

Hi Jamie,

Attached is a copy of the Amended and Approved Minutes of the September 14, 2021, Regular Meeting of Council.

Meetings scheduled:

Parks & Recreation - Wednesday, September 29, 2021
at 7:00 P.M.

Ordinance Committee - Monday, October 18, 2021,
at 6:00 P.M.



City of Mentor-on-the-Lake

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MINUTES REGULAR/VIRTUAL MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE SEPTEMBER 14, 2021

The Regular/Virtual Meeting of Council of September 14, 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)
At Large:	PRESTON WOLK	(Absent/Excused)
Ward 1:	DAVID CHABUT	(Absent/Excused)
Aye: Ward 2:	PAUL MORRIS	(Appeared in Person)
Aye: Ward 4:	DESIREA THOMPSON, President	(Appeared in Person)

READING OF MINUTES: Regular Virtual Meeting of Council – July 27, 2021
Special Meeting of Council – August 10, 2021

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

MOTION CARRIED: 5/0

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Approval of the Minutes of the August 10, 2021, Special Meeting of Council. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.

MOTION CARRIED: 5/0

CORRESPONDENCE: (None)

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva turned his portion of tonight's Meeting over to the Sommers Group for their presentation of proposed multi-family apartments to be built at the corner of Andrews Road and Lake Shore Boulevard. Attending tonight's Meeting were Ron Sommers, Greg Sommers, Ryan Sommers, and Domenic with LDA Architects. Ron Sommers and Domenic presented the Sommers Group initial plans for the apartments. This will be a roughly \$10 to \$13 Million Dollar project. They had attended the September Planning and Zoning Commission Meeting and will be attending the next one with a traffic study. They are requesting a rezoning of that corner, and are on a very tight time frame with the property owner for the purchase of the property to have this in place by the end of the year. Domenic went over the packet they had provided Council, which included photos of other apartment buildings they had built.

Mayor Eva asked Council if anyone had any questions, please let him or Mrs. Bartone know and they will pass them on to the Sommers Group. He thought the Planning and Zoning Commission were very excited about this. The timetable, since this property is presently zoned Business, would be to give Council legislation at the next Meeting to rezone the property from Business to Multi-Family, and start the first reading on that, with the third reading having the public hearing. Mayor Eva said we don't want to miss this deadline. Mr. Lyons asked questions regarding the rezoning of the property with a short discussion as to costs. Mr. Lyons said what he was thinking of was maybe creating a new zoning district, a lake shore apartment district with specific conditional uses that have to be met in order for this to go forward. There was discussion on zoning in other cities for this type of project. There were questions from the public attending tonight's Meeting. A copy of the existing site and the architect's proposed site plan is attached.

Administrative Director – Mrs. Bartone

Mrs. Bartone advised Resolution No. 2021-R-23 and Ordinance No. 2021-O-24 need to be added to the Agenda and passed tonight. This was a late submission to the SID Program, and the resident needs to be added tonight so she can be taxed with her neighbors and so they can do the project all together. Ordinance No. 2021-O-20 is the one she was asked about by Mr. Wolk some time ago and is for the first half of funds received last month; Ordinance No. 2021-O-21 are repeat offenders; Ordinance No. 2021-O-22 are new offenders; and Ordinance No. 2021-O-23 amends the appropriations to bring them up to date.

Law Director – Mr. Lyons

Mr. Lyons advised during the August break he sent Mr. Chabut a new up-dated CRA Ordinance to be considered by the Ordinance Committee as well as a draft of a right-of-way ordinance.

Fire Chief – Mr. Pechatsko

Chief Pechatsko gave the Fire Department Report for August 2021. For the month of August 2021, the Fire Department had a total of 108 calls for service as follows: Rescue/EMS – 76 calls, none of which required Narcan; Fire/Service – 20 calls; and Invalid Assist – 12 calls. An audit of all the fire hydrants in the City was started in August. Also in August the Fire Department completed its annual testing of the Department's ground and aerial ladders. Chief Pechatsko went back to July for the service anniversaries. July service anniversaries: B.C. Konitsky – 30 years; Chief Pechatsko – 23 years; and F.F. Campaign – 11 years. August service anniversaries: F.F. Corbe – 6 years; F.F. O'Connell – 6 years; and F.F. Sedmak – 5 years.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Morris said he has heard some stories that Mayor Eva has been in contact with the Burger King people about the building, and asked if he could share anything about it. Mayor Eva said it is a corporate owned building and they are looking to repurpose the property. Mr. Morris asked Mayor Eva what he thought that means. Mayor Eva said they have other restaurants besides Burger King and we should know something, hopefully in the next couple of months.

