



City of Mentor-on-the-Lake

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**MINUTES
REGULAR MEETING OF COUNCIL
CITY OF MENTOR-ON-THE-LAKE
FEBRUARY 13, 2024
7:00 p.m.**

The Regular Meeting of Council for the City of Mentor-on-the-Lake for February 13, 2024, was called to order at 7:00 pm by Council President Rob Johnson.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE

ROLL CALL:

Aye	Ward 4:	DESIREA THOMPSON, Vice President
Aye:	At Large:	MICHELLE MOORE
Aye	Ward 2:	SKIP GRAY
Aye:	At Large:	KEVIN BITTNER
Aye:	Ward 1:	VIRGINIA WONG
Aye	At Large:	JIM LUNDER
Aye	Ward 3:	ROB JOHNSON, President

PUBLIC HEARING:

ORDINANCE NO. 2023-O-25

(First Reading: 11-14-2023, Second Reading : 11-28-2023, Third Reading: 12-12-2023)

AN ORDINANCE REZONING PERMANENT PARCEL NOS. 19-A-093-B-00-015-0, 19-A-093-B-00-016-0, 19-A-093-B-00-017-0, 19-A-093-B-00-018-0, 19-A-093-B-00-019-0, 19-A-093-B-00-020-0, 19-A-093-B-00-021-0, AND 19-A-093-B-00-075-0 FROM BUSINESS DISTRICT I AND/OR SINGLE-FAMILY DISTRICT E TO THE ZONING CLASSIFICATION OF A PLANNED UNIT DEVELOPMENT (PUD) THAT IS PROVIDED FOR IN CHAPTER 1255 OF THE CODIFIED ORDINANCES

The Public Hearing on Ordinance No. 2023-O-25 was called to order by Council President Rob Johnson at 7:05 P.M.

Mr. Johnson asked the Law Director to provide a brief explanation of the Ordinance.

Mr. Lyons explained this is related to the PUD development. In order to have a PUD in the city, the PUD has to be approved by council. The PUD would then go to the planning commission to make sure the final plans are in accord with the preliminary plan approved by council. This PUD is a zoning overlay district for the corner of Andrew's and Lakeshore Blvd in the city, and that would allow the PUD on that property. In order to move forward it is necessary to pass the PUD resolution that approves the PUD for that spot. And it is necessary to rezone the land to allow for the PUD overlay district.

Mr. Johnson asked if anyone in the audience had questions regarding the Ordinance.

Susan Lenihan asked if this was a one-time thing or can someone come back if it is not the right time and apply again. Mr. Johnson said that they can come back and apply again if this is not the right time.

Mr. Johnson asked if anyone wished to speak in favor of the Ordinance.

Greg and Rick Sommers with Sommers Development group and Greg Soltis with RDL Architects. Greg Sommers spoke for the PUD stating that they are still here and willing to invest nine million dollars in that corner. Mr. Sommers said that they have worked in good faith with the community and took in their comments and they feel like they have worked in good faith to get to a good place. This is a substantial investment in the city and will lead to more revenue in the city.

Rick Sommers said that they have changed the windows to black windows at the request of the public and have completed all the changes that people have asked about. This is the final rendition that they would like to see. Mr. Sommers introduced Greg Soltis with RDL Architects. Mr. Soltis explained his roll at RDL Architects and he teaches city urban designs and is a progressor at Cleveland State University. Mr. Soltis explained what is needed to spur growth within a city and community. The average house for Mentor on the Lake is 1.99. Mr. Soltis said that the community being a cozy and walkable area, why wouldn't anyone want to live here?

Mr. Johnson asked if anyone wished to speak against the Ordinance.

Those speaking against the Ordinance:

Bill Cleveland, 7607 Salida Road
Paul Morris, 7592 Pinehurst Dr.
Scott Wilhelm, 7572 Salida Road
Warren & Sheila Black, 7563 Salida Road (Mr. Wilhelm spoke for the Black's as they could not attend).
Susan Schlick, 7539 Salida Road
Jeff Shick, 7553 Salida Road
Susan Lenihan, 7359 Salida Road

Bill Cleveland, 7607 Salida Road. Mr. Cleveland had emailed a letter to City Council. To summarize where this has been for the last two years- this has been years of thinking about rezoning and make the City a better place. Mr. Cleveland believes that adding more housing was not in that plan. Mr. Cleveland expressed that due to no plan that is why there is now a Dollar General in the middle of main street MOL. Mr. Cleveland asks to move away from architecture detail and look at the bigger picture. Elaine Crane has the best spot and in the two years of this project the abandoned boats have been on the lot but she has not been cited. Mr. Cleveland thinks that now is not the time for the condos and that the Council can come up with a better plan than putting in more high-density housing.

