

RESOLUTION NO. 2021-R-23

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, a property owner within the SID has submitted a special assessment improvement petition to this Council in accordance with the Improvement Plan implemented by the SID requesting that erosion abatement improvements proceed on their property and that the City levy special assessments upon their property 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.

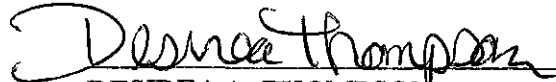
SECTION 6. The special assessments to be levied on the Assessment Properties shall be paid in 15 annual (30 semiannual) installments, with interest on the unpaid balance of each special assessment at the same rate as shall be borne by the bonds to be issued on behalf of the City and SID, with such issuance 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 of 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: September 14, 2021


DESIREA A. THOMPSON
PRESIDENT OF COUNCIL

ATTEST: Joyce M. Aase
CLERK OF COUNCIL

David R. Eva 9/14/21
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. Permanent Parcel No. 19-A-089-A-00-003-0 (Susan Lenihan and Randa Safady-7359 Salida Road, Mentor-on-the-Lake, Ohio)

ORDINANCE NO. _2021-O-20

AN ORDINANCE ACKNOWLEDGING THE ROLE OF THE CITY OF MENTOR-ON-THE-LAKE EMPLOYEES DURING THE COVID-19 PUBLIC HEALTH EMERGENCY AND AUTHORIZING AND DIRECTING THE MAYOR TO PROVIDE FOR HAZARD PAY BENEFITS AND DECLARING AND EMERGENCY.

WHEREAS, the Mayor, as the City's Chief Executive Officer, has determined that City positions in the Police, Fire, Service, and Administration sector meet the criteria for "hazard pay" with employees who "are performing hazardous duty work directly responding to COVID-19"; and

WHEREAS, the role of the City Police and Fire Departments, having to respond to emergency calls on the 24-hour a day basis, has the inherent risk to have direct contact with COVID-19 patients. These City employees are substantially dedicated to mitigating and responding to the COVID-19 public health emergency and certainly qualify for the "hazard pay" benefit, with the Mayor's recommendation of a payment, as designated on Exhibit "A" to these employees; and

WHEREAS, the role of a Service Department worker during the COVID-19 public health emergency has challenged the employees' ability to maintain social distancing with the nature of the jobs they perform and being approached by the public while in the field. These employees are substantially dedicated to mitigating and responding to the COVID-19 public health emergency and certainly qualify for the "hazard pay" benefit, with the Mayor's recommendation of a payment, as designated on Exhibit "A" to these employees; and

WHEREAS, the various roles of the Administration has also proven to demonstrate functions which qualify for "hazard pay" benefits in that the employees are expected to assist individuals who come to the City Hall complex to conduct business with the City. The City has kept the City Hall doors open during this pandemic. The Administration has addressed concerns regarding various issues including road repairs, referral for police matters, and many other general questions. Employees were available for mail, package and COVID-19 supply deliveries during the pandemic. The staff has allowed access into the building for meetings for the Mayor and other City officials, access for contractors into the facility, and others requesting permits, contracts, and zoning direction.

With Police, Fire, and Service employees intermingling with Administration, the administrative employees have an additional COVID-19 exposure with daily interaction on a variety of matters including but not limited to: (1) human resources, (2) purchase orders and invoices, (3) mail and package pick up, (4) zoning matters, (5) staff meetings, (6) miscellaneous administrative matters.

Therefore, the Mayor has determined that the nature of the work of these individuals warrant the qualification for the "hazard pay" benefit and has recommended a payment, as designated on Exhibit "A" to these employees; and

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

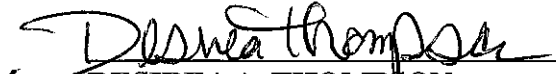
Section 1. That the Council of the City of Mentor-on-the-Lake finds that certain employees, as designated on Exhibit "A", and incorporated herein by reference, performed hazardous work involving a physical hardship due to COVID-19 throughout the pandemic.

Section 2. That each employee, active as of the passage of this Ordinance, designated by department on Exhibit "A", be paid a supplement, as noted in recognition of their performance of hazardous work during the pandemic.

