

## Voter Information about Mentor-on-the-Lake Charter Amendments

Dear Mentor-on-the-Lake Voters:

Mentor-on-the-Lake is a Charter City, meaning that it utilizes an organizing set of Articles (like a Constitution) as a foundation for how the City operates. This is different from the Ordinances (laws), which are enacted by our municipal legislature (City Council) to govern day-to-day operations and regulate activity within the City. Our Charter, last reviewed in 2014, requires review every 10 years by a citizen-composed Charter Review Commission, selected specifically for this purpose. This year, a group of 9 appointed Citizens met monthly from January to July to review the entire Charter document. Updates and changes to Articles were decided upon by this Commission, however the changes must be put before voters for approval. There are 8 Charter Amendments on the November ballot this year, and each one must receive a majority “yes” vote in order to take effect.

These changes represent many hours of discussion and debate regarding what this group felt would be best for our City during the next 10 years. The informed voter is encouraged to review the proposed changes before heading to the polls.

Earle Kurrass  
Chair, 2024 MOL Charter Review Commission

Our current Charter language is always available for review online. Visit <https://citymol.org/>; scroll down and click on the Ordinance Library icon in the lower right corner. This will take you to the American Legal Publishing site where the MOL Charter and Ordinances are housed for reference. From the menu on the left screen, click on CHARTER to open it. You will then be able to scroll through all 12 Articles of our Charter.

**Issue 2: Proposed Charter Amendment #1**

**Mentor-on-the-Lake City**

Shall Article VI, Section 6.04, Engineer and Law Director be amended in order to align the contracts of the Engineer and Law Director with the election of the Mayor and to establish enhanced qualifications for these positions?

If passed, the Charter language would change to strike/add language as below --

**SECTION 6.04 ENGINEER AND LAW DIRECTOR.**

The Charter hereby establishes an office of Engineer and office of Law Director, appointed by the Mayor **within the first 12 months of the start of the Mayor's current term of office annually** with the approval of the majority of Council. They shall serve on a contract basis **as negotiated, extending no longer than one year past the Mayor's current term of office.** Each shall provide the Municipality with his or her respective services as the Mayor and Council shall direct.

The Law Director shall be a practicing attorney who is duly licensed by and in good standing with the Ohio Supreme Court. **A summary of qualifications shall be presented, with the Mayor's recommendation, to the Council at the time of contractual review.**

The Engineer shall be a registered civil engineer. **As part of the contract review, the Mayor shall conduct a comprehensive evaluation with minimum qualification criteria in compliance with Ohio's Qualifications-Based Selection Law for Professional Engineers, Architects & Surveyors (Ohio Revised Code §153.65-.73) This evaluation shall be presented, with Mayor's recommendation, to Council at the time of contractual review.**

**Issue 3: Proposed Charter Amendment #2**  
**Mentor-on-the-Lake City**

Shall Article VI, Sections 6.02 (Administrative Director) and 6.03 (Fiscal Officer) of the City of Mentor on the Lake Charter, Ohio be amended so that the Administrative Director is not required to be the Fiscal Officer and creating the official City position of Fiscal Officer?

If passed, the Charter language would change to strike/add language as below --

**SECTION 6.02 ADMINISTRATIVE DIRECTOR.**

There is hereby created the office of Administrative Director:

- A. Such administrator shall be appointed by the Mayor subject to confirmation by the majority of Council; provided, however, that if the Council fails to confirm or reject such appointment within thirty (30) days after it is submitted, such appointment shall become final.
- B. The Administrative Director shall be possessed of financial and administrative qualifications.
- C. ~~He or she shall serve as Fiscal Officer.~~
- D. He or she shall serve at the pleasure of the Mayor.
- E. He or she shall, under the supervision and control of the Mayor, be charged with general supervision of the administration of the affairs of the Municipality and of the departments herein created, except the Safety Department.
- F. He or she shall serve as administrator of all departments except the Safety Department.
- G. He or she shall perform such other duties as may be required of him or her by the Mayor or by ordinance.
- H. He or she shall be the purchasing agent for the Municipality.
- I. Upon re-election of the Mayor his or her appointment is again subject to confirmation by a majority of the members of Council.

**SECTION 6.03 FISCAL OFFICER.**

~~The Administrative Director as a Fiscal Officer shall:~~ ~~There is hereby created the office of the Fiscal Officer. This office maybe combined with the Administrative Director at the discretion of the Mayor, with approval by Council.~~

- A. Keep the financial accounts of the Municipality, including taxes and assessments, monies due to, and all receipts and disbursements by the Municipality.
- B. Be the custodian of all monies of the Municipality and shall perform the functions of the Treasurer of the Municipality.
- C. Assist the Mayor and Council in the preparation of estimates, budgets and appropriations and shall keep the Mayor and Council informed as to the financial condition of the Municipality from time to time as Council may request.
- D. Examine all payrolls, bills and other claims against the Municipality and shall issue no warrant unless he or she shall find that the claim is in proper form, correctly computed, duly approved and that it is due and payable and that an appropriation has been made therefor.