Paul Morris, 7592 Pinehurst Dr. Mr. Morris sent an email of his speech and questions to the Council. Mr. Morris commended the Sommers group for listening and making changes to the plan however, he does not think that residential is the best for the city at this time. Mr. Morris said that he has a problem with how the whole plan is developed and asked that is this project was so important to the developer why did they not present the whole package at one point. Mr. Morris said that he spoke with a woman that was financially under due to the Sommers group but he was not sure if it was Greg and Rick Sommers involved but it was someone in their family. Mr. Morris also said after Mr. Cleveland that he does not understand why Elaine Crane was not asked to clean up her property. Mr. Morris does not feel this is the best interest for the city and that restaurants would be a need.

Scott Wilhelm, 7573 Salida Road. Mr. Wilhelm said that there are current bids out for a master plan of the city that are due in by March 1, 2024. Without giving consideration to a really hard look at a master plan that address the

entire future of our City, versus voting on a plan tonight. Mr. Wilhelm asked if the Council would delay or turn down the PUD, get the master plan and look at all of the options.

Warren & Sheila Black, 7563 Salida Road. Mr. Wilhelm spoke on behalf of Warren and Sheila Black because they could not attend the meeting. Mr. Wilhelm said that they asked that he specifically interject to the Council that they are against the concept of the PUD.

Susan Schlick, 7539 Salida Road. Ms. Schlick commented that Greg Soltis has taught city planning and development in the last ten years. Ms. Schlick wanted to comment back off of Mr. Wilhelm stating that they do not have a city plan.

Jeff Shick, 7533 Salida Road. Mr. Shick repeated that the council meeting in November vs. the council meeting in January he said that after the election everything had changed, new council members and the lay of the land for developing the city dramatically changed when the Council asked the City if they would like to invest in the Lake. Mr. Shick is still opposed to a PUD overlay on that plot of land, yet and thinks that they need experts to come in to help.

Susan Lenihan, 7359 Salida Road. Ms. Lenihan said that she has submitted a letter to the Council for the record in the past. Ms. Lenihan thinks that we should wait and have faith in the process, see what plan the City can come up with. Ms. Lenihan asks that all constituents are considered instead of one developer, consider all report owners rather than one property owner. Ms. Lenihan wanted Council to think about how on social media, the polls have spoken about how they have been dissatisfied how things have progressed. Dollar General is not what they wanted and the comments once it has opened have been overwhelmingly against that project. Ms. Lenihan said that the mindset that it is just Salida because they have the time to come, that it gets old and is not fair.

Mr. Johnson asked if any members of Council wished to comment on the Ordinance.

Mr. Lyons intervened that the Council wait to comment until they get to the resolution for the PUD. It may or may not affect their vote and Mr. Lyons wanted to give the residents a full chance to comment before the Council locks in on a vote.

The Public Hearing on Ordinance No. 2023-O-25 closed at 7:33 P.M.

READING OF MINUTES:

Regular Meeting – January 23, 2024

Ms. Wong had emailed some amendments.

MOTION MADE BY Ms. Wong, Seconded by Mrs. Moore, for Amendment of the Minutes of the January 23, 2024 Regular Meeting of Council. ROLL CALL: Ayes: Council Member Thompson, Moore, Gray, Bittner, Wong, Lunder, Johnson. Nays: None.

MOTION CARRIED: 7/0

MOTION MADE BY Mrs. Moore, Seconded by Ms. Wong, for Approval of the Amended Minutes of the January 23, 2024 Regular Meeting of Council. ROLL CALL: Ayes: Council Member Thompson, Moore, Gray, Bittner, Wong, Lunder, Johnson. Nays: None.

MOTION CARRIED: 7/0

CORRESPONDENCE:

Mr. Johnson had a letter from Mr. Paul Morris that will be attached. Mr. Johnson read a letter that was emailed to him and will attach to the minutes from Stacey Ryan.

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director - Mr. Eva

Mayor Eva swore in Taylor Conner for Clerk of Council.

Mayor Eva read the Fire Department's report for January 2024.

There was a total of 116 calls for service. The call breakdown was as follows:

38 Fire/Service calls. 78 Rescue/ EMS calls. Of those 78 calls, there were: 15 calls for Invalid assist and 2 calls for an overdose requiring Narcan. Department training for January 2024; EMS drills presented by U.H. Lake Health. The topic was protocol update. Department shift drills for the month of December. E.M.S. – C.P.R. Renewal (Dept. drill). Fire- Personal Protective Equipment. Hands On Job Performance Requirements: Personal Protective Equipment and Self- Contained Breathing Apparatus (SCBA).

Department Activity for January, 2024.

Andersons Pub, Fire System Certification/ Fire Safety Inspection.

6073 Wedgewood Residential Group Home Inspection. Pelicans Mobile Inspection. Chipotle Fire Safety Plan Approval. Lake Elementary Safety Inspection. Dollar General Initial inspection, Dollar General Final Inspection. At the January 9th, 2024 Council Meeting, Mayor Eva swore in Joe Tennyson as the Dept's. newest Full-Time member. Joe replaced Gabe Ananea who left for another Dept.

On January 23, 2024 May Eva was honored to attend the Mentor Schools State of the Schools Address alongside Chief Forsythe and Chief Pechatsko. The school system now has a resource officer in the middle school and the Highschool.

