



City of Mentor-on-the-Lake

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MINUTES
REGULAR MEETING OF COUNCIL
CITY OF MENTOR-ON-THE-LAKE
NOVEMBER 26th, 2024
7:00 p.m.

The Regular Meeting of Council for the city of Mentor-on-the-Lake was called to order on November 26th 2024, at 7:00 pm by Council President Rob Johnson.

CALL TO ORDER: PLEDGE OF ALLEGIANCE

ROLL CALL:

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

READING OF MINUTES:

Regular Meeting of Council- November 12th, 2024

MOTION MADE BY MS. WONG, Seconded by Mr. Gray, for approval of the minutes as amended. **ROLL CALL:** Ayes: Council Members Moore, Gray, Bittner, Wong, Lunder, Johnson. Abstain: Moore, Bittner.
MOTION CARRIED: 4/0/2

CORRESPONDENCE: (none)

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor and Safety Director – Mr. Eva

Mayor Eva announced that three of the Mentor on the Lake City signs have been installed; one on Lakeshore, one on Munson and one at Lake Overlook Beach Park. We should get the rest of the signs in the next few weeks. They received five bids on the Southland storm sewer replacement project. The Fire Department's Santa rounds will be Saturday, December 7th starting at noon. The Police Department Santa's blue helpers is Sunday, December 8th and will start at 3:00 P.M. Shopping at Target will begin at 5:00 P.M. Chief Forsythe stopped over and there are about a dozen turkeys left over if anyone would like one.

Administrative Director – Ms. Martin

Ms. Martin read her report; it will be included in the meeting minutes.

Law Director – Mr. Lyons (none)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Johnson asked Mr. Lyons if he determined whether council can put something on the ballot without it being a charter amendment. Mr. Lyons said that the answer appeared to be yes and the Ohio Secretary of State has a couple election manuals that are followed by the election board and they are available on the Secretary of State's website. In the manual there are three different ways to put on the ballot and one is by a referendum from council but has not been used in Lake County before. Hubbard, Ohio just did this on the most recent election and branded it as an "issue". Mr. Lyons said that he should get more information and will send it out as an email. Ms. Wong told Mayor Eva that she was curious as to why the new signs are different than the original design that they received. The support pillars are different and the established 1924 banner are not on there. Mayor Eva said that he will speak with them to check on the differences.

BOARD/COMMITTEE/COMMISSION REPORTS:

Parks and Recreation Board / November 14th, 2024 / Ms. Wong

Ms. Wong read the Parks and Recreation Board report; the meeting notes are attached to the minutes.

Ordinance Committee / November 19th, 2024 / Ms. Wong

Ms. Wong read the Ordinance Committee report; the meeting notes are attached to the minutes.

Public Engagement Envision Meeting / November 21st, 2024

Mr. Johnson asked Mayor Eva to speak about the meeting. Mayor Eva said that there was a good crowd of residents. The storyboards were full of pins and suggestions when everyone was done. Brian and Jen will go back and record everything that was on the storyboards and send it to the Steering Committee in January. Surveys are coming in steadily.

OPEN TO THE PUBLIC TO SPEAK: 7:18 P.M.- 7:30 P.M.

Jason Morris 5845 Lake Rd. Mr. Morris emailed council his grievances on the current CRA program and that he is a recipient of approved CRA from 2020 and is looking for an additional CRA benefit from his 35x50 garage that he had built on his property this year. After reviewing the documentation on the City's website, Mr. Morris applied for the CRA on November 9th. On November 12th Jaclyn Martin denied his application stating "New Construction for the residential dwellings no longer applies to CRA exemptions. I had confirmed this with our Law Director before responding. The CRA was amended by Council on December 12th, 2023 under codified Ordinance 893.04." Mr. Morris said that the information on the City's website did not have time limit disclaimers but with the information on the website, he applied under the current form on November 19th, and was again denied. Mr. Lyons said that the only contact that he had with Mr. Morris was one email and he responded that this was an administrative matter and that he neither supported it or opposed it. Mr. Johnson said that the reason for amending was the purpose of eliminating new residential dwellings because builders were buying lots and charging a higher rate as abatement and that now at this point, they need to clarify the ordinance. Mayor Eva said that when they processed CRA applications that the final approval is the Lake County's Auditor's office and they have our ordinances that go along with this ordinance and that they particular application was also denied by the Lake County Auditor's office. Mr. Johnson asked the Law Director to look into this and see what their options are.

