNITIES SHORELINE SPECIAL IMPROVEMENT DISTRICT, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.**

**WHEREAS**, property owners within the City petitioned Council to form a shoreline special improvement district to provide assistance in abating erosion along the shoreline of Lake Erie, and Council approved such petitions and joined in the formation of the Lake County Communities Shoreline Special Improvement District, Inc. (the SID);

**WHEREAS**, property owners within the SID have submitted special assessment improvement petitions to this Council in accordance with the Improvement Plan implemented by the SID requesting that erosion abatement improvements proceed on their properties and that the City levy special assessments upon their properties for the costs of those erosion abatement improvements pursuant to Chapters 727 and 1710 of the Revised Code;

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

**SECTION 1.** It is hereby declared necessary to improve in the City of Mentor-on-the-Lake the properties listed on Attachment A hereto and incorporated by reference hereby (collectively, the "Assessment Properties") by acquiring, constructing, installing equipping, improving, maintaining and repairing improvements necessary for making improvements to abate erosion, together with all necessary appurtenances thereto (the "Improvements"). It is hereby further determined to proceed with the Improvements as described herein.

**SECTION 2.** The plans, specifications and profiles of the Improvements and the estimates of cost of the Improvements as set forth in the Improvement Petitions filed by the owners of the Assessment Properties to be improved and assessed and now on file in the office of the Clerk of this Council, are adopted and approved. It is hereby determined to proceed with the Improvements which shall be made and in accordance with those plans, specifications, profiles and estimates of cost for the Improvements and with the route and termini and other details and descriptions as set forth therein.

**SECTION 3.** This Council finds and determines that the Improvements constitute "public improvements" and "shoreline improvement projects" under Section 1710.01 of the Revised Code and are conducive to the public health, convenience and welfare of this City and its inhabitants, and the lots and lands to be assessed as described in Section 4 are specially benefited by the Improvements.

**SECTION 4.** The entire cost of the Improvement for each parcel shall be assessed in proportion to the benefits that may result from the Improvement upon each the Assessment Property.

**SECTION 5.** All claims for damages resulting from the Improvements that have been legally filed shall be inquired into after completion of the Improvements, and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

**SECTION 6.** The special assessments to be levied on the Assessment Properties shall be paid in 15 annual (30 semiannual) installments, with interest on the unpaid balance of each special assessment at the same rate as shall be borne by the bonds to be issued on behalf of the City and SID, with such issuance of bonds hereby requested by the City by and through such issuing authority as determined by the SID, in anticipation of the collection of the unpaid special assessments; provided that, the owners of the Assessment Properties may pay all or a portion of the special assessment in cash prior to its certification for collection with the County Auditor.

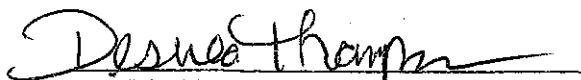
**SECTION 7.** The Clerk of Council shall deliver a certified copy of this resolution to the County Auditor within 15 days after its passage.

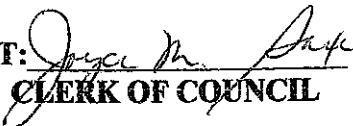
**SECTION 8.** This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

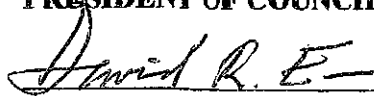
**SECTION 9.** This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City; and for the further reason that it is urgently necessary to undertake shoreline improvement projects as soon as possible 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.

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

ADOPTED: July 27, 2021

  
DESIREA A. THOMPSON  
PRESIDENT OF COUNCIL

ATTEST:   
CLERK OF COUNCIL

 7/27/21  
DAVID R. EVA                      DATE  
MAYOR

## ATTACHMENT A – ASSESSMENT PARCELS

Those parcels identified in the land records of the County of Lake, Ohio as follows:

