



# City of Mentor-on-the-Lake

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

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

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## MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE MAY 23, 2023

The Regular Meeting of Council for the City of Mentor-on-the-Lake for May 23, 2023, was called to order at 7:00 pm by Council President Rob Johnson.

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

#### Roll Call:

<b>Aye: At Large:</b>	<b>Michelle Moore, Vice-President</b>
<b>Aye: Ward 4:</b>	<b>Desirea Thompson</b>
<b>Aye: Ward 2:</b>	<b>Paul Morris</b>
<b>At Large:</b>	<b>Kevin Bittner (Absent)</b>
<b>Aye: Ward 1:</b>	<b>David Chabut</b>
<b>Aye: At Large:</b>	<b>Jim Lunder</b>
<b>Aye: Ward 3:</b>	<b>Rob Johnson, President</b>

**READING OF MINUTES:** Regular Meeting of Council – May 9, 2023

**MOTION MADE BY MRS. THOMPSON,** Seconded by Mr. Morris, for Approval of the Minutes of the May 9, 2023, Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 6/0**

### CORRESPONDENCE:

Mrs. Moore read an email from Andrea Johnston, and her response, regarding the preliminary design submitted by the Somers Group at the last Planning and Zoning Commission Meeting of the condos to be built at the corner of Andrews Road and Lakeshore Boulevard, which included an attachment indicating how they would like the development to look. A copy of her email and attachment is attached.

Mr. Chabut read an email from Susan Shick regarding the preliminary design submitted by the Sommers Group at the last Planning and Zoning Commission Meeting of the condos to be built at the corner of Andrews Road and Lakeshore Boulevard. A copy of her email is attached.

Mr. Morris read part of an email from Stephanie Ryan, who has been involved with the Sommers Group on a different project in which several people, as well as several suppliers, who had contracted with them ended up in court and the company went bankrupt before any settlement. She is concerned about the City getting involved with them. He did talk to her on the phone.

### ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

**Mayor and Safety Director - Mr. Eva**

Mayor Eva asked Council to suspend the Rules tonight on Ordinance No. 2023-O-10 which is the issuance of the note for the reason that this matures on June 9, 2023, which is before the next Council Meeting. He and Mr. Ness have been working with Tim Lannon with CT on submitting the City's preapplication to the Ohio Public Works for the Southland storm sewer project. We need to have this in by this Friday. The project is estimated at approximately \$1,000,000.00 and we should know whether we have been approved by the OPWC by August, and plan to start the project in 2024. The funding for that will be a combination of cash, a grant, and potentially a zero-interest loan.

**Administrative Director - Mr. Ness**

Mr. Ness advised he has ordered a new curtain for Council Chambers with an approximately 14-week lead time. He passed around to Council what the new sign will look like. He has been in contact with the Auditor's all week, and they have supplied the information requested. He thinks the Auditor's will be in the office next month. If anyone came in the front entrance tonight, the Service Department repainted the front entrance to City Hall and the Fire Department. He asked Council if anyone objected to having the glass partitions removed. Nobody objected to their removal.

**Law Director - Mr. Lyons**

Mr. Lyons had no report tonight, but understands this is Chief Gielink's last Council Meeting. He praised Chief Gielink for the great job he has done all these years.

**Police Chief - Mr. Gielink**

Chief Gielink stated they have welcomed several new members to the Police Department. Laurie Hughes was recently sworn in as a Part-Time Communications Officer and is in training with Jen Coughlin. She recently retired from the Mayfield Village Police Department where she served as Police Secretary and Public Safety Communicator. Prior to that she was employed by the City of Euclid as a 911 operator/dispatcher since 2002. Donald Taylor was recently sworn in as a Part-Time Police Officer. He came from the fire service where he served as an Arson Investigator for the City of Cleveland. He is currently in Phase 1 of the Department's FTO Program with Ptl. Braidic. Lake County will be conducting a mass casualty incident drill at South High School in Willoughby at the end of June. The training is broken down for police, fire, and telecommunications officers. Tonight is his last Regular Council Meeting. He has enjoyed serving the community of Mentor-on-the-Lake; he has made great memories, and most importantly, he hopes he has made an impact on those that he has encountered.

**QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:**

Mr. Morris thanked Chief Gielink for his years of service. It has been great having him on board.

Mrs. Moore thanked Chief Gielink. She has known the Chief for a long time; he has done a lot for the City and brought in a lot of good officers who really focus on giving back to the community and have made our Department one of the probably more stellar Departments in the County.

Mrs. Thompson thanked Chief Gielink for his service. She knows where he is going and will go to see him.

Mr. Lunder said Chief Gielink knows what his remarks are, and he is appreciated. He has known Chief Gielink for many, many years, and knows where he will be.

Mr. Chabut said he has not known the Chief as long as that, but thinks we have probably one of the best Departments in the area and that is because of him. He thanked him for his service.

Mr. Johnson said Chief Gielink has been a tremendous asset to the Community, to the City, to the entire Police Department, and thanked him for his service. He wished him well on his retirement.

**BOARD / COMMITTEE / COMMISSION REPORTS:**

**Board of Zoning Appeals / May 15, 2023 / Mr. Lunder**

Mr. Lunder advised the Board of Zoning Appeals met on May 15, 2023, at 7:00 P.M. for a variance at 6081 Cedarwood. Present were Ray Gieling (Chair), Mike Sweeney, Council Members Lunder and Moore, Mayor Eva, and Nicholas Palmer, the owner of the property. Mr. Palmer presented plans for a new driveway, and after a few adjustments to the apron width and set back and side yard, the permit was granted for the variance. The Meeting adjourned at 7:22 P.M.

**Ordinance Committee / May 16, 2023 / Mr. Bittner**

Mr. Johnson said Mr. Bittner is not here tonight so we will postpone his report until he returns.

**Planning and Zoning Commission / May 22, 2023 / Mr. Chabut**

Mr. Chabut advised the Planning and Zoning Commission had a Special Meeting on May 22, 2023, at 6:00 P.M. to discuss the preliminary site plan for Crane's Landing. Present were Suzanne Cason (Chair), Mike Sweeney, Brent Moore, Council Members Chabut, Lunder, Morris, Council Vice-President More, Council President Johnson, and several residents. Greg Sommers of the Sommers Group presented the preliminary site plan for Crane's Landing. After a lengthy question and answer period the preliminary site plan was approved. The next Meeting is June 5, 2023, at 6:00 P.M. The Meeting adjourned at 7:00 P.M.

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

Skip Gray, 7574 Dahlia. Mr. Gray expressed his concerns about the preliminary site plan presented by the Sommers Group.

**CLOSED OPEN TO THE PUBLIC TO SPEAK: 7:16 P.M.**

**LEGISLATION BEFORE COUNCIL:**

**RESOLUTION NO. 2023-R-12 (SECOND READING)**

A RESOLUTION AUTHORIZING THE ADMINISTRATIVE DIRECTOR TO PERFORM ALL ACTIONS NECESSARY TO ACCEPT CLASS ACTION LAWSUIT PAYMENT OF \$17,414.03

Mr. Johnson said this needs to be amended to add in extra verbiage to explain why we are accepting this money and give some background information for historical purposes.

**MOTION MADE BY MRS. THOMPSON**, Seconded by Mr. Morris, to amend Resolution No. 2023-R-12 as presented. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 6/0**

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

**MOTION CARRIED: 6/0**

**LEGISLATION BEFORE COUNCIL (Continued):**

**RESOLUTION NO. 2023-R-12 (SECOND READING) (Continued):**

**MOTION MADE BY MRS. THOMPSON**, Seconded by Mr. Morris, for Passage of Resolution No. 2023-R-12. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 6/0**

**RESOLUTION NO. 2023-R-14**

A RESOLUTION CONFIRMING THE APPOINTMENT OF GARY LEONARD TO THE PLANNING AND ZONING COMMISSION

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

**MOTION CARRIED: 6/0**

**MOTION MADE BY MR. MORRIS**, Seconded by Mrs. Thompson, for Passage of Resolution No. 2023-R-14. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 6/0**

**RESOLUTION NO. 2023-R-15**

A RESOLUTION APPROVING THE 2024 BUDGET

Mr. Johnson asked if anyone had any questions. There were none. Resolution No. 2023-R-15 is placed on Second Reading.