The 2023 Fiscal Year Assistance to Firefighters' Grant application period opened on January 29 2024. We prepared in advance and were able to submit our completed application on January 30, 2024. We are seeking funding to replace our 31-year-old aerial truck.

Congratulations to the Fire Dept. personnel celebrating a service anniversary in January firefighter Heimberger- 30 years and Lt. Brown- 29 years.

May Eva received a Use of Force Analysis on February 3 from the chief of police.

Review of 2023- there were seven incidents that there was use of force which is down from 11 in 2022 and 14 in 2021.

January 25, 2024 May Eva forwarded information regarding a house fire on Salida Road that occurred on December 17. The response time by the fire dept. was questioned and the dispatch report shows the fire department was dispatched at 3:47 P.M. and arrived on scene at 3:52 P.M.

There is an open position on the Charter of Review commission and will be receiving letter of interest in volunteer form until March 1 at 2P.M.

Several residents are interested in the hometown heroes banner and they will be placing the order for the banners on April 1, 2024.

Mayor Eva introduced Tim Lannon and directed any questions to him for Dollar General.

Mayor Eva then said that he would ask Council to approve the PUD resolution and rezoning ordinance tonight stating the Sommers Group has met all requirements for the planning and zoning commission and we are looking

at a 9 million plus investment in the city and will bring temporary jobs along with additional residents. The population in 2013 it was 7,448 and the current estimate for 2024 is 7,046- a 5% decrease in population. Mayor Eva expressed that he would look forward to a master plan but does not see someone coming in and telling the City what to do but instead to help facilitate options.

Mayor Eva believes that the development on the corner of Andrews and Lakeshore will lead to further development throughout the City.

Administrative Director- Ms. Martin will start on 2/19/2024.

Law Director - Mr. Lyons (No report)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Lunder commented to the Mayor's report on the housefire on Salida Road. Mr. Lunder further investigated and found out that the original call was made via cell phone and went to central dispatch, then came to our area and that is when we were assigned the call. Mr. Lunder wanted to state that if you use a cell phone the calls go to central dispatch and will take longer to get to Mentor on the Lake.

Ms. Wong asked if the Mayor could address concerns on the new Dollar General store. Mayor Eva said there were questions about the signage and that was spoken with the developer. Dollar General was issued a temporary occupancy permit, then introduced Tim Lannon. Mr. Lannon from CT Consultants explained the building inspections and draining inspections for the new store which is why they have the current temporary permit. The temporary occupancy permit can be pulled at any time.

Ms. Wong addressed that there was a specific concern that the business was opened before it was completed, the windows were not completed and the concrete aprons were rough and a safety concern.

BOARD/COMMITTEE/COMMISSION REPORTS:

Parks and Recreation Board / January 25, 2024 / Ms. Wong

Ms. Wong read the meeting report for The Parks and Rec Board met on January 25, 2024 at 6:30 pm. In attendance were Board members Moon, Pechatsko, Kozlowski, Stafinski, and Ms. Wong. Mayor Eva and Council President Johnson were also present. Ms. Stafinski was sworn in for a new 3-year term. The Board elected Ms. Pechatsko as Chair and Ms. Moon as Vice-Chair for 2024. The Star Seekers Program has planned a series of events, leading up to the Solar Eclipse on April 8 of this year. The very next event will be held Thursday, February 22 from 6-8 pm at the Mentor on the Lake Branch Library; followed by events on Monday, March 11 and on Saturday, April 6 just prior to the Eclipse date, viewing glasses will be available for handout at some of these events. As announced by Mayor Eva at the last Regular Council Meeting, there is a vacancy on this Board and interested citizens should apply by completing a City Volunteer Form and submitting it with a Letter of Interest for consideration. The Board then brainstormed several ideas for 2024 Events, most of them in a very preliminary fashion. The highlight of the year will likely be the City's Centennial Celebration Event, planned for October. It was agreed upon to consolidate timing of the City-Wide Yard and Trunk Sale events to a single calendar weekend, so that the Yard Sale would be Thursday June 6-Saturday June 8 and the Trunk Sale on Saturday June 8. We will likely host Trunk-or-Treat with Lake Elementary again this year in late October. There were suggestions for promoting the City and its Centennial throughout the entire calendar year, including periodic posting of City history facts; and changing the City's logo to incorporate the 100-year anniversary dates so that this special logo can be used on City documents, T-shirts and other mementos, and possibly added to our City boundary signs. The meeting was adjourned at 7:45 pm

Utility Committee / January 29, 2024 / Mr. Lunder

Mr. Lunder said the Utility Committee met on January 29, 2024 at 6:30 P.M. That was to go over the bid for solid waste. In attendance were council members Mr. Lunder, Mr. Bittner, Mrs. Moore, Mr. Johnson, Mrs. Thompson, Ms. Wong, Mayor Eva, and Jim from the service dept. Also, there were reps from Republic Services, Waste Management and Major Services. There were 5 bids submitted to the City and they went over all of them and it was one bid that had all the criteria in the contract. The committee discussed with all the representatives that were present and let them explain their bids. It was decided to go with our current company that is Republic. This will be on the next council meeting on February 27, 2024. Meeting ended at 7:12 P.M.

