



City of Mentor-on-the-Lake

5860 Andrews Road, Mentor-on-the-Lake, OH 44060-2827

Phone: (440) 257-7216 Fax: (440) 257-2766

www.CityMOL.org

MINUTES VIRTUAL REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE MAY 11, 2021

The Virtual Regular Meeting of Council of May 11, 2021, for the City of Mentor-on-the-Lake, Ohio, was called to Order at 7:00 P.M. by Council President Desirea Thompson.

CALL TO ORDER: PLEDGE OF ALLEGIANCE

ROLL CALL:

Aye: At Large:	JIM LUNDER, Vice President	(Appeared in Person)
Aye: Ward 3:	ROB JOHNSON	(Appeared in Person)
Aye: At Large:	KEVIN BITTNER	(Appeared in Person)
Aye: At Large:	PRESTON WOLK	(Appeared in Person)
Aye: Ward 1:	DAVID CHABUT	(Appeared in Person)
Aye: Ward 2:	PAUL MORRIS	(Appeared in Person)
Aye: Ward 4:	DESIREA THOMPSON, President	(Appeared Virtually)

READING OF MINUTES: Regular Meeting of Council – April 27, 2021

MOTION MADE BY MR. MORRIS, Seconded by Mr. Bittner, for Approval of the Minutes of the April 27, 2021, Virtual Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris. Nays: None. Abstain: Council Member Thompson.

MOTION CARRIED: 6/0/1

CORRESPONDENCE: (None)

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva advised Officer Clay Braidic was recently sworn in as a Task Force Officer for the U.S. Marshall's Ohio Fugitive Task Force. He will generally work the Task Force one day a week. This is an honor for one of our Officers to be a part of this.

Mayor Eva advised that Toni Nosse was sworn in as a Full-Time Communications Officer on Monday, May 3 2021. She has been part-time since December 2019 and replaces Bill Logan whose retirement was effective May 2, 2021.

Mayor Eva stated in the beginning of January, Chief Gielink met with a Representative from Blue Line Solutions regarding traffic calming solutions. The program they offer involves civil penalties for speeding. The Police Department would operate the speed equipment; instead of filing with the Court, speeding violations would be handled civilly through this company. The Police Department would review any citations before they went out. The company has offered a free traffic study before the program is implemented; over the next two weeks, the company will be conducting the traffic study.

Mayor Eva read the Fire Department Report for April 2021. For the month of April, there were a total of 109 calls for service as follows: Rescue/EMS – 72 calls; Fire/Service – 23 calls; and Invalid Assist – 14 calls. The Fire Department is currently tracking 26 active COVID cases in the City. The Fire Prevention Report: a hood test was completed for the Breakwall Tavern and plans are being reviewed for the renovations and additions to Aqua Ohio. Department Training included EMS drills done virtually by Lake Health, with the topic being Mass Casualty Incidents. The monthly shift drills for April were EMS documentation and for Fire, they did electrical hazards. Service anniversaries in April: Battalion Chief Paduano – 29 years; Firefighter Ananca – 16 years; Lt. Langford – 13 years; Firefighter Klems – 4 years; Firefighter Padley – 4 years; Firefighter Bendlock – 1 year; Firefighter Kovach – 1 year; and Firefighter Sundbom – 1 year. Mayor Eva congratulated all who had service anniversaries in April.

Administrative Director – Mrs. Bartone

Mrs. Bartone stated everyone was sent an email this morning regarding the Fact Finders Report, and if Council wants to go into Executive Session, that is fine, however the report was favorable to the City. This has to be voted on tonight as we have seven days from Friday to vote on it and return it to the State.

Mrs. Bartone advised at the next Council Meeting there will be a resolution which will need to be passed for the CDBG Program for the grant. The Port Authority has joined forces with the Commissioners to try to get more money for the prospective restaurant at Mentor Beach Park. The difference this year is that the Commissioners are more comfortable if Mentor-on-the-Lake is the primary applicant given the geographical location of the building. It does not apply any other restrictions on the City for funding either now or in the future. All this does is secure it in the City's name as the geographical placement of the grant. Right now they are looking at a \$2.4 Million budget improvement to that building, between the private investor, other grants and funding they are receiving, and this particular CDBG grant, which will create the elevator access making it ADA compliant for both floors, is approximately \$176,000.00. The application is actually due on the 20th but she told them she did not want to put it on the Agenda tonight given that she found out yesterday and did not feel it was appropriate to give Council an hour to think about it and to vote on it. If anyone has any questions between now and the next Meeting, she would be happy to go over the details and the application. It will benefit the City and the bottom line, part of that park will become property tax income for the City, will generate tax income for the City, and will create jobs as well as allow people access to the other floor of the building.

Law Director – Mr. Lyons (No report)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Chabut would like to invite Mr. Sayles to come to the Ordinance Meeting Monday night about the right of way, and asked Mayor Eva if he wanted to email Mr. Sayles, or he could. Mayor Eva said he would email him.

BOARD/COMMITTEE/COMMISSION REPORTS:

Planning and Zoning Commission / May 3, 2021 / Mr. Johnson

Mr. Johnson stated the Planning and Zoning Commission met on Monday, May 3, 2021, at 7:00 P.M. On the Agenda was Mosaic Construction requesting approval for a new build on a 4700 square foot lot with a 50' frontage at 5721 Ivy. This was approved as there was a previously existing house on that lot. There was a request for 5872 Springwood to widen the driveway to the property line. This was sent back to the owner to come up with a new plan instead of going to the property line, preferably moving it in the opposite direction toward the house more. The Commission will wait to see if he comes back with a

revised plan for that. The Commission also discussed the 1036.04 Tree Preservation. It is still under discussion what the final plan will be in terms of green space rather than specifically trees.