**ORDINANCE NO. 2022-O-25 (THIRD READING) (ASSIGNED TO PLANNING AND ZONING COMMISSION)**

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

Mr. Johnson stated this Ordinance is still assigned to the Planning and Zoning Commission.

**ORDINANCE NO. 2023-O-06 (THIRD READING) (ASSIGNED TO ORDINANCE COMMITTEE)**

AN ORDINANCE AMENDING CHAPTER 1462 -- RENTAL INSPECTIONS OF THE CODIFIED ORDINANCES

Mr. Johnson stated this Ordinance is still in the Ordinance Committee.

**ORDINANCE NO. 2023-O-07 (THIRD READING) (AMENDED)**

AN ORDINANCE CREATING NEW ORDINANCE 1022.12 LOCAL TREE LAWN REGULATION NOT INVOLVING UTILITIES AND/OR TELECOMMUNICATION DEVICES

Mr. Johnson said he took this on to amend the verbiage for the trees on tree lawns. Unfortunately there is going to be a conflict with 1036 which is the tree preservation chapter, so he is assigning this to a Council of the Whole Meeting which will be scheduled at the end of the Meeting.

**LEGISLATION BEFORE COUNCIL (Continued):**

**ORDINANCE NO. 2023-O-09 (SECOND READING)**

AN ORDINANCE AMENDING CODIFIED ORDINANCE 452.16 – PARKING OF TRUCKS AND OTHER LARGE VEHICLES

Mr. Johnson asked for discussion. There was none. Ordinance No. 2023-O-09 will go to Third Reading.

**ORDINANCE NO. 2023-O-10**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$665,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, (I) TO PAY THE COSTS OF ACQUIRING A VEHICLE AND RELATED EQUIPMENT FOR THE SERVICE DEPARTMENT, AND ALL RELATED EXPENSES THERETO, (II) TO PAY A PORTION OF THE COSTS OF THE ACQUISITION AND INSTALLATION OF THE LAKE STREET TRUNK STORM SEWER, AND ALL RELATED EXPENSES THERETO, (III) TO PAY A PORTION OF THE COSTS OF THE ACQUISITION AND INSTALLATION OF THE PINEHURST STREET TRUNK STORM SEWER, AND ALL RELATED EXPENSES THERETO, AND (IV) TO PAY A PORTION OF THE COSTS OF THE ACQUISITION OF CITY VEHICLES INCLUDING A DUMP TRUCK AND A POLICE SQUAD CAR, AND DECLARING AN EMERGENCY

**MOTION MADE BY MRS. THOMPSON**, Seconded by Mr. Morris, for Suspension of the Rules.

ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 6/0**

**MOTION MADE BY MRS. THOMPSON**, Seconded by Mr. Morris, for Passage of Ordinance No.

2023-O-10. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 6/0**

**ORDINANCE NO. 2023-O-11**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$500,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF REPLACING AND REPAIRING THE ROOF ON VARIOUS MUNICIPAL FACILITIES, INCLUDING CITY HALL, AND ALL RELATED EXPENSES THERETO, AND DECLARING AN EMERGENCY

Mr. Johnson asked the Administration to speak to this. Mayor Eva stated he would like Council to suspend the Rules and reject this, based on the fact that we do know repairs are needed to the roof, and this will be a conversation we will have at the appropriations meeting next year. We can still have a conversation later in this Meeting about this expense. Mr. Johnson asked Mr. Lyons if it would be appropriate to just withdraw this Ordinance with a motion to withdraw it from the Agenda. Mr. Lyons said they could certainly do that. Mr. Johnson said or just rejecting it because that makes a completely different statement. Mr. Lyons said Council can either withdraw it or table it.