Ordinance Committee / January 30, 2024 / Ms. Wong

Ms. Wong reported that the Ordinance Committee met on January 30, 2024 at 6:30 P.M. The purpose was to review chapter 1462 (and its amendments by 2023-O-06) and chapter 1464.04 regarding Fee Schedule for Regular Rental Inspections and Point of Sale Inspections. As well as to consider regulation of Short-Term Rentals (STR) in the City. In attendance were Committee Chairperson Ms. Wong as well as Committee Members Mr. Bittner and Mr. Gray. Council Members Mr. Johnson, Mrs. Thompson and Mr. Lunder. City officials present were Mayor Eva, Jim Turosky and Chuck Snyder from the Service Department.

The rationale for continuing exterior-only Regular Rental Unit Inspections as described in Codified Ordinance 1462 was reviewed and found by this Committee to be sound. Further, the fees as currently posted are indeed commensurate with the degree of work done by the City. Therefore, the Committee's conclusion was that no change is needed in the current Ordinance. If new or different concerns arise once inspections resume this Spring, the matter may be brought up again, with those concerns specifically defined. The Committee found that the rationale for requiring Point Of Sale Inspections remains sound, regardless of whether the property exists under an HOA or other contract governing property upkeep. The fee as laid out in the current Codified Ordinance 1464.04 is indeed commensurate with the degree of work done by the City. Therefore, the Committee's conclusion was that no change is needed in the current Ordinance. If new or different concerns arise, the matter may be brought up again, with those concerns specifically defined. Regulation of Short-Term Rentals (STR) in the City: This matter has been taken up again this year, given increasing numbers of resident complaints and other inquiries regarding our position on Short-Term Rentals, as we currently have no legislation governing this type of activity. During discussion, it was noted that all of the forwarded complaints are enforceable under our current Ordinances. Still, there were none who believed we should continue to allow unrestricted Short-Term Rental operation; all felt that at least some restrictions were in order, and one opinion felt that a total ban should be enacted. Therefore, the Committee will begin examining existing municipal ordinances and develop a "wish list" of restrictions or compliance requirements that we would apply to Short-Term Rentals in our City; further, the Committee will research characteristics of current offerings in the City to discover How tenants being screened and supervised while in residence here. The next meeting of the Ordinance Committee is tentatively scheduled for Monday, February 26 at 6:30 pm, with the date to be confirmed, or rescheduled if necessary, at the next Regular Meeting of Council. This meeting was adjourned at 7:25 pm.

OPEN TO THE PUBLIC TO SPEAK: 8:01 P.M.

Rick Sommers wanted to speak out on the letter that was previously read aloud by Mr. Johnson from another member of the City. Mr. Sommers said that Ryan Sommers did have an issue with another developer, drug issues and is now dead. Mr. Sommers asked that the Council look at any site for any county that they work and they will not find a law suit for failure to deliver or failure to pay their bills. Mr. Sommers said that the personal attack was way out of line and has nothing to do with the Sommers Group. Furthermore, they have the wherewithal to complete the project or they would not be present and would not waste time. Mr. Sommers believed that the improvements will be bonded and the PLAT won't be filed and they cannot sell the lot until all of the store improvements are done and are approved and accepted by the engineer.

Mr. Lyons commented on the above statement of Rick Sommers. Mr. Lyons said that he is familiar with phase developments and that part of the development agreement would protect and that some of the language that he believes is that the developer would agree to install all infrastructure utilities and roadways as part of the first phase. If for some reason this project goes south, there will be one building with how every many units would be on Andrew's, whoever would buy the development would be subject to the restrictions. Mr. Sommers state that the development agreement runs with the property, whoever runs that property is subject to the development agreement, if someone asks to change to rentals, they do not have to grant that. They are confident that these units will sell. Mr. Sommers said that he would not normally get up and he has been personally attacked before but this was way out of line from someone that does not know what they are talking about. He is not Ryan Sommers.

Paul Morris, 7592 Pinehurst Drive. Mr. Morris said that at the last meeting Council discussed about what other potentials were there. Mr. Morris would like the Council to look at all of the options. There was project in the city that CT Consultants fell behind on and that was the storm sewer on Lake Street. From his understanding our service dept. had to fix a lot of problems that Woodford Construction left behind in that project and cost us time and money. Secondly, concerning the PUD; A piece of advice that the Council President gave some time ago- Channel your inner Nancy Reagan and please say no.

Bill Cleveland, 7607 Salida Road. Mr. Cleveland read his letter regarding looking into different engineering firms in place of the current CT Consultants. A copy of his letter was emailed to Council.

