



City of Mentor-on-the-Lake

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MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE DECEMBER 13, 2022

The Regular Meeting of Council of December 13, 2022, for the City of Mentor-on-the-Lake, Ohio, was called to Order at 7:00 P.M. by Council President Rob Johnson.

CALL TO ORDER: PLEDGE OF ALLEGIANCE

ROLL CALL:

Aye: **At Large:** KEVIN BITTNER, Vice-President
Aye: **At Large:** JIM LUNDER
Aye: **Ward 4:** DESIREA THOMPSON
Aye: **At Large:** MICHELLE MOORE
Aye: **Ward 1:** DAVID CHABUT
Aye: **Ward 2:** PAUL MORRIS
Aye: **Ward 3:** ROB JOHNSON, President

READING OF MINUTES: Regular Meeting of Council - November 22, 2022

MOTION MADE BY MR. BITTNER, Seconded by Mrs. Thompson, for Approval of the Minutes of the Regular Meeting of Council of November 22, 2022. **ROLL CALL:** Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Johnson. Nays: None. Abstain: Council Member Morris.
MOTION CARRIED: 6/0/1

CORRESPONDENCE: (None)

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva stated he has the road program numbers and Mr. Lannon will go over that tonight.

Mayor Eva advised a new Part-Time Patrol Office for the Police Department will be starting tomorrow, Rob Morenz. He will begin field training with Sgt. Daubenmire.

He sent Council an email from Ptl. Messinger about the Eighth Annual Santa Blue Helpers event, which is Sunday, December 18th, at 5:00 P.M. in the Community Room. Fifteen children are confirmed, ages 6 to 11. They will leave City Hall at 7:00 P.M. to go to Target, and should finish by 9:00 P.M.

Rob Higginbotham's last day with the Police Department was yesterday. He was with the Police Department for thirteen years, and will begin a new career as a Probation Officer for Painesville Municipal Court. He grew up in Mentor-on-the-Lake and was an outstanding officer. He will be missed and we wish him the best going forward.

Administrative Director

Law Director – Mr. Lyons (No Report)

Fire Chief – Mr. Pechatsko

Chief Pechatsko gave the Fire Department Report for November 2022. For the month of November 2022, the call breakdown is as follows: Fire/Service – 21 calls; Rescue/EMS – 95 calls, of which there were 27 calls for Invalid Assist; there were no calls requiring the use of Narcan. Department Training for November covered First Responder Health and Fitness from Lake Health, and Department shift drills were altered mental status in the elderly and performing a V-E-I-S operation. In the month of November the Fire Department swore in two new Part-Time Firefighters. They are both progressing through their initial training nicely.

Chief Pechatsko advised today the Fire Department received official notice that it was not selected for the SAFER grant.

He thanked the members of the Fire Department and their families, Mayor Eva and Council Members Mrs. Thompson and Mrs. Moore, for helping with the annual Santa Rounds.

On behalf of the Fire Department, he wished all of Council a very Merry Christmas!

City Engineer – Mr. Lannon

Mr. Lannon gave a brief summary of the Mentor-on-the-Lake Road Program for 2023 which streets were given to the City of Mentor City with a request to include in them its bidding process. Asphalt roads: Beech Drive from Salida to Sharon; Thunderbird Drive from address 6066 to Campbell, and Fern Drive from Reynolds to Lake Street. Concrete repairs: Goldenrod and Larkspur. These, when combined with striping, preventative maintenance, engineering on the road program, comes to \$183,000.00, depending on how prices come in.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS: (None)

BOARD/COMMITTEE/COMMISSION REPORTS:

