



City of Mentor-on-the-Lake

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MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE FEBRUARY 28, 2023

The Regular Meeting of Council of February 28, 2023, 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: MICHELLE MOORE, Vice-President
Aye: Ward 4: DESIREA THOMPSON
Ward 2: PAUL MORRIS (Absent)
Aye: At Large: KEVIN BITTNER
Aye: Ward 1: DAVID CHABUT
Aye: At Large: JIM LUNDER
Aye: Ward 3: ROB JOHNSON, President

READING OF MINUTES:

Regular Meeting of Council – February 14, 2023

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Bittner, for Approval of the Minutes of the Regular Meeting of Council of February 14, 2023. **ROLL CALL:** Ayes: Council Member Moore, Thompson, Bittner, Chabut, Lunder. Nays: None. Abstain: Council Member Johnson.

MOTION CARRIED: 4/0/1

CORRESPONDENCE: (None)

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva advised he went to the Community Cat Meeting, and does not see any change to our legislation. He went over some of the highlights. What they are looking for is for is that these colonies should promote TNR (trap, neuter, return). All colonies should be registered with the Lake County Cat Organization; if they are not, if we find one in our community Mayor Eva wants to know about it; he will then contact this organization and they will register the colony. All colonies should know how many cats they have. A registered colony should let their neighbors know, because, as we have heard, these cats end up in the neighbor's yard, etc. What people who have colonies should do is accommodate their colony cats and put everything in their yard so the cats stay in one place. Food and water should be put out at the same time every day, for a limited amount of time. Shelters should be in the backyard. Going forward when we see residents come in, he will contact this group and if there are any complaints, he will notify

the group. He does not want to get the Police Department involved, and will give the colony another chance to get registered, etc.

Administrative Director

Law Director – Mr. Lyons (No Report)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Chabut asked if a person has a cat colony but does not know the number of cats, what can be done about it? Mayor Eva said if there is any deviation, let him know and he will notify the person who runs the organization and give them contact information. If they can't resolve the situation, then the City will get involved. Mr. Chabut and Mayor Eva briefly discussed the situation Mr. Chabut was concerned about.

Mr. Bittner asked Mayor Eva if he feels the current Ordinance is up to date. Mayor Eva said yes. Originally when they wanted to come here he thought the intent was to change the legislation, but the legislation we have is good.

Mr. Lunder asked if they had talked about grants for neutering. Mayor Eva said he did not think so but believes they work with Pets Plus. Mr. Johnson thinks they get a lot of donations from the community, and try to adopt out cats/kittens that are adoptable.

BOARD/COMMITTEE/COMMISSION REPORTS:

Zoning Committee / February 20, 2023 / Mr. Chabut

Mr. Chabut advised the Zoning Committee met on February 20, 2023, at 6:40 P.M. Present were Council Members Chabut (Chair), Lunder, Thompson, and Council Vice-President Moore. The Committee agreed that the ARTARP area should only include Parcel No. 19A091G000140, 7784 Salida or Andrews Place Apartments. This is currently Ordinance No. 2022-O-25 and when we get to it, we need to discuss if we want to amend it. The Committee then went over four properties. The first one at 7878 Plains Road, Parcel Nos. 19A092A000120 and 19A092A000180, is zoned incorrectly. These should be corrected with the Auditor from Commercial Apartments to Multi-Family District, Garden Type Apartments, District F. 7906 Plains Road, Parcel No. 19A092A000130, should be corrected on our map as Single-Family District E, Condominium District classification. The corner property at Andrews and Munson Road, Parcel No. 19A092A000010, should be coded on our map a B-1. The property at 7749 Lake Shore Boulevard, Parcel No. 19A092F000430, should be corrected as B-II with the County Auditor and our map. Apparently we have to send out letters to each one of the owners letting them know, and then we go from that. The Meeting adjourned at 6:47 P.M.