Mr. Morris said he had received an email yesterday taking him off the Ordinance Committee Meeting, and he does not understand why that was sent as Mr. Johnson received one at the same time updating the meeting. Mrs. Bartone said she was guessing it was an oversight. The first time Jamie sent out the invitation she forgot to include the Google link, so when she sent it again she did an all new email. Mr. Morris asked if she could ask Jamie to add him to it.

BOARD/COMMITTEE/COMMISSION REPORTS:

Parks and Recreation Board / July 28, 2021 / Mr. Chabut

Mrs. Thompson stated Mr. Chabut was not here tonight so the Parks and Recreation Board report will be continued until the next Meeting.

Planning and Zoning Commission / August 2, 2021 and September 13, 2021 / Mr. Johnson

Mr. Johnson stated the Planning and Zoning Commission met on Monday, August 2, 2021. The conditional use permits for Biggies Custard and All Occasion Limousine was passed. A lot split was also discussed for 7469 Southland Drive which was continued until the next meeting.

Mr. Johnson stated the Planning and Zoning Commission met on Monday, September 13, 2021. Conditional use permits for five years were passed for Ale Haus, Blystone's Marine, Mr. Pete's, Spuddy's Tavern, Wee Bit Lounge, and Breakwall Tavern. The lot split at 7469 Southland Drive was approved.

OPEN TO THE PUBLIC TO SPEAK: 7:32 P.M.

Skip Gray, 7574 Dahlia Drive. He asked for some clarification on the mileage in Resolution No. 2021-R-22, if this was a 3 mil reduction from what was passed earlier and as posted on the Auditor's website. He would like Council to clarify it that was a 3 mil reduction. If so, he would disagree with that, on the onus we are in a COVID pandemic, we don't know how many rentals are here, how many people are actually paying their property taxes, payments are not until February, so we still don't know what has been done; occurred from the mandate of forbearance of people paying their rent, we don't know if they are paying their rent, if landlords are not paying their property taxes, you are not getting their property taxes. If it was him, he would suspend. Mr. Gray remarked on the 2% pay increase for three consecutive years. Based on that you are not going to have a true standpoint of income, sales tax revenue, property taxes, and he would like some clarification. Mrs. Bartone said the 3% is on top of the actual legislation, the 24 is outside mileage, with the total being 27 mils. This is the same mileage that has been passed since 2014. Mr. Gray made reference to two different websites that are out there. Mrs. Bartone said the total mileage is 27.8. Mr. Gray then made reference to 7320 Dahlia Drive, and the flooding that had occurred on Dahlia and the owner being negligent because of construction of a trench. He referred to the ordinance. He has been waiting 15 years to fix his own drain, and wanted clarification, if this was illegal, and under advisement if the City would do it now.

Mr. Morris said on August 13th there was the massive downpour, the majority of Dahlia Drive was flooded. He traversed that whole area and video recorded it. A resident came out and cleaned the catch basin, and this is when they saw the water start to recede. The resident remarked all the dirt that Aqua had placed on the side street must have washed into the catch basins and they were full of mud. Mr. Morris said he thinks this is what Mr. Gray was referring to, somebody should go back and check them to make sure they are not full of mud if there is another downpour.

CLOSED OPEN TO THE PUBLIC SECTION: 7:38 P.M.

Mrs. Thompson asked for a Motion to Amend the Agenda.

MOTION MADE BY MR. BITTNER, Seconded by Johnson, to amend tonight's Agenda by adding Resolution No. 2021-R-22 and Ordinance No. 2021-O-24. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.

MOTION CARRIED: 5/0

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2021-R-22

A RESOLUTION ACCEPTING THE RATES AS DETERMINED BY THE LAKE COUNTY BUDGET COMMISSION FOR TAX YEAR 2021, AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE LAKE COUNTY AUDITOR

There was no Motion for Suspension of the Rules. Resolution No. 2021-R-22 is placed on Second Reading.