**MOTION MADE BY MR. MORRIS**, Seconded by Mrs. Thompson, to withdraw Ordinance No. 2023-

O-11 from the Agenda. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 6/0**

**OLD BUSINESS:** (None)

**NEW BUSINESS:**

**Expenditure Approval:**

Vendor: CT Consultants  
Items: Preliminary Engineering and Design – LOBA Revetment  
Cost: \$101,866.89  
Fund: General - Engineering  
(per Memorandum of May 10, 2023, from Mr. Ness)

Mr. Johnson said this will require some discussion and goes back to all of the debt we are looking to take on and consider. He asked if the Administration wanted to start. Mayor Eva said this expense would roll into the SID funding, meaning we would be reimbursed through the SID for this expense. Without this expense, we can't go ahead and fix the park. Mr. Ness said without this expense, what CT has already done we would then pay out of the City budget, it would not be rolled into the SID. Mr. Johnson asked what has CT done so far and how much will that cost. Mr. Ness advised they are at 64% so he thinks they are roughly at \$72,000.00. Mr. Johnson asked when had we agreed to spend that money. Mr. Ness said as they complete this, they bill the City. Mr. Johnson asked how many hours of work was that. Mr. Ness said he did not really know, this has been going on since before he got here. Mr. Johnson said the \$101,866.00 could hire a full-time engineer for the City for an entire year, and he is trying to picture how we are spending that type of money to do that on a project that is going to cost \$1.2 Million, cost us basically \$120,000 per year, \$40,000 of which is going to be interest each year to pay this down. This is a significant amount of money. Mayor Eva said this schedule was shared with Council when Tim Lannon was here. Mr. Johnson asked when did we spend that money, he did not realize we had already spent \$74,000.00. Mayor Eva said he would have to look that up. Mr. Johnson said he is greatly concerned about this, when we need to hire another firefighter, more full-time police officers. This is a large dollar amount that we are going to be saddled with for a very long period of time. One of his questions to Council is - is it appropriate for us to take on this amount of debt, or should we instead consider whether we need to go to the voters and ask if they want to pay for this with a levy, basically have a special levy to pay for the revetment. Mr. Morris stated at the Community Development Meeting several residents from Salida have presented the idea that the people they used for their revetment, none of them used CT for any engineering and they have their own engineers within those companies they hired, and we suggested through the Community Development Committee that we bring in one or two of those contractors to talk to us. They expressed it will not be anywhere near what CT is suggesting. He would like to hear alternatives. We also asked Mr. Lannon for a drawing of what this would look like when it was done, and he has not given us anything yet. There are other alternatives we should look at to preserve the park. Mr. Johnson said he is about \$75,000 too late on that, and Mr. Morris agreed. He does not remember anyone presenting that to Council for a vote.

Mayor Eva said there is a reason why we retain engineering every year under contract to do these types of designs for projects, to go outside of CT, that is something that maybe is not possible. With this engineering design from CT, when we start to take bids they will make sure that everything is covered in those bids. Mr. Ness said had it been done sooner it may have been cheaper as well, and he fears that waiting longer will just increase the price. Mr. Johnson asked for comments from the rest of Council. Mrs. Moore said she knows we are under contract with CT this year. Because we have a contract with them, she fears that will impact us from being able to have other companies come in and bid for this, for the engineering phases, the monitoring of the project and everything else. Next year when we talk about renewing contracts, if we feel we are not getting a fair price, or we have questions about that, then we should be asking questions at the time we are going to approve them as the City Engineer.

Mr. Lunder asked the Administration if the SID has been applied for. Mayor Eva said not yet. They are getting ready to issue another bond. Mr. Lunder asked if they issue that bond to us, are we going to be hung with the interest on that bond if we don't go forward. Mayor Eva said unless we have the design and engineering approved, nothing goes anywhere. Mrs. Moore asked if for us to apply for the bond to be in the SID do we have to have this phase completed. Mayor Eva said yes. Mr. Johnson asked how often are the bonds issued for the SID. Mr. Lunder thought it was once a year. Mayor Eva said he was not sure. Mr. Ness said they have had one already, and this is the second one coming up.