### Issue 4: Proposed Charter Amendment #3

#### Mentor-on-the-Lake City

Shall Article IV, Section 4.01, Composition and Terms of Council of the City of Mentor on the Lake, Ohio Charter be amended so that the three At Large Candidates for Council with the greatest number of votes are elected to the three At Large Council positions that all begin on January 1?

If passed, the Charter language would change to strike/add language as below –

### **ARTICLE IV COUNCIL**

#### **SECTION 4.01 COMPOSITION AND TERMS.**

Seven (7) Council members are to be elected. Three (3) Council members are to be elected at large. Four (4) Council Members shall be elected from wards, one from each ward. The Ward Council Members must be a resident of the Ward on the date they file their petitions for election with the Board of Elections and he or she must also meet the qualifications of Section 4.02 of the Charter. The present Council shall, within 45 days after adoption of this Charter provision, divide the municipality into four (4) wards having as near as practical, equal population, and thereafter the then existing Council shall have the power to change the boundaries of the wards by ordinance every four (4) years thereafter and upon the annexation of any territory, shall have the power to place said district or any part thereof in any existing ward or wards as will most efficiently keep said wards of equal population.

Ward council members shall serve for a term of four (4) years beginning on the first day of January next following their election. The initial term of office of the ward council members shall commence on January 1, 2016 and every four (4) years thereafter. At large members of Council shall also serve for a term of four (4) years. **Starting with the November 2025 general election, the three (3) At large candidates with the greatest number of votes are elected to a term commencing on the first day of January 2026.** ~~In November 2025 17, and quadrennially thereafter, the at-large councilpersons shall be elected so as to provide that the term of one three councilpersons at large will commence on the first day of January, 2026 18 and quadrennially thereafter; the term of one councilperson at large shall commence on the second day of January, 2018, and quadrennially thereafter; and the term of one councilperson at large shall commence on the third day of January, 2018, and quadrennially thereafter.~~

**Issue 5: Proposed Charter Amendment #4**

**Mentor-on-the-Lake City**

Shall Article III, Section 3.06, Vacancy in the Office of the Mayor be amended in order to specify the process for appointing a successor to the Mayor if the Office of the Mayor becomes vacant and providing that the Council President shall become Mayor for the remainder of the term and if the President of Council declines the position then to have the Vice-President of Council become the Mayor and further succession provisions if both the President or Vice-President of Council decline to serve as the Mayor?

If passed, the Charter language would change to strike/add language as below –

**SECTION 3.06 VACANCY.**

~~When a vacancy shall occur in the office of the Mayor, the President of Council shall serve as Mayor until the next Municipal election, providing the vacancy does not occur subsequent to one hundred days before said election. In that event, he or she shall serve the full unexpired term. In this event, the President of Council shall relinquish his or her duties as a councilman.~~

~~(Amended 11-7-73; 11-6-84)~~

- A. When a vacancy occurs in the office of the Mayor (by death, disqualification, removal, or action of Council per sections 3.03 ) the President of Council shall serve as Mayor until the next general election. The successful Mayoral candidate will then fill the remainder of the unexpired term.
- B. The President of Council shall relinquish his or her duties as a councilperson during the time they are serving as Mayor. The Vice- President of Council shall serve as President of Council for the remainder of the 1-year term as outlined in Charter Article IV, Section 4.09. The remaining Council vacancy shall be filled according to Charter Article IV, Section 4.03.
- C. If the President of Council declines to serve as Mayor, the Vice President of Council shall serve as Mayor. If the Vice President of Council declines to serve as Mayor, the President of Council shall perform the duties of Mayor until a qualified elector is appointed by Council to serve as Mayor until next general election to fill the unexpired term. The appointment must be made within thirty (30) days of the date in which the vacancy in the Mayor's office occurs. If Council does not appoint a Mayor within the thirty (30) day period, the President of Council shall appoint a qualified elector to serve as Mayor until the next general election to fill the unexpired term.

## Issue 6: Proposed Charter Amendment #5

### Mentor-on-the-Lake City

Shall Article III, Section 3.05, Duties and Powers of the Mayor of the City of Mentor on the Lake, Ohio be amended in order to add an additional duty regarding the City budget process and to use the best capacity of the Mayor and Council to implement the goals of a City Comprehensive Plan?