Bill Carter, 7523 Salida Road. Mr. Carter said that he is in agreement with Bill Cleveland in regards about CT Consultants. Mr. Carter is concerned that they have been unchallenged for forty years so they are naming their price to the City. The city is always looking for revenue streams and where to get it, it is bothersome that we fight so hard to get every dollar that we can earn and then give it away. Mr. Carter would like to see the Mayor and administration to challenged CT Consultants to get the best deal they can get and would love to see that Council delay a contract without getting the best possible deal that we can get.

Scott Willhelm, 7573 Salida Road. Mr. Willhelm wanted to say that authorizing Roar by the Shore to be held in the City parking lot; Mr. Willhelm had the pleasure to attend the event last year and it is a spectacular event, at the 100-year anniversary of our city we can tap into that and really beef that up at the event and he asks that Council says yes.

Stan Powaski 7589 Salida Road. Mr. Powaski said that the more people that are welcomed into the city to live here, that they take into consideration that any taxes that may generate, the fact is there is a greater burden on the safety forces providing safety and a fairly quick response. The calls by the cell phone go to the Sheriffs Dept. This proves another point that more people in the city means more need for safety forces of police and fire. Restoring buildings and construction need to be protected appropriately. There are only so many safety forces, how are they going to be able to spread them around to give property safety to the community. Build something like this, we need to be able to protect them.

Mr. Lunder made a comment that concern with neutral aide; when there is a house fire we get automatic response from Willoughby and Mentor.

Jason Morris, 5845 Lake Road. Mr. Morris said that the resolution of Roar by the Shore. They are looking at holding it this year on August 31 and the notation said September. They would like to get an amendment for multi-year use as historically they have held it on the Saturday before Labor Day Weekend and do not plan on changing that date. To make it easier on everybody if they can get it multi-year instead of single year so they can avoid constantly coming back and forth.

CLOSED TO THE PUBLIC TO SPEAK: 8:18 P.M.

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2023-R-33 (THIRD READING) (ASSIGNED TO COUNCIL OF THE WHOLE)

A RESOLUTION GRANTING PRELIMINARY APPROVAL TO THE PLANNED UNIT DEVELOPMENT (PUD) THAT IS PROVIDED FOR IN CHAPTER 1255 OF THE CODIFIED RESOLUTIONS FOR THE PROPERTY DESCRIBED AS PERMANENT PARCEL NOS. 19-A-093-B-00-015-0, 19-A-093-B-00-016-0, 19-A-093-B-00-017-0, 19-A-093-B-00-018-0, 19-A-093-B-00-019-0, 19-A-093-B-00-020-0, 19-A-093-B-00-021-0, AND 19-A-093-B-00-075-0

Mr. Johnson asked for discussion. Ms. Wong began saying that she spent a lot of time going over everything; the plan, development agreement, participated in the planning and zoning discussion and written comments herself.

Ms. Wong said that she is appreciative of the commitment that Sommers Group has placed in their project and listening to the public in terms of design, that is more of the process that is actually required. Ms. Wong acknowledges that they don't dictate what a property owner does with their property but zoning does; we can't do something on property that it is not zoned for. Ms. Wong said that she believes in the comprehensive plan and understands it may not be written for us but with guidance this significant investment will come. She does not think that saying we will not apply the PUD tonight that the investment will not come, it will but should come as part of a plan even if that plan is with guidance and not written for us. While that is Ms. Wong's thought she feels in the end that she has to understand and listen to what residents in the City are saying and has had communication from residents, including those that do not live on Salida Road, to be clear. No one has said that they are in favor of applying the PUD to this property at this time. Many have stated that they wish for a postpone or delay or a recondensation at a later time, this is not a vote of no confidence in the Sommers project for these parcels at this time. It is that we may want to see with professional guidance what our City plan is so that we don't make zoning changes in a vacuum. If it turns out that the most appropriate use of this property within a greater plan is to rezone at residential and proceed with building something like this that would be considered at that date with zoning changes within plan.

Mr. Gray said that outside looking in and being on the other side of the room in this process. Our hopes and dreams should not be defined by 30 units as it is defined now by a picture. The zoning was commercial for a reason. In the end, if this does pass tonight, 30 residential units will not make or break this city. Historically from the Lake County Auditor going over an analysis for council, traditionally Mentor on the Lake is 3% delinquent in taxes. Currently the owner of this property is delinquent on her property taxes. 3% of our whole city is delinquent, we should not reward a resident delinquent service that are rendered to us via property taxes. Better use would be commercial application to facilitate the community to have growth externally vs internally. Mentor on the Lake is in a rough spot, but 30 houses won't make or break. Currently there are 3 on the docket, 4 foreclosures, 10 in pre-foreclosure and traditionally 3% are delinquent. Not to mention in Ward 1 there are 4/5 houses currently under construction so mathematically 90 homes are delinquency currently. Roughly 5-10 homes on Ward 2 are in the process of being foreclosed or in the process of being property owner LLC, flipper or another rental. Mr. Gray thinks that the city can handle the situation better financially if they do their jobs, same with aesthetics. The corner, even if it was not developed could be a parking lot for events for future city growth, with the residents' owner permission. AMVETS had an event recently in the city and post to social media said please park at mentor beach park. That will be a problem going forward if it is known to use that park as a parking lot. Currently as described in the plan there are no overflow parking, people will park at the park. Mr. Gray said he understands the developer is doing what they can with the size of that acreage to meet the confides of the PUD. In the long term, long run he thinks the zoning should stay as is commercial.