Mr. Johnson again asked how much debt are we willing to take on as a City. There is a lot of debt, a lot more debt than we have taken on in his memory, and we should be concerned about that; because the interest we are paying on that keeps us from spending that money elsewhere. Nobody is going to deny that we want to protect LOBA and not have it fall into the lake. He thinks everyone agrees we need to protect our natural resources, but we also want to protect the taxpayers' money. We are going to them this year to renew the levies. It's a challenge asking for that when we are taking on all this other debt too. His question again is should we ask the voters whether they want to pay to save the park, and let them know how much it is going to cost them in a levy, or do we just take on this debt and pay it down through the General Fund money. Mr. Morris said, regarding taking on this amount of debt, he is opposed to taking on this massive amount of debt because we have always told the residents when they approved the Charter amendment, when we can we will back them down. We are never going to be able to back them down. He kind of likes the idea of presenting this to the voting public to see what they think about this. Mr. Chabut asked how much would this cost each household. Mr. Johnson said we would have to run the numbers. There was a short discussion regarding the amount it would cost each household. Mayor Eva said regarding the roof, if you look at what is in the appropriations, 2024, was a \$50,000 repair. We can keep patching it that way or take care of the whole problem at once. Mr. Johnson asked what Council wanted to do. Mr. Chabut asked if we can go ahead with the SID and later ask the voters if they wanted to help pay for it, or is this even a good idea. Mr. Johnson said that is like asking the voters if they want to pay extra taxes, nobody will say yes. Mrs. Moore asked Mr. Lyons if we wanted to put this to the voters what would the filing time be to get something on the November ballot. Mr. Lyons said we would need a resolution asking the Auditor how much would be generated each year; he thinks the date is August 9<sup>th</sup> that it has to go to the Board of Elections. You pass that, get the number back from the Auditor, and you can then put a levy on. You don't have to have three readings; this would have to be passed by the end of July. Mr. Lunder asked if there was a cost involved. Mr. Lyons said no, it would be the November election. Mr. Lyons said you would then have four financial issues before the voters. The levies and putting this before the voters was discussed further as well as how long a levy to save LOBA would last. Mayor Eva said another thing to keep in mind are the storm sewer projects we have going, like Southland; next in line would be Dahlia. Mr. Chabut asked if we would have to get another loan for Dahlia. Mayor Eva explained how that funding works. Mr. Lyons talked about millage funds. There was discussion about erosion control and the impact on properties on either side of LOBA. Mr. Morris asked if Council could hold this off on this until the next Council Meeting, and proposed tabling this until the next Meeting so Council could think about this. Mrs. Moore asked if we can request the information from the Auditor, or is a resolution needed. Mr. Lyons said you can ask anytime. It would not be official. Mrs. Moore asked Mr. Ness to get this information from the Auditor.

**MOTION MADE BY MR. MORRIS**, Seconded by Mrs. Thompson, to table this until the next Meeting. **ROLL CALL:** Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder. Nays: Council Member Johnson.

**MOTION CARRIED: 5/1**

**OPEN TO THE PUBLIC TO SPEAK:** 7:49 P.M.

Jeff Shick, Salida Road. Mr. Shick commented on not getting the requested information from Mr. Lannon, his concerns about CT, and the Planning and Zoning Commission Meeting with the presentation of the preliminary drawing from the Sommers Group.

Skip Gray, Dahlia Road. Mr. Gray talked about the levy millage and the appropriations budget, taking the cost for the park to the voters, and CT.

**CLOSED OPEN TO THE PUBLIC SECTION: 8:00 P.M.**

**ANNOUNCEMENTS AND SETTINGS OF MEETINGS:**

Parks and Recreation Board	Thursday, May 25, 2023, at 7:00 P.M.
Planning and Zoning Commission	Monday, June 5, 2023, at 6:00 P.M.
Community Development Committee	Thursday, June 15, 2023, at 6:00 P.M.
Council of the Whole	Thursday, June 15, 2023, at 7:00 P.M.
Regular Agenda Meeting	Thursday, June 8, 2023 at 6:00 P.M.
Regular Meeting of Council	Tuesday, June 13, 2023 at 7:00 P.M.

**ADJOURNMENT:**

**MOTION MADE BY MR. MORRIS**, Seconded by Mrs. Thompson, for Adjournment. **ROLL CALL:**  
Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder, Johnson. Nays: None.  
**MOTION CARRIED: 6/0**

The Regular Meeting of Council adjourned at 8:04 P.M.

**APPROVED:**

Date

6-13-2023

  
ROBERT JOHNSON  
President of Council

Attest:

  
Acting Clerk of Council