Planning and Zoning Commission / December 5, 2022 / Mr. Chabut

Mr. Chabut advised the Planning and Zoning Commission met on December 5, 2022, at 6:00 P.M. to go over MSP Properties of Ohio development agreement. Present were Committee Members Suzanne Cason (Chair), Mike Sweeney, Al Buescher, Council Members Chabut, Morris, Vice-President of Council Bittner, and Council President Johnson, Mayor Eva, and several residents. The Commission reviewed the Development Agreement with MSP Properties of Ohio. Kathryn Weber, the attorney representing MSP Properties, assured the Commission that the exterior signs will be black and white only; that the plan includes two separate driveways; sidewalks will be handicapped accessible. Current plans allow for the fact that the existing foliage will suffice as a barrier. The Commission, however, requested a codicil that should the foliage be thinned, the developer will install a privacy fence. The Commission requested that a barrier be added to the asphalt lot in the back of the property to prohibit motor vehicle access. The Commission also requested that under Section 3(c), the Store Management abide by the definition of fresh/frozen foods as cited in Title 21, Section 101.95 as defined by the FDA. These revisions will be made to the MSP Properties Development Agreement prior to sending to Council. The Meeting adjourned at 7:00 P.M. The next Meeting is scheduled for Monday, January 9, 2023, at 6:00 P.M.

Community Development / December 5, 2022 / Mr. Morris

Mr. Morris advised the Community Development Committee met on December 5, 2022, at 7:10 P.M. to discuss the idea of a City Master Plan. Present were Committee Members Paul Morris (Chair), Desirea Thompson, Dave Chabut, Council Vice-President Bittner, Council President Johnson, and several residents. The Committee started the meeting with a conversation with the residents present who have been working on the Master Plan for the City as to whether they wished to continue with the project. All of those present indicated that they would like to continue moving forward, and it was hoped they might get some guidance from Envision. There was conversation among the Council Members present if they should request a line item of \$41,000 to \$42,000 to be included in the 2023 Budget to enable the City to hire a consulting firm to assist in developing a City Master Plan. Everyone present on Council agreed that Council should recommend that the money be budgeted to hire a consulting firm for 2023. No company has yet to be chosen. Mr. Buescher stated he had done a master plan several years ago and turned it into the City. The Committee would like to see that document and will try to locate it. Mr. Shick said he would contact the County to see if they had it, and Mr. Morris believes he has done that. Dave Chabut requested that we contact Lake Metro Parks to see if there would be any interest in them taking over LOBA Park. The Committee will reach out to them to see where they stand on it. The Meeting adjourned at 8:00 P.M.

Ordinance Committee / December 12, 2022 / Mrs. Moore

Mrs. Moore advised the Ordinance Committee met on December 12, 2022, to review ordinance changes for the right-of-way and rental inspections. Present were Committee Members Michelle Moore (Vice-Chair), Paul Morris, Council President Johnson, and resident Skip Gray. Mrs. Moore advised they were unable to have a meeting because they did not have a quorum. The Meeting adjourned at 7:03 P.M.

OPEN TO THE PUBLIC TO SPEAK: 7:09 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:09 P.M.

LEGISLATION BEFORE COUNCIL:

ORDINANCE NO. 2022-O-24

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

Mr. Bittner asked if these were previous offenders. Mayor Eva said yes.

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

MOTION CARRIED: 7/0

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Morris, for Passage of Ordinance No. 2022-O-24. ROLL CALL: Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson. Nays: None.

MOTION CARRIED: 7/0

LEGISLATION BEFORE COUNCIL (Continued)):

ORDINANCE NO. 2022-O-25

AN ORDINANCE AMENDING APPENDIX A TO THE CODIFIED ORDINANCES – ARTARP AREA AND DECLARING AN EMERGENCY

Mr. Johnson asked Mr. Lyons, since this Ordinance involves zoning, does it need to go before the Planning and Zoning Commission and does it need a public hearing. Mr. Lyons said yes, and yes. Mayor Eva asked what Committee this Ordinance originated from? Mr. Johnson said it came out of him. It was during a Council Meeting when he made the suggestion. Mayor Eva said when he reads the map the only ARTARP area is Andrews Place? Mr. Johnson said yes. The reason they are leaving the ARTARP in place for that location is so that if anything happened to that building, the only reason we kept the ARTARP in general and allow that in the Business District was to allow if something happened to that property because it was part of the ARTARP, it could be rebuilt as that. Mrs. Thompson asked if Lake Vistas part of that? Mayor Eva said Lake Vistas and also Lakeway, and asked if this had been researched and this is what you figured out. Mr. Johnson said this is what we were going to start with; as he had stated at the Council Meeting, this is what we were going to start with and decide from there how big it should be, because at that point we had nothing other than what it was already.