RESOLUTION NO. 2021-R-23

A RESOLUTION DECLARING IT NECESSARY AND DETERMINING TO PROCEED WITH ACQUIRING, CONSTRUCTING, INSTALLING, EQUIPPING, IMPROVING, MAINTAINING, AND REPAIRING IMPROVEMENTS NECESSARY FOR MAKING IMPROVEMENTS TO ABATE EROSION ALONG PROPERTIES WITHIN THE CITY INCLUDED WITHIN THE LAKE COMMUNITIES SHORELINE SPECIAL IMPROVEMENT DISTRICT TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

MOTION MADE BY MR. MORRIS, Seconded by Mr. Bittner, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.
MOTION CARRIED: 5/0

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Passage of Resolution No. 2021-R-23. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.
MOTION CARRIED: 5/0

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

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

Mrs. Thompson said this Ordinance is still with the Ordinance Committee.

ORDINANCE NO. 2021-O-20

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

MOTION MADE BY MR. BITTNER, Seconded by Mr. Johnson, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.
MOTION CARRIED: 5/0

Mr. Morris asked, before Council voted, for clarification of exactly what this is for the public here and listening. Mayor Eva asked the Clerk to read a part of the Ordinance as it was written. The Clerk read the first couple of paragraphs of the Ordinance.

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Passage of Ordinance No. 2021-O-20. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.
MOTION CARRIED: 5/0

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2021-O-21

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

Mr. Lunder said these come up every meeting, and asked Mr. Lyons if there was a way to have the Administration just bill these tax levies rather than going through Council. Mr. Lyons said not that he was aware of. Ohio Revised Code Chapter 715 requires Council to pass legislation to certify these to the Auditor. Mr. Lunder asked if there was a way to see if other cities are doing this. Mr. Lyons said other cities are doing it administratively, but his recollection is that legislation has to be passed. If it is not certified, the Auditor may accept it, but someone affected by this may raise some sort of action saying it was not done properly. He will look at this. Mr. Lunder said he believed the City recently lost some money because something went to foreclosure. Mr. Lyons said that should not matter as taxes are a year behind. Mrs. Thompson asked if the lien stays with the house and not the person. Mr. Lyons discussed this. Mr. Lyons said what is really important is that properties in distress, try to pass these as soon as possible. He knows in the time they have been doing three readings on non-foreclosure property, he is not aware of any of those people coming in and paying prior to it getting served to the Auditor. Mayor Eva said the work has been performed, and now it has to be collected.

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.
MOTION CARRIED: 5/0

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Passage of Ordinance No. 2021-O-21. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.
MOTION CARRIED: 5/0

ORDINANCE NO. 2021-O-22

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

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Bittner, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.
MOTION CARRIED: 5/0

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Passage of Ordinance No. 2021-O-22. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.
MOTION CARRIED: 5/0

ORDINANCE NO. 2021-O-23

AN ORDINANCE TO AMEND THE 2021 APPROPRIATION ORDINANCES AND DECLARING AN EMERGENCY

There was no Motion for Suspension of the Rules. Mr. Bittner said this one of the Ordinances that have to be passed.

MOTION MADE BY MR. BITTNER, Seconded by Mr. Johnson, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.
MOTION CARRIED: 5/0

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2021-O-23 (Continued):

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Passage of Ordinance No. 2021-O-23. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.

MOTION CARRIED: 5/0

ORDINANCE NO. 2021-O-24

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR ACQUIRING, CONSTRUCTING, INSTALLING, EQUIPPING, IMPROVING MAINTAINING AND REPAIRING IMPROVEMENTS NECESSARY FOR MAKING IMPROVEMENTS TO ABATE EROSION ALONG PROPERTIES WITHIN THE CITY INCLUDED WITHIN THE LAKE COMMUNITIES SHORELINE SPECIAL IMPROVEMENT DISTRICT, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

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

MOTION CARRIED: 5/0

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Passage of Ordinance No. 2021-O-24. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.

MOTION CARRIED: 5/0

OLD BUSINESS:

Mr. Bittner said on the July 27, 2021, Minutes, he should have abstained. Mrs. Thompson asked if we had to do Roll Call again. Mr. Lyons said he did not have to abstain. The fact that he was not here does not mean he can't vote on it. He has every right to abstain, but it is not required; if he believes the Minutes are accurate then he can still vote.

NEW BUSINESS:

Mr. Morris said, in light of the presentation tonight by the Sommers Group, he would like to see the Zoning Committee meet concerning this issue because there is still a considerable amount of rezoning to consider. The Zoning Committee, under the leadership of Mr. Johnson, went through quite a bit to rezone the areas that were rezoned. Mrs. Thompson said Mr. Bittner will be taking a short leave of absence and asked Mr. Johnson to Chair the Committee in Mr. Bittner's absence. Mr. Johnson said he would.