If passed, the Charter language would change to strike/add language as below –

#### SECTION 3.05 DUTIES AND POWERS.

- A. Executive Powers. The Mayor shall be the chief executive office of the Municipality and:
1. He or she shall supervise the administration of the Municipality's affairs;
  2. He or she shall exercise control over all departments and divisions thereof, except Council;
  3. He or she shall be the chief conservator of the peace within the Municipality and shall cause all laws and ordinances to be enforced therein;
  4. He or she shall see that all terms and conditions imposed in favor of the Municipality or its inhabitants in any franchise or contract to which the Municipality is a party are faithfully kept and performed;
  5. He or she shall recommend to Council such measures as he or she deems necessary or expedient for the welfare of the Municipality and shall keep Council advised on the condition and future of the Municipality;
  6. He or she shall act as the official and ceremonial head of the Municipal government;
  7. He or she shall, together with the Administrative Director, execute on behalf of the Municipality all contracts, conveyances, evidences of indebtedness and all other instruments to which the Municipality is a party;
  8. He or she shall have custody of the seal of the Municipality and may affix it to all of the aforesaid documents, but the absence of the seal shall not affect the validity of any such instrument; and
  9. He or she shall perform such other duties as are conferred or required by this Charter, or by any ordinance or resolution of the Council or by the laws of the State of Ohio.
  10. The Mayor shall serve as Safety Director, but not Administrative Director.
  11. Subject to the provisions of this Charter and the provisions of the Civil Service regulations, the Mayor shall have the power to appoint, promote, discipline, transfer, reduce or remove any officer or employee of the Municipality except those required by this Charter to be elected and those whose terms of office may be fixed by this Charter. The Mayor shall advise Council and the Civil Service Commission of reasons for dismissal, demotion or transfer.
  12. Annual Appropriations. In order to certify the budget of the Municipality to the County Appropriations Commission or similar officials, the Mayor shall submit to the Council an annual budget covering the estimated needs of the Municipality for the next fiscal year which shall be compiled from information which shall be furnished by each office, department, agency and commission such form and detail and at such time as the Mayor shall require. This budget shall be submitted with sufficient time to allow for discussion, review, and approval, per ORC 73117.  
Such annual budget shall set forth specifically such items as may be required by general law or by ordinance of Council and the Council shall thereupon adopt such budget by ordinance, with or without amendment, and submit same to the County Budget Commission or similar officials. The Mayor and Council shall in their best capacity implement the goals of the City Comprehensive Plan, as available, when entering such contracts. ~~(Amended 11-7-73; 11-6-84)~~
- B. Judicial Powers. The Mayor shall have all powers granted by Charter, ordinances and laws of the State of Ohio.
- C. Legislative Powers. The Mayor shall attend Council meetings of record, but shall have no vote therein. He or she shall have the right to recommend legislation. He or she may take part in the discussion of all matters coming before Council at that time.
- D. Veto Powers. Every ordinance or resolution adopted by Council shall be signed by the President of Council or other presiding officer, attested by the Clerk of Council and presented promptly to the Mayor. If the Mayor approves such ordinance or resolution he or she shall sign and return it to the Clerk of Council within ten (10) days after its adoption by Council, but if he or she does not approve it, he or she shall return it to Council within said ten (10) days with his or her written objections by delivery to the Clerk of Council, which objections shall be entered in full on the journal of the Council. If the Mayor does not sign or so return an ordinance or resolution within said ten (10) day period, it shall take effect in the same manner as if he or she had signed it. The Mayor may approve or disapprove the whole or any item of an ordinance or resolution appropriating money, but otherwise his or her approval or disapproval shall be addressed to the entire ordinance or resolution. When the Mayor has disapproved an ordinance or resolution or a part or item thereof as herein provided, the Council shall, not later than its next regular meeting, proceed to reconsider it and if upon reconsideration the ordinance or resolution or part or item thereof disapproved by the Mayor be approved by the affirmative vote of five (5) of the members of Council, it shall then take effect without the signature of the Mayor in the same manner as if he or she had signed it. In all such cases, the vote shall be taken by yeas and nays and entered upon the journal.

**Issue 7: Proposed Charter Amendment #6**

**Mentor-on-the-Lake City**

Shall Article VII, Section 7.04(A), Parks and Recreation Board be amended in order to describe that this Board only provides oversight and coordination of activities for recreational and cultural activities in the City?

If passed, the Charter language would change to strike/add language as below –

**SECTION 7.04 PARKS AND RECREATION BOARD.**

- A. There is created a Parks and Recreation Board to represent the cultural and recreational interests of the citizens of MOL by providing planning and oversight of ~~prepare, equip, operate and maintain recreation~~ recreational facilities, cultural activities, and as the Council may deem necessary.
- B. The Board shall be composed of six (6) citizen members and one (1) Council member. Citizen members shall be appointed by the Mayor and confirmed by a majority of Council, and they will serve three (3) year terms. The Council member will be appointed by Council.

**Issue 8: Proposed Charter Amendment #7**

**Mentor-on-the-Lake City**

Shall Article III, Section 3.04, Absence or Disability/Acting Mayor of the City of Mentor on the Lake, Ohio Charter be amended so that the President of Council becomes the Acting Mayor after seven days and that the Office of the Mayor may become vacant after 12 weeks if the Mayor is unable to perform the duties of the Office of the Mayor?