LEGISLATION BEFORE COUNCIL:

ORDINANCE NO. 2024-O-18 (THIRD READING)

AN ORDINANCE AMENDING ORDINANCE 2024-O-06 IN ORDER TO UPDATE THE RETIRE-
REHIRE REGULATIONS FOR CITY EMPLOYEES AND DECLARING AN EMERGENCY

MOTION MADE BY MR. BITTNER, Seconded by Ms. Wong, for Passage of Ordinance NO. 2024-O-18

ROLL CALL: Ayes: Council Member Gray, Bittner, Wong, Johnson Abstain: Moore, Lunder

MOTION CARRIED: 4/0/2

ORDINANCE NO. 2024-O-20 (SECOND READING) (REFERRED TO ORDINANCE COMMITTEE)

AN ORDINANCE AMENDING THE ZONING CODE BY CREATING NEW CHAPTER 1270 OF
THE CODIFIED ORDINANCES FOR THE REGULATION OF SHORT-TERM RENTALS IN THE
CITY AND DECLARING AN EMERGENCY

This ordinance is still in the Ordinance Committee.

ORDINANCE NO. 2024-O-22 (SECOND READING) (REFERRED TO ORDINANCE COMMITTEE)

AN ORDINANCE AMENDING CODIFIED ORDINANCES 452.01, 452.17 AND 452.99 AND
REPEALING ORDINANCES 452.02 AND 452.03 RELATING TO PARKING ON THE STREETS

This ordinance is still in the Ordinance Committee.

ORDINANCE NO. 2024-O-23

AND ORDINANCE CREATING CODIFIED ORDINANCE 648.15 – NOISE

DISCUSSION:

Mrs. Moore went over the ordinance and voiced concern on how they would enforce the ordinance and she sees a lot of things that would be left up to interpretation. Ms. Wong said that the ordinance is similar to the current and only resident noise ordinance already in place and that it would be up to the police officer's discretion. The listing of many of the points is to state examples of what are considered noise and may be unreasonable under certain circumstances. Mr. Lyons mentioned running the amount of noise complaints that have been called in and he bets that there have only been a handful of tickets within those calls. Mr. Johnson asked if the safety director had any concerns over the ordinance and Mayor Eva responded that he thinks that it is a bit wordy but if Chief Forsythe agrees with it then he is okay with it as well and that the discretion depends on each officer.

This ordinance was sent to third reading.

ORDINANCE NO. 2024-O-24

AN ORDINANCE AMENDING CODIFIED ORDINANCES 212.01 – POSTING PLACES AND
DECLARING AN EMERGENCY

DISCUSSION:

Mrs. Moore asked if this eliminates us from having to post this as paper in specific places and Mr. Johnson said that it would if we are able to do it via electronically. Mr. Lyons said that we can still post the paper copies if we wanted to. There will be a Facebook page made for the Clerk of Council to post the minutes to the page and that detail will be figured out if the ordinance passes.

MOTION MADE BY MR. LUNDER, Seconded by Mrs. Moore, for Suspension of the Rules. ROLL CALL:
Ayes: Council Member Moore, Gray, Bittner, Wong, Lunder, Johnson Nays: None
MOTION CARRIED: 6/0

MOTION MADE BY MR. LUNDER, Seconded by Mrs. Moore, for Passage of Ordinance NO. 2024-O-24
ROLL CALL: Ayes: Council Member Moore, Gray, Bittner, Wong, Lunder, Johnson Nays: None
MOTION CARRIED: 6/0

ORDINANCE NO. 2024-O-26

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

Mr. Lunder said that over the past years there have been numerous people that do not cut their grass and all of a sudden, there are only a couple. Ms. Martin said that if they have paid the bill via the invoice, they have gotten rid of a lot of vacant properties as well and they have been working harder to get the bill paid.