Board of Zoning Appeals / February 20, 2023 / Mr. Lunder

Mr. Lunder advised the Board of Zoning Appeals met on February 20, 2023, at 7:00 P.M. to discuss a general appeal for Ordinance 1466.02, Sections 1, 3, and 5, at 7483 Salida Road, from the previous meeting on January 16, 2023. Present were Committee Members Ray Gieling (Chair), Mike Sweeney, Brandon Towns, Cathy Roos, Council Member Lunder, Council Vice-President Moore, Mayor Eva, and resident Lynn Toth, 7346 Salida Road. The report from Cory Flowers, Housing Inspector for the City, stated that Mr. Timmons corrected all of the previous violations except the removal of one tree. After the Board looked at pictures of the tree in question, they all agreed that Mr. Timmons must have the tree trunk/branch removed by April 6, 2023, and on April 7, 2023, Mr. Flowers will visit the property to

ensure that said tree trunk/branch has been removed. If the work is not completed by April 6, 2023, the City will handle the violation. The Meeting adjourned at 7:47 P.M.

Finance Committee and Council of the Whole / February 22, 2023 / Mrs. Moore

Mrs. Moore stated the Finance Committee was voted to be held as a Council of the Whole to review the Appropriations Budget for 2023. Present were Council Members Thompson, Bittner, Lunder, Chabut, Council Vice-President Moore, Council President Johnson, Mayor Eva, Fire Chief Pechatsko, and Police Lt. Forsythe. They reviewed the budget section by section which breaks it down to the various departments. The budget includes hiring two full-time firefighters; there will be some changes with the Police Department due to the Police Chief's retirement; they also looked at acquiring a new police car. There were no major changes; there is a projected positive carry-over for the next year; and the recommendation was made to accept the appropriations for the year and submit it to Council for resolution.

Utility Committee / February 23, 2023 / Mr. Lunder

Mr. Lunder advised the Utility Committee met on February 23, 2023, at 6:30 P.M. to go over Ordinance 1044.06.G related to facility charges from Aqua Ohio, and to go over the Republic Services contract. Present were Council Members Lunder (Chair), Chabut, Bittner, and Council Vice-President Moore. Mr. Lunder said he received the prices from Aqua Ohio to update the Ordinance. The Committee went over the new prices and all agreed to the increases. He will be sending them to Mr. Lyons to change the Ordinance. The Committee also discussed the up-coming contract with Republic Service, and all agreed to have the Administration investigate other refuse companies starting in September to see what they have to offer. The Republic contract is up in May 2024. They also asked that the Committee be involved with the administration when they review them. The Meeting adjourned at 6:37 P.M.

Ordinance Committee / February 23, 2023 / Mr. Bittner

Mr. Bittner advised the Ordinance Committee met on February 23, 2023, at 7:00 P.M. to discuss the right-of-way ordinance and inspection fees. Present were Council Members Bittner (Chair), Chabut, Lunder, Council Vice-President Moore, and members of the public. The Committee went over the proposed new Ordinance on the right-of-way and had a few questions, which will be directed to the Law Director. The Committee then went over the rental inspection fees as proposed by the last Ordinance Committee. The legislation is being drawn up by the Law Director and will be reviewed by the Committee. The Meeting ended at 8:00 P.M.

OPEN TO THE PUBLIC TO SPEAK: 7:15 P.M.

Skip Gray, 7574 Dahlia Drive. Mr. Gray had questions about the appropriations.

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

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2023-R-04
A RESOLUTION CONFIRMING THE APPOINTMENT OF KYLE KOZLOWSKI TO THE PARKS AND RECREATION BOARD.

Mr. Johnson asked if Council had been sent a copy of his application form, and he was advised it had been sent to all Members of Council.

LEGISLATION BEFORE COUNCIL (Continued):

RESOLUTION NO. 2023-R-04 (Continued):

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

MOTION CARRIED: 6/0

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Bittner, for Passage of Resolution No. 2023-R-04. ROLL CALL: Ayes: Council Member Moore, Thompson, Bittner, Chabut, Lunder, Johnson. Nays: None.