1. Parcel Number A19A089A000080 (Derek R. West, 7395 Salida Road, Mentor-on-the Lake, Ohio 44060)
2. Parcel Number 19A089A000060 and 19A089A000070 (Donald and Barbara Nye, 7385 Salida Road, Mentor-on-the-Lake, Ohio 44060)
3. Parcel Number 19A089000090 (William Stief, 7399 Salida Road, Mentor-on-the-Lake, Ohio 44060)
4. Parcel Number 19A089A000040 (Theresa Turi, 7373 Salida Road, Mentor-on-the-Lake, Ohio 44060)
5. Parcel Number 19A089A000050 (William and Jennifer Ritt, 7379 Salida Road, Mentor-on-the-Lake, Ohio 44060)
6. Parcel Number 19A089A000100 (Jadran Medic, 7405 Salida Road, Mentor-on-the- Lake, Ohio 44060)
7. Parcel Number 19A008100200 (Candace Kiel, 5950 Thunderbird Drive, Mentor-on-the-Lake, Ohio 44060)
8. Parcel Number 19A088E000100 (Robert Bailey, 6016 Cedarwood Road, Mentor-on-the-Lake, Ohio 44060)
9. Parcel Number 19A088D000060 (Kim and Kevin Bonnay, 6024 Cedarwood Road, Mentor-on-the-Lake, Ohio 44060)
10. Parcel Number 19A088I000210 (Linda and Scott Pier, 5940 Thunderbird Drive, Mentor-on-the-Lake, Ohio 44060)
11. Parcel Number 19A088F000040 (Lucille Dalton, 5882 Thunderbird Drive, Mentor-on-the-Lake, Ohio 44060)
12. Parcel Number 19A088E000120 (Thomas Thunin, 6008 Cedarwood Road, Mentor-on-the-Lake, Ohio 44060.

ORDINANCE NO. 2021-0-14

**AN ORDINANCE AMENDING CODIFIED ORDINANCE 250.05 - VACATIONS  
BY ADDING NEW SECTION (h) TO ALLOW PAYMENTS FOR ACCRUED  
VACATIONS TIME AND DECLARING AN EMERGENCY**

**WHEREAS**, Council wishes to amend Ordinance 250.05 - VACATIONS by adding a new section (h) to the Ordinance which would allow eligible employees to receive on an annual basis payment for up to forty hours of accrued vacation leave; and

**WHEREAS**, Council wishes to offer this benefit to all non-union City employees because this benefit is already included in the union contracts with the City's union employees.

**NOW THEREFORE, BE IT ORDAINED by the Council of the City of Mentor-on-the-Lake, County of Lake and State of Ohio, as follows:**

Section 1. That Codified Ordinance 250.05 - Vacations is amended by adding new paragraph (h) to Ordinance 250.05 and new paragraph (h) as added shall read as follows:

250.05 VACATIONS.

.....

(h) A full-time employee with an accrued vacation balance in excess of 300 hours may elect to cash-in up to one week (40 hours) of accrued vacation time once per year. The employee's notice of intent to cash-in vacation hours must be submitted to Finance no later than December 1st of each calendar year. At no time may the redemption of vacation time cause the employee's accrued vacation balance to be less than 300 hours.

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: This Ordinance is declared to be an emergency measure, necessary for the immediate preservation of the public peace, health and welfare of the residents of the City and for the further reason that the implementation of this ordinance on an immediate basis will allow the City's non-union employees a greater chance to take advantage of this policy during calendar year 2021; wherefore, this Ordinance shall take effect and be in full force immediately upon its passage and approval by the Mayor.

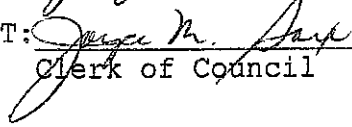
WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

  
DESIREA THOMPSON  
PRESIDENT OF COUNCIL

  
DAVID R. EVA  
MAYOR

Dated: 7/27/2021

ADOPTED: July 27, 2021

ATTEST:   
Clerk of Council

**ORDINANCE NO. \_2021-O- 15**

**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>We Make Home Owners LLC</b>	<b>19A090E000390</b>	<b>68.79</b>
<b>Derek Arnold</b>	<b>19A091C000570</b>	<b>68.79</b>

**Section 2.** That the amounts herein set forth with respect to each respective owner, be entered upon the 2021 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: July 27, 2021

Desiree Thompson  
DESIREA A. THOMPSON  
PRESIDENT OF COUNCIL

ATTEST: Jayne M. Aape  
CLERK OF COUNCIL

David R. Eva 7/27/2021  
DAVID R. EVA                      DATE  
MAYOR

**ORDINANCE NO. \_2021-O- 17**

**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>
John Stibora	19A090D000350	68.79
Caillie Meils/Greenburg	19A090K000300	68.79
Darlene Whitford	19A093C000110	68.79
SFR3-000 LLC	19A089H000180	68.79
Patricia Wilson	19A090B000540	68.79
Charles Ayers	19A090B001110	68.79
Analee Loecy	19A090N000680	68.79

**Section 2.** That the amounts herein set forth with respect to each respective owner, be entered upon the 2021 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,