MOTION MADE BY MRS. MOORE, Seconded by Mr. Lunder, for Suspension of the Rules. ROLL CALL:
Ayes: Council Member Moore, Gray, Bittner, Wong, Lunder, Johnson Nays: None
MOTION CARRIED: 6/0

MOTION MADE BY MR. LUNDER, Seconded by Mrs. Moore, for Passage of Ordinance NO. 2024-O-26
ROLL CALL: Ayes: Council Member Moore, Gray, Bittner, Wong, Lunder, Johnson Nays: None
MOTION CARRIED: 6/0

ORDINANCE NO. 2024-O-27

AN ORDINANCE EXTENDING THE EXISTING 6 MONTH MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING AND/OR OCCUPANCY PERMIT APPROVALS FOR CANNABIS OPERATIONS WITHIN THE CITY AND THE ISSUANCE OF SUCH APPROVALS IN THE CITY OF MENTOR ON THE LAKE FOR A PERIOD OF SIX MONTHS, AND DECLARING AN EMERGENCY

DISCUSSION:

Ms. Wong said that the Lake County Board of Elections had not posted their election calendar for 2025. Tentatively the Spring election will be May 5th, 2025 making the issues deadline February 5th. The general election will be November 4th, 2025 making the issues deadline August 6th, 2025. Six months would not be a lot of time and it means that the issue would need to be ready to go with all requirements met by February 5th. Mr. Lyons said that he asked if it went on to May if the city would have to pay for it and it depends and if there is another issue we do not have to pay but if it is a stand-alone issue then we would have to pay. Ms. Wong asked what the advantages vs. disadvantages would be to pass this now vs. extending it and Mr. Lyons said that shorter moratoriums are more defensible. Mr. Lunder said that he thinks they should go to December 31st, 2025. Mrs. Moore and Mr. Bittner said that they are both over moratoriums. Mr. Lyons said that one of the options could be a three-month moratorium. Mrs. Moore said that it is virtually impossible for someone to put one of these in our communities and there are a lot of restrictions so there are very few options. Council and Administration continued a discussion and Mr. Johnson said that this is a divided council. Ms. Wong asked if anyone was against extending the moratorium to three months to give time to get legislation.

MOTION MADE BY MS. WONG, Seconded by Mr. Gray, to amend Ordinance No. 2024-O-27 to extend to three months. ROLL CALL: Ayes: Council Member Moore, Gray, Wong, Lunder, Johnson Nays: Bittner
MOTION CARRIED: 5/1

MOTION MADE BY MR. GRAY, Seconded by Ms. Wong, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Moore, Gray, Wong, Lunder, Johnson Nays: Bittner
MOTION CARRIED: 5/1

MOTION MADE BY MR. LUNDER, Seconded by Mr. Gray, for Passage of Ordinance NO. 2024-O-27 as amended. ROLL CALL: Ayes: Council Member Gray, Wong, Lunder, Johnson Nays: Moore, Bittner
MOTION CARRIED: 4/2

Mr. Johnson referred this ordinance to Committee of the Whole.

OLD BUSINESS: (none)

NEW BUSINESS: (none)

OPEN TO THE PUBLIC TO SPEAK: 8:08 P.M. – 8:09 P.M.

Paul Morris 7592 Pinehurst Dr. Mr. Morris said that council did approve a change in the CRA to eliminate new construction for residential family dwellings because the concern was that they did not want developers coming in to empty lots and getting a higher value. Mr. Morris recommends to include some definition in the CRA.

ANNOUNCEMENTS AND SETTINGS OF MEETINGS:

Zoning Committee	Monday, December 9 th , 2024 at 6:30 P.M.
Parks and Recreation Board	Thursday, December 12 th , 2024 at 6:30 P.M.
Committee of the Whole	Monday, December 16 th , 2024 at 6:30 P.M.
Ordinance Committee	Tuesday, December 17 th , 2024 at 6:30 P.M.
Organizational Meeting of Council	Tuesday, January 7 th , 2025 at 7:00 P.M.
Envision Steering Meeting	Thursday, January 9 th , 2025 at 7:00 P.M.

ADJOURNMENT: 8:15 P.M.

MOTION MADE BY MR. GRAY, Seconded by Mrs. Moore, for Adjournment. ROLL CALL: Ayes: Council Member Moore, Gray, Bittner, Wong, Lunder, Johnson. Nays: None
MOTION CARRIED: 6/0

The next **REGULAR AGENDA MEETING** will be held on
Thursday, December 5th, 2024 at 6:00 P.M.

The next **REGULAR MEETING OF COUNCIL** will be held on
Tuesday, December 10th, 2024, at 7:00 P.M.