MOTION CARRIED: 6/0

ORDINANCE NO. 2022-O-25 (THIRD READING) (ASSIGNED TO ZONING COMMITTEE)
AN ORDINANCE AMENDING APPENDIX A TO THE CODIFIED ORDINANCES – ARTARP AREA AND DECLARING AN EMERGENCY

Mr. Johnson asked for discussion, and asked Mr. Chabut what the Committee wanted to do with this Ordinance. Mr. Chabut said they wanted to limit the ARTARP area to a certain parcel, and Mr. Lyons will give us the exact wording as to how he wants it done. We can always change it for a different parcel if we wish, but it seems to him that at the moment it just be limited to that parcel and this way they can control it in the future. Mr. Lyons stated he received Mr. Chabut's email about that, and checked to see what the Ordinance read that is before Council. He believes he originally drew it up so it was broader, and at an Agenda Meeting, it was strongly indicated to him it should be a lot less. At the last Agenda Meeting, the Clerk and Mr. Bittner took a look at what is currently before Council, and the only thing before Council now is that one parcel, and while it is not identified by a permanent parcel number, it is identified by the cross markings plus it is identified by "200' from Salida south on Andrews," so he thinks that it is already correct. Mr. Johnson said that is where he left it. Mr. Chabut asked if this means it does not need to be corrected, and Mr. Johnson said it has already been amended to do that, that was the proposed version. He said we can hold off voting on this until everyone has a copy and to make sure we are all in agreement. Mr. Chabut said we need a public hearing. Mr. Johnson said we want to make sure we have the right draft before we have a public meeting. Mr. Lyons said the Clerk checked it twice and it looked correct. Mr. Johnson said this had to go to Planning and Zoning anyway. Mr. Lyons said per the Ordinances, Planning and Zoning has to consider it and vote on it before it can be passed by Council. Mr. Johnson said this Ordinance will be submitted to the Planning and Zoning Commission, which is not meeting until April. Mr. Lyons said in the meantime it can still be set for public hearing if Council wants to. Mr. Johnson stated Ordinance No. 2022-O-25 is submitted to the Planning and Zoning Commission and the public hearing will be scheduled at the appropriate time.

ORDINANCE NO. 2022-O-27 (THIRD READING)

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 said this has been scheduled for Public Hearing on Tuesday, March 28, 2023, at 7:00 P.M.

ORDINANCE NO. 2023-O-02

AN ORDINANCE PROVIDING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MENTOR-ON-THE-LAKE FOR THE YEAR 2023, REPEALING ANY ORDINANCE PRIOR THERETO, AND DECLARING AN EMERGENCY.

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2023-O-02 (Continued):

There was no discussion. Mr. Johnson stated Ordinance No. 2023-O-02 will be placed on Second Reading.

ORDINANCE NO. 2023-O-03

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND APPOINTED SALARIED AND HOURLY EMPLOYEES OF THE CITY OF MENTOR-ON-THE-LAKE; REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS THEREOF WHICH MAY BE INCONSISTENT HEREWITH OR WHICH MAY BE REDUNDANT HERETO, AND DECLARING AN EMERGENCY.

There was no discussion. Mr. Johnson stated Ordinance No. 2023-O-03 will be placed on Second Reading.

ORDINANCE NO. 2023-O-04

AN ORDINANCE EXTENDING THE EXISTING 2 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.

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

MOTION CARRIED: 6/0

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Bittner, for Passage of Ordinance No. 2023-O-04. ROLL CALL: Ayes: Council Member Moore, Thompson, Bittner, Chabut, Lunder, Johnson. Nays: None.

MOTION CARRIED: 6/0

OLD BUSINESS: (None)

NEW BUSINESS: (None)

OPEN TO THE PUBLIC TO SPEAK: 7:24 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:24 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Ordinance Committee	Monday, March 20, 2023, at 7:00 P.M.
Parks and Recreation Board	Thursday, March 23, 2023
Planning and Zoning Commission	Monday, April 3, 2023, at 6:00 P.M.
(The Meeting scheduled for Monday, March 6, 2023, has been cancelled)	

Public Hearing on Ordinance No. 2022-O-27 Tuesday, March 28, 2023, at 7:00 P.M.

Regular Agenda Meeting
Regular Council Meeting

Thursday, March 9, 2023, at 6:00 P.M.
Tuesday, March 14, 2023, at 7:00 P.M.

ADJOURNMENT:

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Bittner, for Adjournment. ROLL CALL:
Ayes: Council Member Moore, Thompson, Bittner, Chabut, Lunder, Johnson. Nays: None.
MOTION CARRIED: 6/0

The Regular Meeting of Council adjourned at 7:28 P.M.

APPROVED:

3-14-2023
Date



ROBERT JOHNSON
President of Council

Attest: Virginia Gray
Clerk of Council