If passed, the Charter language would change to strike/add language as below –

**SECTION 3.04 ABSENCE OR DISABILITY. ACTING MAYOR**

~~When the Mayor is absent from the Municipality or for any reason is unable to perform his or her duties as Mayor, the Administrative Director shall become Acting Mayor for a period of seventy-two (72) hours. The Administrative Director within twenty-four (24) hours shall notify the President of Council that he or she is Acting Mayor and that if the Mayor is unable to return within the seventy-two (72) hours that the President of Council is to become Acting Mayor for the remainder of the Mayor's absence and shall exercise all of the powers of Mayor but shall cease to be President of Council while acting as Mayor. In the event the President of Council is absent from the Municipality, or for any reason is unable to perform his or her duties as Acting Mayor, the Vice President of Council shall become the Acting Mayor, and while so acting shall have all the powers and duties of the Mayor, and he or she shall thereby cease to be Vice President of Council.~~

~~(Amended 11-7-73; 11-6-84)~~

When the Mayor is unable to perform his or her duties for any cause, the Administrative Director shall become Acting Mayor for a period of seven (7) days. The Administrative Director within twenty-four (24) hours shall notify the President of Council that he or she is Acting Mayor and that if the Mayor is unable to perform his or her duties within the next seven (7) days that the President of Council is to become Acting Mayor until the Mayor is able to return to duty and shall exercise all of the powers of Mayor but shall cease to be President of Council while acting as Mayor.

In the event the President of Council for any reason is unable to perform his or her duties as Acting Mayor, the Vice President of Council shall become the Acting Mayor, and while so acting shall have all the powers and duties of the Mayor, and he or she shall thereby cease to be Vice President of Council.

Any and all appointments made by an acting Mayor are subject to confirmation by the Mayor upon resuming duties of the Mayoral office.

When the Mayor is unable to perform his or her duties for a period of at least twelve (12) weeks, the Council may declare the office of the Mayor vacant. Such vacancy shall be filled as provided by in section 3.06.



**Issue 9: Proposed Charter Amendment #8**

**Mentor-on-the-Lake City**

Shall Article VII, Section 7.07(C) Civil Service Commission of the City of Mentor on the Lake Charter, Ohio be amended so that the position of Part-time Fire fighter is deleted from the Classified Civil Service Designation and instead make that position an Unclassified Civil Service position that does not require a Civil Service Test for the purpose of hiring a person to fill the position of a Part-time Firefighter?

If passed, the Charter language would change to strike/add language as below –

**SECTION 7.07 CIVIL SERVICE COMMISSION.**

A. Membership. The Civil Service Commission shall consist of three (3) electors of the Municipality, not holding other Municipal office or employment, to be appointed by the Mayor, with the concurrence of a majority of the members of Council for terms of three (3) years each, except that of the three members of the Commission appointed for the term beginning January 1, 1970, one shall be appointed for a term of one (1) year, one for a term of two (2) years and one for a term of three (3) years. A vacancy occurring during the term of any member of the Civil Service Commission shall be filled for the unexpired term in the manner authorized for an original appointment. The appointment of the members of this Commission pursuant to this section, shall be made on a non-political or non-partisan basis. (Amended 11-2-04)

B. Officers. The Commission shall elect its own officers, and adopt its own rules and regulations for procedure.

C. Classification of Service. The Civil Service of the Municipality is hereby divided into unclassified and classified service. The unclassified service shall include:

1. All officers elected by the people;
2. Any member of a board or commission or any head of a department, subdepartment or division thereof, other than the Police and Fire Departments;
3. One secretary to the Mayor and one secretary to each head, superintendent and foreman of any department, subdepartment or division, or his or her assistant;
4. Any deputy of an elected or appointed officer who holds a fiduciary relationship to his or her principal;
5. Any office or position requiring peculiar or exceptional qualifications;
6. Part-time members of the Police and Fire Department;
7. Plumbing, heating, building, electrical, health and sanitary or sewer inspectors;
8. Provisional employees whose employment without extension by the Commission shall not exceed one hundred/twenty (120) days;
9. Unskilled labor.

The classified service shall include:

1. All full-time and part-time members, including officers, of the Fire Department except the office of the Fire Chief. All full-time members of the Police Department, including officers, except the office of the Police Chief;

2. Employees of any utility operated by the Municipality requiring an operator's license except a chauffeur's license in the performance of their duties.

Except as herein provided the Civil Service Commission shall determine the practicability of classification and competitive examination for any nonelective office or job in the service of the Municipality. ~~The Civil Service Commission may determine that no competitive exam is required for the initial appointment of a part-time firefighter. No part-time firefighter shall be eligible to take the full-time civil service test or be eligible for a promotion in the part-time ranks unless a part-time firefighter has passed a competitive civil service exam and has then been hired off of a civil service list as a part-time firefighter.~~

Any person in the classified service, who is serving the Municipality on the effective date of this Charter, may be retained in the same or similar position without examination.

ORDINANCE NO. 2024-O-07

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE VI, SECTION 6.04, OF THE MUNICIPAL CHARTER, 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, that the Council of Mentor-on-the-Lake hereby submits to the Lake County Board of Elections and to the voters of the City of Mentor-on-the-Lake the following individual and separate proposed Charter Amendments as follows:

Section 1. Council hereby authorizes and directs that the following proposal to amend Article VI, Section 6.04, of the Charter of the City of Mentor on the Lake, Ohio, be submitted to the electors of the City on Tuesday, November 5, 2024 and the proposed Charter provision with the additional language highlighted in **bold type** reads as follows:

**SECTION 6.04 ENGINEER AND LAW DIRECTOR.**

The Charter hereby establishes an office of Engineer and office of Law Director, appointed by the Mayor **within the first 12 months of the start of the Mayor's current term of office** annually with the approval of the majority of Council. They shall serve on a contract basis **as negotiated, extending no longer than one year past the Mayor's current term of office.** Each shall provide the Municipality with his or her respective services as the Mayor and Council shall direct.