APPROVED:

12-10-2024

Date



ROBERT JOHNSON
President of Council

Attest:



Clerk of Council

Administrative Announcement

November 26, 2024

- Aqua gave me their Mentor on the Lake plans for repair in 2025. I do not have the estimated start dates, but they plan on working on Woodside Rd. from Lawnfield to Mooreland rd. and Mooreland rd. from Woodside to Lawnfield rd. As for Linden rd. , they will be done with the first portion by Christmas and a temporary road will be in place until they can finish in the Spring.
- The Law Director RFQ was posted in the News Herald on Wednesday, November 13th. The deadline to respond is December 3rd.
- The Engineer RFQ brought in six quality statements and my goal is to have them all reviewed by the end of next week.

**11/26/2024 Council Meeting Report on
Parks & Rec Board Meeting 11/14/2024**

The Parks and Rec Board met on Thursday, November 14 at 6:31 pm.

In attendance: Board Members Petchatsko, Kozlowski, Stafinski, and Wong; Mayor Eva and Ms. Ice.

Absent: Board Members Turi and Roos. No members of the Public were present.

Issue 7: MOL Charter Amendment #6 passed (not yet certified), and will amend Charter Section 7.04 a) to read "There is created a Parks & Recreation Board to represent the cultural and recreational interests of the citizens of MOL by providing planning and oversight of recreational facilities, cultural activities, and as the Council may deem necessary".

Vacant Board Positions: Board Member Roos has resigned her position. New member Nate Duer will be welcomed in January.

Revision of Board Rules: These are being reviewed by Mr. Kozlowski and Ms. Stefanski, taking into account suggestions from all Board Members. The group discussed incorporating a process to lay out plans for the year by January, thus allowing the opportunity to request funding consideration from Council at the time of annual appropriations, early each year.

2025 Standing Meeting Dates: The group discussed the perpetual problem of needing to reschedule regular meetings that are in conflict with major end-of-the year holidays. A motion to change our standing meeting dates in 2025 to the 2nd Thursday of each month at 6:30 pm was approved by a vote of 4/0. The month of January will be excepted, due to a different committee meeting already scheduled for that date. The Board voted instead to hold its first meeting of 2025 on Thursday, January 16 at 6:30 pm.

Chair Petchatsko reached out and found that the MOL Library is interested in partnering with us in 2025 for:

- More Star Seekers programs;
- Movie nights (splitting the off-site showing fee for their license to view many copyrighted titles)

The Chair also provided Board Members with a list of potential activities we could plan in the new year; these will be discussed further at the next meeting.

The Meeting adjourned at 8:09 pm.

Next Regular Board Meeting: Thursday, December 12 at 6:30 pm

Respectfully submitted,



Jeannie Wong, Council Representative to Parks & Recreation Board

Mentor on the Lake City Council Committee Minutes & Report

Committee Name: Ordinance Committee

Date: 11/19/2024

Start Time: 6:33 pm **Stop time:** 8:21 pm

Purpose: 1) Review of Amendments to Street Parking (2024-O-22); 2) Review of Conditional Use Permits (1242.03); 3) New Business: Signs; STR Regulation Revision (2024-O-20)

Attendance

Committee Chair: Jeannie Wong

Committee Members: 1. Kevin Bittner, V-Chair 2. Skip Gray

Council Member: Robert Johnson, Pres Invited Guest: Police Chief Forsythe

Member of the Public: Renee Sheaffer

Minutes: **(Bolded sections comprise the Report to Council and will be delivered orally)**

Review of Amendments to Street Parking Ordinances (2024-O-22): The amendments to current residential street parking ordinances as recommended by this group were introduced to Council on 11/12/24. Concerns about enforcement was voiced by Police Chief Forsythe, who was invited to attend and provide further input. To revise for better clarity and aid enforcement, it was decided to make the prohibited parking distance 30 feet from any intersection (marked or unmarked with a traffic control device); and also 30 feet from any flashing beacon or traffic control device that is not specifically situated at an intersection. The reference to no parking on bridges (which is part of the current code and not changed by this Committee) will be removed now. An in-depth review of proposed 452.17 and the parking of “large” vehicles, “trucks”, RV’s/boats, and “construction” vehicles was undertaken. The group decided to include more robust definitions of all vehicle types and to eliminate screening requirements (an unpopular idea that will not change much what people are currently doing). The group recognizes that some residents on larger properties (and lakefront, in particular) use construction equipment to maintain their properties; it was agreed to strengthen restrictions on parking such vehicles; increased set-backs and a Permitting process were discussed. The Committee will re-work the language to include these changes and review at next meeting. We will also discuss the idea of late fees for violations.