OPEN TO THE PUBLIC TO SPEAK: 7:54 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:54 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Ordinance Committee Monday, September 20, 2021, at 6:00 P.M.
Zoning Committee Thursday, September 30, 2021, at 6:00 P.M.
Mayor Eva asked if it would be beneficial to have someone from the Sommers Group at the Meeting, and Mr. Johnson said it might be helpful. It was discussed what studies would be done by the Sommers Group for the next Planning and Zoning Committee.

Regular Agenda Meeting
Regular Council Meeting

Thursday, September 23, 2021, at 6:00 P.M.
Tuesday, September 28, 2021, at 7:00 P.M.

ADJOURNMENT:

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Adjournment. ROLL CALL:
Ayes: Council Member Lunder, Johnson, Bittner, Morris, Thompson. Nays: None.
MOTION CARRIED: 5/0

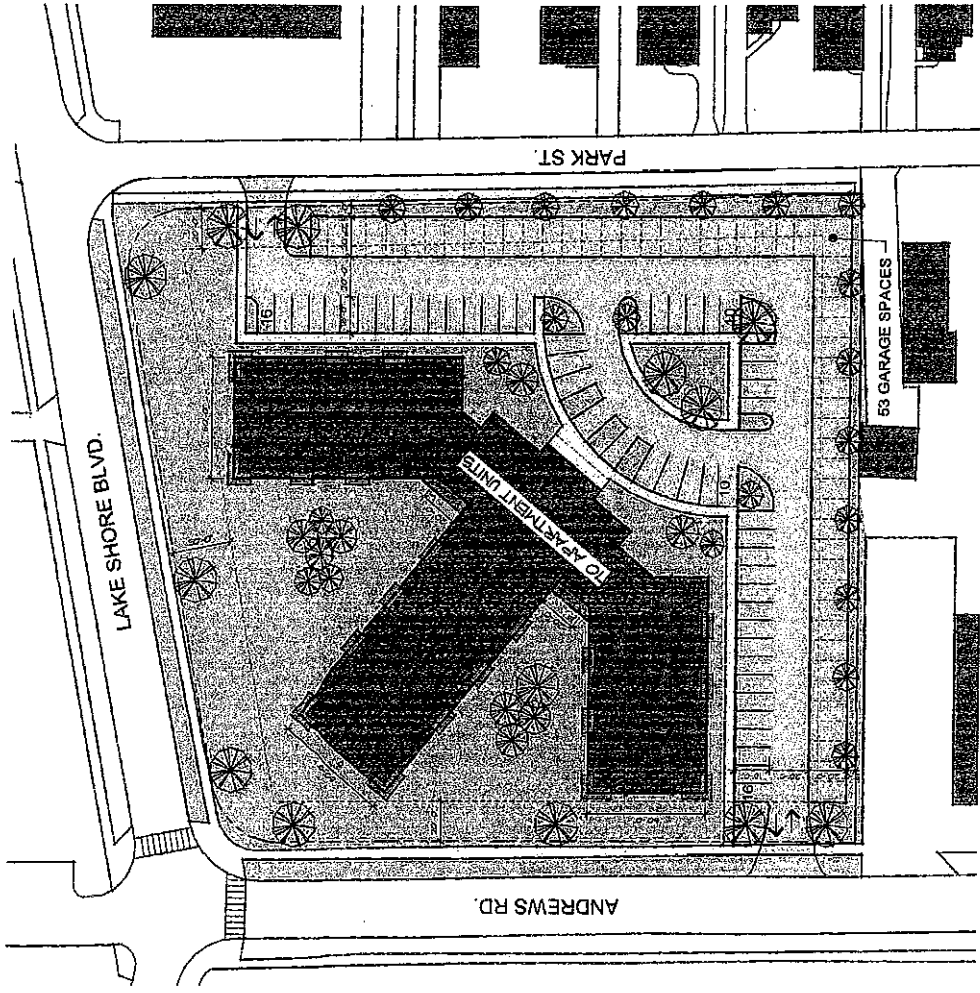
The Virtual Regular Meeting of Council adjourned at 7:58 P.M.

APPROVED:

September 28, 2021
Date

Desirea Thompson
Desirea Thompson
President of Council

Attest: George M. Dafe
Clerk of Council



70 TOTAL APARTMENT UNITS
 +/- 84,000 GROSS SF
 105 TOTAL PARKING SPACES

September 13, 2021



SITE PLAN