Mr. Johnson stated Ordinance No. 2022-O-25 is placed on Second Reading, and will be referred to a Committee once we have one next year

ORDINANCE NO. 2022-O-26

AN ORDINANCE TO AMEND THE 2022 APPROPRIATION ORDINANCES AND DECLARING AN EMERGENCY

Mayor Eva said this is the reallocation of funds for this year and needs to be passed tonight.

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

MOTION CARRIED: 7/0

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Morris, for Passage of Ordinance No. 2022-O-26. **ROLL CALL:** Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson. Nays: None.

MOTION CARRIED: 7/0

ORDINANCE NO. 2022-O-27

AN ORDINANCE AMENDING CODIFIED ORDINANCES 1240.02, 1258.02, AND CREATING NEW SECTION 1258.021 IN ORDER TO REGULATE SMALL BOX DISCOUNT STORES IN THE CITY

Mr. Johnson asked Mr. Lyons if this also needs to be referred to the Planning and Zoning Commission and will also require a public hearing. Mr. Lyons said yes.

Mr. Johnson said Ordinance No. 2022-O-27 will go to Second Reading.

LEGISLATION BEFORE COUNCIL (Continued)):

ORDINANCE NO. 2022-O-28

AN ORDINANCE EXTENDING THE EXISTING 6 MONTH MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING AND/OR OCCUPANCY PERMIT APPROVALS FOR SMALL BOX DISCOUNT STORES AND THE ISSUANCE OF SUCH APPROVALS IN THE CITY OF MENTOR ON THE LAKE FOR A PERIOD OF TWO MONTHS, AND DECLARING AN EMERGENCY

Mr. Johnson said the moratorium expires on December 28, 2022, so this needs to be passed to continue the moratorium until the legislation can be passed from 2022-O-27.

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

MOTION CARRIED: 7/0

MOTION MADE BY MR. MORRIS, Seconded by Mrs. Thompson, for Passage of Ordinance No. 2022-O-28. ROLL CALL: Ayes: Council Member Bittner, Lunder, Thompson, Moore, Chabut, Morris, Johnson. Nays: None.

MOTION CARRIED: 7/0

OLD BUSINESS:

Mr. Morris apologized to his fellow Council Members and the Administration and any residents present when he misspoke about spending money to have CT Consultants work on a plan for LOBA Park. That was incorrect and it was about developing a plan for the Police Department. He wanted to apologize for any confusion he created. Also, the Mayor had put out a notice that there was confusion about Mentor Beach Park and what the City of Mentor was going to do. Prior to that, he had reached out to his connection at the City of Mentor, and they said they are not planning on going forward with a restaurant there; they are continuing to do some remodeling there, but because the Lake Port Authority no longer wishes to pursue this, they are not going to further pursue the idea of a restaurant at Mentor Beach Park. That came from their City Manager and one of their Council Members. He wished everyone a Merry Christmas!

NEW BUSINESS: (None)

OPEN TO THE PUBLIC TO SPEAK: 7:17 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:17 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Planning & Zoning Commission	Monday, January 9, 2023, at 6:00 P.M.
Organizational Meeting of Council	Tuesday, January 3, 2023, at 7:00 P.M.
Regular Agenda Meeting	Thursday, January 5, 2023, at 6:00 P.M.
Regular Council Meeting	Tuesday, January 10, 2023, at 7:00 P.M.

ADJOURNMENT:

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

The Regular Meeting of Council adjourned at 7:19 P.M.

APPROVED:

January 10, 2023
Date _____



ROBERT JOHNSON
President of Council

Attest: *Joyce M. Jaye*
Clerk of Council _____