The Law Director shall be a practicing attorney who is duly licensed by and in good standing with the Ohio Supreme Court. **A summary of qualifications shall be presented, with the Mayor's recommendation, to the Council at the time of contractual review.**

The Engineer shall be a registered civil engineer. **As part of the contract review, the Mayor shall conduct a comprehensive evaluation with minimum qualification criteria in compliance with Ohio's Qualifications-Based Selection Law for Professional Engineers, Architects & Surveyors (Ohio Revised Code §153.65-.73) This evaluation shall be presented, with Mayor's recommendation, to Council at the time of contractual review.**

Section 2. That if such Charter Amendment is approved by a

majority of the electors voting thereon at such election, said Amendment shall become effective from and after the time of its approval by the electors.

Section 3. That the Clerk of Council be and she hereby is directed to mail a copy of the above proposed Charter amendments, additions or revisions to each elector whose name appears upon the poll or registration books of the last regular or general election held in the City, or cause to be published the full text of the proposed Charter amendments, additions or revisions as set forth above, once a week for not less than two consecutive weeks in a newspaper of general circulation within the City, or as provided in section 7.16 of the Revised Code, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all, in accordance with Section 9 of Article XVIII of the Ohio Constitution, Section 731.211 of the Ohio Revised Code, and the Charter of the City of Mentor-on-the-Lake.

SECTION 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Lake County, 105 Main Street, P.O. Box 490, Painesville, OH 44077.

SECTION 5. That the Board of Elections of Lake County is hereby requested to cause appropriate notice of such election to be duly given in accordance with law.

SECTION 6. That the form of ballots to be cast at the election shall be as follows:

#### **PROPOSED CHARTER AMENDMENT**

**(A majority affirmative vote is necessary for passage)**

Shall Article VI, Section 6.04, Engineer and Law Director be amended in order to align the contracts of the Engineer and Law Director with the election of the Mayor and to establish enhanced qualifications for these positions:

#### **SECTION 6.04 ENGINEER AND LAW DIRECTOR.**

The Charter hereby establishes an office of Engineer and office of Law Director, appointed by the Mayor within the first 12 months of the start of the Mayor's current term of office ~~annually~~ with the approval of the majority of Council. They shall serve on a contract

basis as negotiated, extending no longer than one year past the Mayor's current term of office. Each shall provide the Municipality with his or her respective services as the Mayor and Council shall direct.

The Law Director shall be a practicing attorney who is duly licensed by and in good standing with the Ohio Supreme Court. A summary of qualifications shall be presented, with the Mayor's recommendation, to the Council at the time of contractual review.

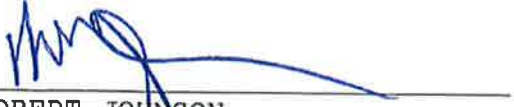
The Engineer shall be a registered civil engineer. As part of the contract review, the Mayor shall conduct a comprehensive evaluation with minimum qualification criteria in compliance with Ohio's Qualifications-Based Selection Law for Professional Engineers, Architects & Surveyors (Ohio Revised Code §153.65-.73). This evaluation shall be presented, with Mayor's recommendation, to Council at the time of contractual review.

Section 7. That the proposed Charter amendment is being submitted pursuant to the submission of said amendments, additions and revisions by the Charter Review Commission of the City of Mentor-on-the-Lake, as provided in Section 11.05 of the Charter.

Section 8. 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 123.22 of the Ohio Revised Code.

Section 9. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need to comply with the provisions of the Charter and to preserve order and peace, quiet and dignity in this City. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Mentor-on-the-Lake, Ohio.

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

  
\_\_\_\_\_  
ROBERT JOHNSON  
PRESIDENT OF COUNCIL

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

Dated: 7/19/2024

ADOPTED: 7/19/2024

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

**ORDINANCE NO. 2024-O-08**

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE VI, SECTIONS 6.02 AND 6.03, OF THE MUNICIPAL CHARTER, 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, that the Council of Mentor-on-the-Lake hereby submits to the Lake County Board of Elections and to the voters of the City of Mentor-on-the-Lake the following individual and separate proposed Charter Amendments as follows:

Section 1. Council hereby authorizes and directs that the following proposal to amend Article VI, Sections 6.02 and 6.03, of the Charter of the City of Mentor on the Lake, Ohio, be submitted to the electors of the City on Tuesday, November 5, 2024:

SECTION 6.02 ADMINISTRATIVE DIRECTOR.

Remove the requirement in Section C that the Administrative Director shall serve as the Fiscal Officer but allow the Administrative Director to serve as the Fiscal Officer subject to the provisions of Section 6.03.

SECTION 6.03 FISCAL OFFICER.

Add the following language to Section 6.03:

There is hereby created the office of the Fiscal Officer. This office may be combined with the Administrative Director at the discretion of the Mayor, with approval by Council.

Section 2. That if such Charter Amendment is approved by a majority of the electors voting thereon at such election, said Amendment shall become effective from and after the time of its approval by the electors.