Section 5. 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: September 14, 2021


DESIREA A. THOMPSON
PRESIDENT OF COUNCIL

ATTEST: Joyce M. Saxe
CLERK OF COUNCIL

David R. Eva 9/14/21
DAVID R. EVA DATE
MAYOR

EXHIBIT A

- Full-time members of the Police, Fire, Communication, Service and Administrative departments: \$1,800.00.
- Part-time Council Clerk: \$500.00
- Part-time Police, Fire, Communication departments: \$1.00 per hour worked for all dates between March 16, 2020 and March 16, 2021.

****Only employees currently active as of the date of passage of the ordinance are eligible for the payment. If an employee has changed status (part-time to full-time, etc.) since the dates indicated, they are only eligible for one payment, based on their employment status as on March 16, 2021.**

ORDINANCE NO. _2021-O-21

**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>
We Make Home Owners LLC	19A090E000390	68.79
Landstar Management	19A093E000040	137.58
Crooked Corner LLC	19A091I000170	68.79
Michael Thomas	19A091C000630	137.58
Wilson Land Properties	19A090A000010	137.58
Richard M. Osborne	19A090I000010	206.38
John & Laura Stibora	19A090D000350	68.79
Darlene Whitford	19A093C000110	68.79
John Aylward	19A089K000630	137.58
Meils/Greenburg	19A090K000300	68.79
Matthew Christescu	19A090L000370	68.79
Charles & Lynne Ayers	19A090B001110	68.79

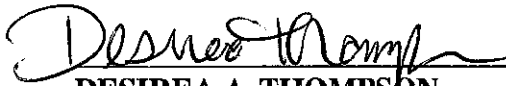
Section 2. That the amounts herein set forth with respect to each respective owner, be entered upon the 2021 tax duplicate by the Auditor of Lake County, Ohio, upon the parcel of land described and set forth and returned to the General Fund of the City of Mentor-on-the-Lake, out of which said services 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: September 14, 2021


DESIREA A. THOMPSON
PRESIDENT OF COUNCIL

ATTEST: Joyce M. Pap
CLERK OF COUNCIL

David R. Eva 9/14/21
DAVID R. EVA DATE
MAYOR

ORDINANCE NO. 2021-O-22

**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>
Kevin Clinger	19A093B000550	68.79
Brenda Grenon	19A093B000390	68.79
Greg Baum	19A091C000450	68.79
Lori Reece	19A090K000290	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.

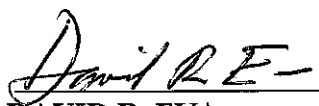
Section 3. That the Administrative Director is hereby authorized and directed to send a certified copy of this Ordinance to the Auditor of Lake County, Ohio.

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: September 14, 2021 
DESIREA A. THOMPSON
PRESIDENT OF COUNCIL

ATTEST: 
CLERK OF COUNCIL

 9/14/21
DAVID R. EVA DATE
MAYOR

ORDINANCE NO. 2021-O-23

**AN ORDINANCE TO AMEND THE 2021 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. 2021-O-03 be amended as follows:

SECTION 2. **General Fund Current Appropriations**

	<u>From</u>	<u>To</u>
225 OBWC GRANTS	\$ -0-	\$ 10,000
226 CARES Act:		
Personnel Services:	\$ -0-	\$ 284,184.17
Other	\$ -0-	\$ 100,000.00
TOTAL FUND	<u>\$ -0-</u>	<u>\$ 384,184.17</u>

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: September 14, 2021

Desiree Thompson
DESIREA A. THOMPSON
PRESIDENT OF COUNCIL

ATTEST: Joyce M. Saxe
CLERK OF COUNCIL

David R. Eva 9/14/21
DAVID R. EVA DATE
MAYOR

ORDINANCE NO. 2021-O-24

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 resolution (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.

ADOPTED: September 14, 2021 Desirea Thompson
DESIREA A. THOMPSON
PRESIDENT OF COUNCIL

ATTEST: Joyce M. Day
CLERK OF COUNCIL

David R. Eva
DAVID R. EVA
MAYOR

9/14/21
DATE