Mrs. Moore said that they have seen the community tonight frequently and have listened to the opinions over the last two years. Mrs. Moore has also heard that there are residents that are favor or really don't have an opinion if this gets rezoned or is residential. Residents have told her that they do not come to the meetings because they feel

they are not heard when they have differences of opinion, those residents deserve to be heard. Mrs. Moore says she has lived in city for a long time and remembers when there was a proposal for a Taco Bell at the corner of Primrose and Andrews road was voted down by 3 residences because they did not want a resident or commercial property built behind their homes. The residents that live in the neighborhood are saying that they don't want a restaurant built there, they don't want to have to smell it in the summer time, the traffic and would rather see a home than a business. There has been talk about business on the bottom and condos on the top. Mrs. Moore said that she heard from the public that they do not want any rentals. They are trying to balance everyone's wishes. Mrs. Moore was told that if she supported this project that means she is getting bribed from the Sommers Group. Mrs. Moore said that she was elected to office and took that oath to office that she will listen to all of the residents in the city. Having someone tell her that if she supports the project that she is getting a bribe is very, very offensive and she is not getting bribed by anyone. She is hearing that people do not want rentals, restaurants or high traffic. 30 condos with 2 cars a unit puts about 60 cars and if there was a business there they would deal with 2-3 times that amount of traffic. They will not please everybody or make everyone happy and tonight when she casts her vote she is doing so on what she is hearing from the majority of the residents that have spoken to her saying they do not feel like they have been heard.

Mrs. Thompson said that this Fall when she was collecting signatures in her Ward 4 she was asking residents what their thoughts were on having the project built on the corner. All of the residents were in favor or did not care one way or another. She has not been contacted via social media about concerns they may have. During one of the meetings a resident on Salida Road had state that the residents of Salida have put a lot of their hard-earned money into their homes and we should not have to worry about another project like this on our corner. Mrs. Thompson said that a lot of us residents in the community he put a lot of their hard-earned moment into their homes as well. Talking about a project or master plan for the City that she is all for but they cannot tell a homeowner that the master plan says that they need to make that a parking lot. She does not feel that City Council should tell anyone how to act with their property.

Mr. Johnson said that he heard over the last few months and years that they don't like how the corner looks and he agrees, no one likes how that corner looks. Anything would be an improvement than what is there now. Mr. Johnson said that he plans to outlive the current owner of the property so he can wait around. Sooner or later there will be something different and it does not what to be this just because it is better than what is there now. It is the way it looks because the property owner herself allowed it to look that way. Mr. Johnson said as a judge she should be able to write a contract to keep this from happening and she is responsible- not the City. Is it the plan to let the property look like crap and we will let you do what you want with it. The Mayor said that we should not tell people what to do with their property. This is a zoning code so they can tell people what to do with their property. Mr. Johnson said that he hears that we need more housing because the population is declining and that the population is old and declining because people are growing up and dying. Mr. Johnson does not think they need more housing. The problem is the population is aging and that hasn't changed. Hearing that no one has been interested in the property and that is a lie because the owner herself said that she has had ten different offers for that property without ever having listed it for sale. She chose this offer because it fit with her vision for the property. Could it be something other than townhouse, absolutely. Changing the zoning for someone that has not been the good neighbor that she claims to be is wrong in so many ways. What are the guardrails within out city to keep the business district from becoming housing. Mr. Johnson hears that no one wants more traffic. We should not be saying we should change our business district because of too much traffic and we should be encouraging businesses. Mayor Eva said that there are more people working from home and Mr. Johnson said that is not the case and if you are working from home and looking for a new home he is not convinced that someone would move to Mentor on the Lake. Mr. Johnson ended saying his answer is no.

MOTION MADE BY MRS. MOORE, Seconded by Mr. Lunder, for passage to the Planned Unit Development (PUD). **ROLL CALL:** Ayes: Council Member Thompson, Moore, Bittner, Lunder. Nays: Council Member Gray, Wong, Johnson.