Section 3. That the Clerk of Council be and she hereby is directed to mail a copy of the above proposed Charter amendments, additions or revisions to each elector whose name appears upon the poll or registration books of the last regular or general election held in the City, or cause to be published the full text of the proposed Charter amendments, additions or revisions as set forth above,

once a week for not less than two consecutive weeks in a newspaper of general circulation within the City, or as provided in section 7.16 of the Revised Code, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all, in accordance with Section 9 of Article XVIII of the Ohio Constitution, Section 731.211 of the Ohio Revised Code, and the Charter of the City of Mentor-on-the-Lake.

SECTION 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Lake County, 105 Main Street, P.O. Box 490, Painesville, OH 44077.

SECTION 5. That the Board of Elections of Lake County is hereby requested to cause appropriate notice of such election to be duly given in accordance with law.

SECTION 6. That the form of ballots to be cast at the election shall be as follows:

#### **PROPOSED CHARTER AMENDMENT**

**(A majority affirmative vote is necessary for passage)**

Shall Article VI, Sections 6.02 (Administrative Director) and 6.03 (Fiscal Officer) of the City of Mentor on the Lake Charter, Ohio be amended so that the Administrative Director is not required to be the Fiscal Officer and creating the official City position of Fiscal Officer:

#### **SECTION 6.02 ADMINISTRATIVE DIRECTOR.**

There is hereby created the office of Administrative Director:

A. Such administrator shall be appointed by the Mayor subject to confirmation by the majority of Council; provided, however, that if the Council fails to confirm or reject such appointment within thirty (30) days after it is submitted, such appointment shall become final.

B. The Administrative Director shall be possessed of financial and administrative qualifications.

C. Subject to the provisions of Section 6.03, he or she may also serve as the Fiscal Officer for the City.

- D. He or she shall serve at the pleasure of the Mayor.
- E. He or she shall, under the supervision and control of the Mayor, be charged with general supervision of the administration of the affairs of the Municipality and of the departments herein created, except the Safety Department.
- F. He or she shall serve as administrator of all departments except the Safety Department.
- G. He or she shall perform such other duties as may be required of him or her by the Mayor or by ordinance.
- H. He or she shall be the purchasing agent for the Municipality.
- I. Upon re-election of the Mayor his or her appointment is again subject to confirmation by a majority of the members of Council.

**SECTION 6.03 FISCAL OFFICER.**

There is hereby created the office of the Fiscal Officer. This office and position may be combined with the Administrative Director at the discretion of the Mayor, with approval by Council.

- A. Keep the financial accounts of the Municipality, including taxes and assessments, monies due to, and all receipts and disbursements by the Municipality.
- B. Be the custodian of all monies of the Municipality and shall perform the functions of the Treasurer of the Municipality.
- C. Assist the Mayor and Council in the preparation of estimates, budgets and appropriations and shall keep the Mayor and Council informed as to the financial condition of the Municipality from time to time as Council may request.
- D. Examine all payrolls, bills and other claims against the Municipality and shall issue no warrant unless he or she shall find that the claim is in proper form, correctly computed, duly approved and that it is due and payable and that an appropriation has been made therefor.

Section 7. That the proposed Charter amendment is being submitted pursuant to the submission of said amendments, additions and





revisions by the Charter Review Commission of the City of Mentor-on-the-Lake, as provided in Section 11.05 of the Charter.

Section 8. 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 123.22 of the Ohio Revised Code.

Section 9. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need to comply with the provisions of the Charter and to preserve order and peace, quiet and dignity in this City. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Mentor-on-the-Lake, Ohio.


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

  
\_\_\_\_\_  
ROBERT JOHNSON  
PRESIDENT OF COUNCIL

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

Dated: 7/9/2024

ADOPTED: 7/9/2024

ATTEST:   
Clerk of Council

ORDINANCE NO. 2024-O-09

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE IV, SECTION 4.01, OF THE MUNICIPAL CHARTER, 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, that the Council of Mentor-on-the-Lake hereby submits to the Lake County Board of Elections and to the voters of the City of Mentor-on-the-Lake the following individual and separate proposed Charter Amendments as follows:

Section 1. Council hereby authorizes and directs that the following proposal to amend Article IV, Section 4.01, of the Charter of the City of Mentor on the Lake, Ohio, be submitted to the electors of the City on Tuesday, November 5, 2024:

SECTION 4.01 COMPOSITION AND TERMS.

Seven (7) Council members are to be elected. Three (3) Council members are to be elected at large. Four (4) Council Members shall be elected from wards, one from each ward. The Ward Council Members must be a resident of the Ward on the date they file their petitions for election with the Board of Elections and he or she must also meet the qualifications of Section 4.02 of the Charter. The present Council shall, within 45 days after adoption of this Charter provision, divide the municipality into four (4) wards having as near as practical, equal population, and thereafter the then existing Council shall have the power to change the boundaries of the wards by ordinance every four (4) years thereafter and upon the annexation of any territory, shall have the power to place said district or any part thereof in any existing ward or wards as will most efficiently keep said wards of equal population.