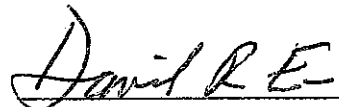
which resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

ADOPTED: July 27, 2021

  
DESIREA A. THOMPSON  
PRESIDENT OF COUNCIL

ATTEST: Joyce M. Jank  
CLERK OF COUNCIL

 7/29/2021  
DAVID R. EVA      DATE  
MAYOR

**ORDINANCE NO. \_2021-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:

<u>PROPERTY OWNERS</u>	<u>PERMANENT PARCEL NUMBER</u>	<u>AMOUNT DUE</u>
Richard M. Osborne Trustee	19A090I000010	103.19
Michael Thomas	19A091C000630	68.79
John Aylward	19A089J000630	171.97
We Make Home Owners LLC	19A090E000390	68.79
Landstar Management	19A093E000040	137.58
Lawrence Rice	19A088K000110	68.79
Kelly Kleim	19A091C000520	68.79

**Section 2.** That the amounts herein set forth with respect to each respective owner, be entered upon the 2021 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: July 27, 2021

Desiree Thompson  
DESIREA A. THOMPSON  
PRESIDENT OF COUNCIL

ATTEST: Joyce M. Saper  
CLERK OF COUNCIL

David R. Eva      7/27/2021  
DAVID R. EVA      DATE  
MAYOR

**ORDINANCE NO. 2021-O-19**

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR ACQUIRING, CONSTRUCTING, INSTALLING EQUIPPING, IMPROVING, MAINTAINING AND REPAIRING IMPROVEMENTS NECESSARY FOR MAKING IMPROVEMENTS TO ABATE EROSION ALONG PROPERTIES WITHIN THE CITY INCLUDED WITHIN THE LAKE COMMUNITIES SHORELINE SPECIAL IMPROVEMENT DISTRICT, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.**

**WHEREAS**, property owners within the City petitioned Council to form a shoreline special improvement district to provide assistance in abating erosion along the shoreline of Lake Erie, and Council approved such petitions and joined in the formation of the Lake County Communities Shoreline Special Improvement District, Inc. (the SID);

**WHEREAS**, property owners within the SID have submitted special assessment improvement petitions to this Council in accordance with the Improvement Plan implemented by the SID requesting that erosion abatement improvements proceed on their properties and that the City levy special assessments upon their properties for the costs of those erosion abatement improvements pursuant to Chapters 727 and 1710 of the Revised Code; and

**WHEREAS**, this Council has declared the necessity and determined to proceed with the improvements as petitioned pursuant to its resolution adopted July 27, 2021 (the Resolution of Necessity and Determination to Proceed);

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

**SECTION 1.** The special assessments for the cost and expense of acquiring, constructing, installing equipping, improving, maintaining and repairing improvements necessary for making improvements to abate erosion, together with all necessary appurtenances thereto (the "Improvements") pursuant to the Resolution of Necessity and Determination to Proceed on file with the Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed on the lots and lands provided for in the Resolution of Necessity and Determination to Proceed in the respective amounts set forth in the schedule of special assessments on file, which special assessments are in proportion to the special benefits, statutory limitations having been waived by the petitioning property owners. This Council finds and determines that the special assessments are in the same proportion to the estimated assessments as the actual cost of the Improvements is to the estimated cost of the Improvements as originally filed and upon which the estimated assessments were based.

**SECTION 2.** The special assessments shall be payable in cash prior to their certification to the County Auditor at the option of the owner, or shall be paid in 15 annual (30 semiannual) installments, with interest on the unpaid balance of each special assessment at the same rate as shall be borne by the bonds to be issued on behalf of the City and the SID, with such issuance hereby

requested by the City by and through such issuing authority as determined by the SID, in anticipation of the collection of the unpaid special assessments. All cash payments shall be made to or at the direction of the Director of Finance of the City. All special assessments remaining unpaid at the expiration of the cash payment period shall be certified by or at the direction of the Clerk of Council to the County Auditor as provided by law to be placed on the tax duplicate and collected as taxes are collected.

**SECTION 3.** The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 20 days after its passage.

**SECTION 4.** This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

**SECTION 5.** This ordinance 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 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 ordinance 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.

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

**ADOPTED:** July 27, 2021

Desiree Thompson  
**DESIREA A. THOMPSON**  
**PRESIDENT OF COUNCIL**

**ATTEST:** Joyce M. Sapp  
**CLERK OF COUNCIL**

David R. Eva 7/27/2021  
**DAVID R. EVA** **DATE**  
**MAYOR**