MOTION CARRIED: 4/3

RESOLUTION NO. 2024-R-03 (SECOND READING)

A RESOLUTION CONFIRMING THE APPOINTMENT OF CT CONSULTANTS, INC. AS CITY ENGINEER, AFFIRMING THEIR CONTRACT, ESTABLISHING THEIR COMPENSATION, AND DECLARING AN EMERGENCY

Mrs. Moore asked Tim Lannon to talk about the services that CT provides to the City as part of their contract. Mr. Lannon said that it starts with a modest retainer at \$550 a month and they get the master planning. CT Consultants has six funding specials that they provide assistance to the City at no charge for \$500 a month; things such as storm sewer projects and road projects. Master planning falls into the category that when he is asked for a cost estimate, he does not call the contractor he would ask what was in the plan and what would it take to add landscape architect to that feature, he would project ahead and give a safe number so that they would not be left hanging to find the money for the projects. Mr. Lannon said that with the Mayor looking for funding, CT would provide that service and plan ahead. Mr. Lannon says that they assist with building inspections and so forth and he is the city engineer of Willoughby and that would be a benefit. Mr. Lannon was involved in the master storm sewer plan and working on Southland Road. Mr. Lannon said that he thinks they are the best in the state for finding funding and he is very proud of that.

Mayor Eva says that he can attest to what CT did for Southland; they worked very closely over the last year to get the best deal.

Mr. Lyons asked for CT Consultants gets paid on a road project, whether it is a percentage or is it just based on the time put in. Mr. Lannon said that it is strictly hourly for inspection services and Mentor is generous in those plans for them. They do part time inspections that are typically less than \$10,000 a year. Mr. Lyons then wanted to talk about Lake Street and the storm sewer project that was designed by CT Consultants. Mr. Lyons then asked if they got paid by a percentage or hourly bases. Mr. Lannon said that was a combination of percent fees and hourly for inspection. Mr. Lyons asked if the percent fee is at the standard if CT controls the percentage and verified that CT Consultants provides the day to day for City engineer. Mr. Lyons then asked if there was a storm sewer project- does this have to be done by CT or can Council go out to try and get bids for an engineering company.

Mrs. Moore said that the charter requires them to have a city engineer and city auditor. Being a month and a half into the year the proposal process takes time, and they have a road project coming up, the road program starting in a month depending on the weather. If the city is questioning if they are getting a bang for their buck, they owe it to the residents to check into that. If they are going to do an RFP process for the city engineer, the council should talk about what they need to do to have the engineer in place for the projects this year. Mrs. Moore said if they are going to look at one, they should look at all three of the positions.

Mr. Lunder said that he agrees with Mrs. Moore and having the projects marked for this year they should continue and look at the end of the year going into bids like they did with the solid waste, start early enough so they can get it done.

Ms. Wong said if there is enough interest looking into bids, this is not necessarily a vote of no confidence in CT Consultants or the Mayor's ability to negotiate a good contract. This is more of a gut check to see if we are remaining competitive in the search for contracts. We may end up back with a contract with CT Consultants. If that process were to begin now, and this is currently on second reading if they were to suspend for a third reading would there be enough time to settle the city engineer question before they move too far into the year.

Mrs. Moore thinks that they do not have confidence the RFP would move along in a speedy time. Mr. Lyons said that they can borrow the RFP from Kirtland. If they are going to do it for Mr. Lannon they should do it for Mr. Lyons too and he suggests they get an RFP for him too.

Mayor Eva said that he would be more than happy to hit September and October to go out and bid all three if that is what Council decides that they have talked about this in the charter review. Ms. Wong said her specific question is whether altering the process for this year would produce an unrecoverable delay. Mayor Eva said that a couple years ago they revised the contract that reduced the price of the contract. Ms. Wong said that the current contract for 2024 is a monthly status report and this did not increase the price.

Mr. Johnson said this would go one to a Third Reading.

RESOLUTION NO. 2024-R-06

A RESOLUTION AUTHORIZING THE ROAR BY THE SHORE COMMITTEE TO USE THE CITY HALL PARKING LOT AND ADJACENT LAND FOR THE ROAR BY THE SHORE EVENT IN SEPTEMBER OF 2024

Mr. Johnson said that there was a request to change the date. Mayor Eva said that he imagines the new August date would be the Saturday before Labor Day. Mr. Johnson said that he two requests are to make the date the Saturday before Labor Day and to extend it beyond just this year. Mayor Eva said that he is OK with going year by year because they never know what may come up. Mayor Eva said that he knows part of the question is to close part of Andrews Road that day and that is something that is not in this particular resolution.

Ms. Wong asked if there were other expenses that the City would need to pick up for allowing this event besides closing Andrews Road. Mayor Eva said that the committee agrees to clean the property afterwards and the reason this went to Council is that his concern is that collecting money on city property with it not being a city sponsored event. Mayor Eva said that he spoke with Ted Massey from AMVETS Post 109 and asked why don't they have the veterans involved so that if people want to donate they can donate to the Fisher House or the AMVETS Post 109 and the response that he got was that it would be an inconvenience to move. Mayor Eva said that his concern is that if they allow one charity to collect money they may be approached for other charities wanting to do the same. Mayor Eva does think that council should decide.

Mrs. Thompson asked when the baseball season ends and Mayor Eva said that they end mid-July. Mrs. Moore said that if she heard correctly they are wanting to amend the event to say the Saturday before Labor Day weekend. Mr. Morris said that if they are considering multi-year then yes it would state the Saturday before Labor Day but if it is for this year only it would be August 31.

Ms. Wong said that she would consider the multi-year but on a term so they can reevaluate.