Summary – The Committee agreed on changes to proposed street and residential parking ordinances that address enforcement concerns raised by the Police Chief. More detailed definitions of vehicle classes and stricter restrictions on parking of construction equipment will be considered.

Review of 1242.03 Conditional Use Permits: As recommended by our Law Director and requested by the Planning & Zoning Commission Chair, this group reviewed additions to Revoke or Suspend a CUP and for Appeals of those decisions. Council President Johnson felt that this should be work done by the Zoning Committee, given that it affects Zoning Code. The work done thus far will be forwarded to that Committee. **Summary – The Committee reviewed potential changes to 1242.03 Conditional Use Permits to add processes to Revoke or Suspend a CUP and for Appeals of those decisions. Council President Johnson decided this work should be continued by the Zoning Committee. The work done thus far will be forwarded to that group for completion.**

New Business - Consideration of Residential Sign Regulations: Following public comment voiced at the last Council Meeting regarding vulgar language posted on residential property, this Committee reviewed several documents related to content-targeted complaints, obscenity law, content-neutral sign law, and advice to communities like ours (including MOL Residential Sign Ordinance *Chap 1284 Signs*, Mentor City 1171.20, a letter from the MA ACLU 2019, several parts of ORC section 2907 addressing obscenity, a detailed opinion from our Law Director on interpretation of obscenity laws). We understand clearly now how any speech (and political speech, in particular) is protected by First Amendment Freedom of Speech rights when posted on private property, and has been upheld in court on multiple occasions; and therefore, we cannot regulate residential sign language in any way. We also discussed whether to introduce a content-neutral sign law to regulate (for example) the overall size, placement, and materials that can be used for *any and all signs* posted in residential areas. However, such additions might cause conflict with some generally-accepted residential décor (e.g. large or light-up holiday, birthday, or welcome signs) and will not prevent complaints like the one voiced before Council (and which is likely the most common type of complaint regarding signs). Therefore, based on all of these points, it the Committee's recommendation that Council refrain from introducing residential sign restrictions.

Returning Business – Revisions to 2024-O-20 Short-Term Rental Regulations (and related Lodging Tax Ordinance): The group reviewed suggestions to simplify the proposed legislation. The Mayfield Village code (part of their Business Regulation and not their Zoning Code) was reviewed. This Committee felt the proposed changes and clarification to Parking and Noise ordinances were adequate to address lodging guest (as well as city resident) behavior, though enforcement of ALL violations remains vital to compliance; maximum overnight guest occupancy limits will be considered. This group remains *in favor of external and internal building inspections*, as would be required for any hotel or business to ensure property upkeep, quality and safety. Use of a Certified Fire Inspector for internal survey and disclaimers would limit the City's liability for actual events. This group remains *in favor of a Lodging Tax* to help offset the administrative and inspection work required to maintain a quality short-term rental program. The group felt that a geographic limit on local property rep proximity was overly restrictive to homeowners managing their property while away seasonally or on extended travel/absence, or to those renting out a second or family property while residing elsewhere. The listed party must be available for contact by the City on a 24/7 basis. But the guardrails against irresponsible hosting and guest activity must exist in the application, permitting, and inspection processes, as well as by enforcement of our ordinances. Finally, this group feels it is best to “register” STR businesses via a Conditional Use Permit, issued after evaluation by Planning & Zoning. Further, permits for STR should be more restrictive than CUP for other businesses, with shorter duration of validity that is uniform for all STRs, along with a reduced fee schedule. Anything not left up to the discretion of P & Z requires explicit description. A question came up about “mid-term” contracts of ≥ 30 days, but < 8 weeks to 3 months (or longer)? When does short-term become long-term? When must a property register as a long-term rental? Longer contracts, like 6-8 weeks are needed for travel nursing, construction or other temporary jobs; after a house fire, etc. These would go un-registered, if STR CUP is not needed for stays > 29 days. The Committee will begin working on major revisions and review progress at its next meeting.

Summary – The Committee reviewed suggestions on how to simplify the proposed STR regulations. However, this group still feels strongly in favor of requiring regular property and safety inspections (as would be the case for any hotel/motel) and in favor of enacting a Lodging Tax. An update on progress of revisions will be presented at the next meeting.

The meeting was adjourned at 8:21 pm.

The next meeting of the Ordinance Committee is tentatively scheduled for **Tuesday, December 17 at 6:30 pm.**

Respectfully submitted,



Jeannie Wong - Chair, Ordinance Committee