Ward council members shall serve for a term of four (4) years beginning on the first day of January next following their election. The initial term of office of the ward council members shall commence on January 1, 2016 and every four (4) years thereafter. At large members of Council shall also serve for a term of four (4) years. ~~In November 2025 17, and quadrennially thereafter, the at-large councilpersons shall be elected so as to provide that the term of one three councilpersons at large will commence on the first day of January, 2026 18 and quadrennially thereafter; the term of one councilperson at large shall commence~~

~~on the second day of January, 2018, and quadrennially thereafter, and the term of one councilperson at large shall commence on the third day of January, 2018, and quadrennially thereafter.~~

SECTION 4.01 COMPOSITION AND TERMS.

Seven (7) Council members are to be elected. Three (3) Council members are to be elected at large. Four (4) Council Members shall be elected from wards, one from each ward. The Ward Council Members must be a resident of the Ward on the date they file their petitions for election with the Board of Elections and he or she must also meet the qualifications of Section 4.02 of the Charter. The present Council shall, within 45 days after adoption of this Charter provision, divide the municipality into four (4) wards having as near as practical, equal population, and thereafter the then existing Council shall have the power to change the boundaries of the wards by ordinance every four (4) years thereafter and upon the annexation of any territory, shall have the power to place said district or any part thereof in any existing ward or wards as will most efficiently keep said wards of equal population.

Ward council members shall serve for a term of four (4) years beginning on the first day of January next following their election. The initial term of office of the ward council members shall commence on January 1, 2016 and every four (4) years thereafter. At large members of Council shall also serve for a term of four (4) years. Starting with the November 2025 general election, the three (3) At large candidates with the greatest number of votes are elected to a term commencing on the first day of January 2026.

Section 2. That if such Charter Amendment is approved by a majority of the electors voting thereon at such election, said Amendment shall become effective from and after the time of its approval by the electors.

Section 3. That the Clerk of Council be and she hereby is directed to mail a copy of the above proposed Charter amendments, additions or revisions to each elector whose name appears upon the poll or registration books of the last regular or general election held in the City, or cause to be published the full text of the proposed Charter amendments, additions or revisions as set forth above, once a week for not less than two consecutive weeks in a newspaper of general circulation within the City, or as provided in section

7.16 of the Revised Code, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all, in accordance with Section 9 of Article XVIII of the Ohio Constitution, Section 731.211 of the Ohio Revised Code, and the Charter of the City of Mentor-on-the-Lake.

SECTION 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Lake County, 105 Main Street, P.O. Box 490, Painesville, OH 44077.

SECTION 5. That the Board of Elections of Lake County is hereby requested to cause appropriate notice of such election to be duly given in accordance with law.

SECTION 6. That the form of ballots to be cast at the election shall be as follows:

#### **PROPOSED CHARTER AMENDMENT**

##### **(A majority affirmative vote is necessary for passage)**

Shall Article IV, Section 4.01, Composition and Terms of Council of the City of Mentor on the Lake, Ohio Charter be amended so that the three At Large Candidates for Council with the greatest number of votes are elected to the three At Large Council positions that all begin on January 1:

##### **SECTION 4.01 COMPOSITION AND TERMS.**

Seven (7) Council members are to be elected. Three (3) Council members are to be elected at large. Four (4) Council Members shall be elected from wards, one from each ward. The Ward Council Members must be a resident of the Ward on the date they file their petitions for election with the Board of Elections and he or she must also meet the qualifications of Section 4.02 of the Charter. The present Council shall, within 45 days after adoption of this Charter provision, divide the municipality into four (4) wards having as near as practical, equal population, and thereafter the then existing Council shall have the power to change the boundaries of the wards by ordinance every four (4) years thereafter and upon the annexation of any territory, shall have the power to place said district or any part thereof in any existing ward or wards as will most efficiently keep said wards of equal population.


Ward council members shall serve for a term of four (4) years beginning on the first day of January next following their election. The initial term of office of the ward council members shall commence on January 1, 2016 and every four (4) years thereafter. At large members of Council shall also serve for a term of four (4) years. Starting with the November 2025 general election, the three (3) At large candidates with the greatest number of votes are elected to a term commencing on the first day of January 2026.


Section 7. That the proposed Charter amendment is being submitted pursuant to the submission of said amendments, additions and revisions by the Charter Review Commission of the City of Mentor-on-the-Lake, as provided in Section 11.05 of the Charter.

Section 8. 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 123.22 of the Ohio Revised Code.

Section 9. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need to comply with the provisions of the Charter and to preserve order and peace, quiet and dignity in this City. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Mentor-on-the-Lake, Ohio.