Mr. Lunder said that that there are too many open ends and he is against shutting down Andrews Road and how would they police collecting money. Mr. Lyons said that they can make a term that they cannot collect money, they are in essence they are using/renting the parking lot. It is not a city event and they are allowed to use for legit legal purposes like when they are allowing the rent of the council room. Mr. Lunder asked if they are using the Fisher House as a 5013C if they should get their own and what about insurance. There is a special event permit that they gave to Roar By The Shore and liability insurance is in that permit. Mayor Eva said that when they get that back they will have the police and fire chief take a look to see if they need more staff and that they can get in and out OK. Mr. Lyons said that the City cannot legally pick and choose the charities they allow.

Mr. Johnson asked if there was a motion and Ms. Wong said that she moves that the resolution be amended to allow the Roar By The Shore committee to use the City Hall parking lot and adjacent land for the Roar By The Shore Event on the Saturday of Labor Day weekend during the years 2024, 2025 and 2026.

MOTION MADE BY MS. Wong, Seconded by Mrs. Moore, for the amendment to allow the Roar By The Shore committee to use the City Hall parking lot and adjacent land for the Roar By The Shore Event on the Saturday of Labor Day weekend during the years 2024, 2025 and 2026. ROLL CALL: Ayes: Council Member Thompson, Moore, Gray, Bittner, Wong, Lunder, Johnson. Ayes: 6 Nays: 1

MOTION CARRIED: 6/1

Mrs. Moore wants to go over the amended resolution before moving forward. Mr. Johnson said that this would go on a second reading. Mayor Eva said that he has not yet gotten back the special permit from the group.

ORDINANCE NO. 2023-O-25 (THIRD READING) (REFERRED TO PLANNING AND ZONING)

AN ORDINANCE REZONING PERMANENT PARCEL NOS. 19-A-093-B-00-015-0, 19-A-093-B-00-016-0, 19-A-093-B-00-017-0, 19-A-093-B-00-018-0, 19-A-093-B-00-019-0, 19-A-093-B-00-020-0, 19-A-093-B-00-021-0, AND 19-A-093-B-00-075-0 FROM BUSINESS DISTRICT I AND/OR SINGLE-FAMILY DISTRICT E TO THE ZONING CLASSIFICATION OF A PLANNED UNIT DEVELOPMENT (PUD) THAT IS PROVIDED FOR IN CHAPTER 1255 OF THE CODIFIED ORDINANCES

MOTION MADE BY MRS. MOORE, Seconded by Mr. Lunder, for passage to the Planned Unit Development (PUD). ROLL CALL: Ayes: Council Member Thompson, Moore, Bittner, Lunder. Nays: Council Member Gray, Wong, Johnson.

MOTION CARRIED: 4/3

OLD BUSINESS: (None)

NEW BUSINESS:

Mr. Johnson read that they received from the Ohio Division of Liquor Control on DDA Lakeshore Smoke and asked if the administration wanted to speak on it. Mr. Johnson said that it is a new permit and Mr. Lyons asked when it was due by which was the 20th. Mr. Lyons asked if this was just for beer and wine. Mr. Lyons said that unless there was an objection to the operation they would need to be specific of their objections and to would have to go to Columbus. Mr. Lyons said that there is a one-time only 30-day extension and maybe they can table this and ask the police department to look into it. Mayor Eva asked where this came though and it was to the Clerk of Council. Mayor Eva then said to move forward with the 30-day extension.

OPEN TO THE PUBLIC TO SPEAK: 9:17 P.M.

Dave Wroblewski, 5470 Woodside Road. Mr. Wroblewski wanted to end with a positive comment stating that they opened with the pledge and that the Mayor and Council did their jobs to go through some very tough issues, voiced their opinions well and took a vote. Mr. Wroblewski said to not consider this a win/loss, please consider that they worked together to come to a decision and he recognized the passions both sides of the fence and that they worked hard to work close.

CLOSED TO THE PUBLIC TO SPEAK: 9:18 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Council of the Whole
Ordinance Committee Meeting
Zoning Committee
Parks and Recreational Meeting

Tuesday, February 20, 2024 at 6:00 P.M.
Monday, February 26, 2024 at 6:30 P.M.
Wednesday, February 28, 2024 at 6:30 P.M.
Thursday, February 29, 2024 at 6:30 P.M.

Regular Agenda Meeting
Regular Meeting of Council

Thursday, February 22, 2024, at 6:00 P.M.
Tuesday, February 27, 2024, at 7:00 P.M.

ADJOURNMENT:


MOTION MADE BY MS. WONG, Seconded by Mr. Bittner, for Adjournment. ROLL CALL: Ayes: Council Member Thompson, Moore, Gray, Bittner, Wong, Lunder, Johnson. Nays: None
MOTION CARRIED: 7/0

The Regular Meeting of Council adjourned at 9:22 P.M.

APPROVED:

3-7-2024

Date



ROBERT JOHNSON
President of Council

Attest: 

Clerk of Council