Mrs. Thompson asked if anyone on Council felt an Executive Session was necessary. Council Members said no.

OPEN TO THE PUBLIC TO SPEAK: 7:11 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:11 P.M.

Mrs. Thompson asked for a Motion to add Resolution No. 2021-R-12 and Resolution No. 2021-R-13 to tonight's Agenda.

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Morris, to add Resolution No. 2021-R-12 and Resolution No. 2021-R-13 to tonight's Agenda. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2021-R-12

A RESOLUTION CONFIRMING THE APPOINTMENT OF DAVID VALENTINE TO THE LAKE COUNTY GENERAL HEALTH DISTRICT BOARD, AND DECLARING AN EMERGENCY

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Chabut, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Passage of Resolution No. 2021-R-12. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

RESOLUTION NO. 2021-R-13

A RESOLUTION TO ACCEPT THE STATE EMPLOYMENT RELATIONS BOARD FACT-FINDING REPORT, AND DECLARING AN EMERGENCY

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Bittner, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Morris, for Passage of Resolution No. 2021-R-13. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

ORDINANCE NO. 2020-O-28 (REFERRED TO ORDINANCE COMMITTEE)

AN ORDINANCE AMENDING CRA ORDINANCE 2016-O-28 AND DECLARING AN EMERGENCY

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2020-O-28 (REFERRED TO ORDINANCE COMMITTEE) (Continued):

Mr. Chabut said the Ordinance Committee is still working on this.

ORDINANCE NO. 2021-O-12 (SECOND READING)

AN ORDINANCE AMENDING ORDINANCE 1242.03(e) – CONDITIONAL USE PERMITS

There was no Motion for Suspension of the Rules. Ordinance No. 2021-O-12 is placed on Third Reading.

OLD BUSINESS: (None)

NEW BUSINESS:

Mr. Bittner asked for discussion on setting up the Tax Review Board and CRA, as Council has to choose people and how should Council go about this. He asked what was done in the past. Discussion followed on appointing people to the Tax Review Board and CRA and what process to follow. Mrs. Thompson said she thought it was by volunteering. Mayor Eva said something could be posted on the City website and Facebook pages. Mr. Wolk asked if this was something that can be done during regular Council Meetings, or suggested an Ad Hoc Committee or possibly a meeting of Council as a Whole. Everyone agreed on a meeting as Council as a Whole. Mr. Lunder suggested waiting to see how many applications were received before making a decision.

OPEN TO THE PUBLIC TO SPEAK: 7:22 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:22 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Ordinance Committee	Monday, May 17, 2021, at 6:00 P.M.
Parks and Recreation Board	Wednesday, May 26, 2021, at 7:00 P.M.
Regular Agenda Meeting	Thursday, May 20, 2021, at 6:00 P.M.
Regular Council Meeting	Tuesday, May 25, 2021, at 7:00 P.M.

ADJOURNMENT:

MOTION MADE BY MR. MORRIS, Seconded by Mr. Chabut, for Adjournment. **ROLL CALL:**
Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.
MOTION CARRIED: 7/0

The Virtual Regular Meeting of Council adjourned at 7:56 P.M.

APPROVED:

May 25, 2021
Date

Attest:

Joyce M. Saye
Clerk of Council

Desirea Thompson
Desirea Thompson
President of Council

ORDINANCE NO. 2021-O-12

AN ORDINANCE AMENDING ORDINANCE 1242.03(e)– CONDITIONAL USE PERMITS

WHEREAS, Council wishes to amend Ordinance 1242.03(e) of the Codified Ordinances in order to allow the Planning Commission to add a condition to a Conditional Use Permit process that would require that any delinquent property taxes on the property be paid in full prior to the issuance of the Conditional Use Permit by the Planning Commission.

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

Section 1. That Codified Ordinance 1242.03(e) is amended and as amended hereby reads as follows:

(e) Planning and Zoning Commission Action; Issuance of Conditional Use Permits.

(i) The Planning and Zoning Commission shall have the power to issue conditional use permits. In deciding whether or not to grant an application for a conditional use permit, the Commission shall determine how the community will be affected if the proposed use is carried out under the specific and limiting standards established for the conditional use. The Commission shall make a determination, based on the evidence presented at the hearing referred to in division (d) of this section, as to how the appropriate use of neighboring property may or may not be injured by the proposed use.

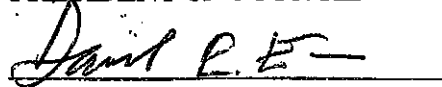
(ii) Appropriate conditions and safeguards shall be specified in the permit in order to promote the general welfare, preserve the existing character of the district, protect adjacent property and maintain the general purpose and intent of this Zoning Code, including that any delinquent property taxes on the property be paid in full prior to the issuance of the Conditional Use Permit by the Planning Commission.

Section 2. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

WHEREFORE, this Ordinance shall be in full force and effect thirty day after its passage by Council and approval by the Mayor.



DESIREA THOMPSON
PRESIDENT OF COUNCIL



DAVID R. EVA
MAYOR

Dated: 5/25/2021

ADOPTED: May 25, 2021

ATTEST: George M. Sharp
Clerk of Council