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

  
\_\_\_\_\_  
ROBERT JOHNSON  
PRESIDENT OF COUNCIL

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

Dated: 7/9/2024

ADOPTED: 7/9/2024

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

ORDINANCE NO. 2024-O-10

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE III, SECTION 3.06, OF THE MUNICIPAL CHARTER, 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, that the Council of Mentor-on-the-Lake hereby submits to the Lake County Board of Elections and to the voters of the City of Mentor-on-the-Lake the following individual and separate proposed Charter Amendments as follows:

Section 1. Council hereby authorizes and directs that the following proposal to amend Article III, Section 3.06, of the Charter of the City of Mentor on the Lake, Ohio, be submitted to the electors of the City on Tuesday, November 5, 2024:

**SECTION 3.06 VACANCY.**

~~When a vacancy shall occur in the office of the Mayor, the President of Council shall serve as Mayor until the next Municipal election, providing the vacancy does not occur subsequent to one hundred days before said election. In that event, he or she shall serve the full unexpired term. In this event, the President of Council shall relinquish his or her duties as a councilman.~~

**SECTION 3.06 VACANCY**

A. When a vacancy occurs in the office of the Mayor (by death, disqualification, removal, or action of Council per sections 3.03) the President of Council shall serve as Mayor until the next general election. The successful Mayoral candidate will then fill the remainder of the unexpired term.

B. The President of Council shall relinquish his or her duties as a councilperson during the time they are serving as Mayor. The Vice-President of Council shall serve as President of Council for the remainder of the 1-year term as outlined in Charter Article IV, Section 4.09. The remaining Council vacancy shall be filled according to Charter Article IV, Section 4.03.

C. If the President of Council declines to serve as Mayor, the Vice President of Council shall serve as Mayor. If the Vice President of Council declines to serve as Mayor, the President of

Council shall perform the duties of Mayor until a qualified elector is appointed by Council to serve as Mayor until next general election to fill the unexpired term. The appointment must be made within thirty (30) days of the date in which the vacancy in the Mayor's office occurs. If Council does not appoint a Mayor within the thirty (30) day period, the President of Council shall appoint a qualified elector to serve as Mayor until the next general election to fill the unexpired term.

Section 2. That if such Charter Amendment is approved by a majority of the electors voting thereon at such election, said Amendment shall become effective from and after the time of its approval by the electors.

Section 3. That the Clerk of Council be and she hereby is directed to mail a copy of the above proposed Charter amendments, additions or revisions to each elector whose name appears upon the poll or registration books of the last regular or general election held in the City, or cause to be published the full text of the proposed Charter amendments, additions or revisions as set forth above, once a week for not less than two consecutive weeks in a newspaper of general circulation within the City, or as provided in section 7.16 of the Revised Code, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all, in accordance with Section 9 of Article XVIII of the Ohio Constitution, Section 731.211 of the Ohio Revised Code, and the Charter of the City of Mentor-on-the-Lake.

SECTION 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Lake County, 105 Main Street, P.O. Box 490, Painesville, OH 44077.

SECTION 5. That the Board of Elections of Lake County is hereby requested to cause appropriate notice of such election to be duly given in accordance with law.

SECTION 6. That the form of ballots to be cast at the election shall be as follows:

**PROPOSED CHARTER AMENDMENT**

**(A majority affirmative vote is necessary for passage)**

Shall Article III, Section 3.06, Vacancy in the Office of the Mayor



be amended in order to specify the process for appointing a successor to the Mayor if the Office of the Mayor becomes vacant and providing that the Council President shall become Mayor for the remainder of the term and if the President of Council declines the position then to have the Vice-President of Council become the Mayor and further succession provisions if both the President or Vice-President of Council decline to serve as the Mayor:

### **SECTION 3.06 VACANCY**

A. When a vacancy occurs in the office of the Mayor (by death, disqualification, removal, or action of Council per sections 3.03) the President of Council shall serve as Mayor until the next general election. The successful Mayoral candidate will then fill the remainder of the unexpired term.

B. The President of Council shall relinquish his or her duties as a councilperson during the time they are serving as Mayor. The Vice-President of Council shall serve as President of Council for the remainder of the 1-year term as outlined in Charter Article IV, Section 4.09. The remaining Council vacancy shall be filled according to Charter Article IV, Section 4.03.

C. If the President of Council declines to serve as Mayor, the Vice President of Council shall serve as Mayor. If the Vice President of Council declines to serve as Mayor, the President of Council shall perform the duties of Mayor until a qualified elector is appointed by Council to serve as Mayor until next general election to fill the unexpired term. The appointment must be made within thirty (30) days of the date in which the vacancy in the Mayor's office occurs. If Council does not appoint a Mayor within the thirty (30) day period, the President of Council shall appoint a qualified elector to serve as Mayor until the next general election to fill the unexpired term.

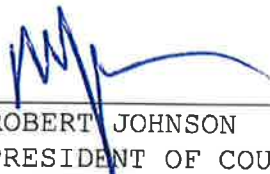
Section 7. That the proposed Charter amendment is being submitted pursuant to the submission of said amendments, additions and revisions by the Charter Review Commission of the City of Mentor-on-the-Lake, as provided in Section 11.05 of the Charter.


Section 8. 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 123.22 of the Ohio Revised Code.

Section 9. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need to comply with the provisions of the Charter and to preserve order and peace, quiet and dignity in this City. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Mentor-on-the-Lake, Ohio.

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

  
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ROBERT JOHNSON  
PRESIDENT OF COUNCIL

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

Dated: 7/9/2024

ADOPTED: 7/9/2024

ATTEST:   
Clerk of Council