



City of Mentor-on-the-Lake

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MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE JUNE 13, 2023

The Regular Meeting of Council for the City of Mentor-on-the-Lake for June 13, 2023 was called to order at 7:00 pm by Council President Rob Johnson.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

Roll Call:

Aye	At Large:	Michelle Moore, Vice President
Aye	Ward 4:	Desiree Thompson
Aye	Ward 2:	Paul Morris
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, May 23, 2023

MOTION MADE BY MR MORRIS, seconded by Ms Thompson for Approval of Minutes of the May 23, 2023 Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Moore, Thompson, Morris, Chabut, Linder, Johnson. Nays: Council Member Bittner

MOTION CARRIED: 6/1

CORRESPONDENCE: NONE

ADMINISTRATIVE AND DEPARTMENT HEADS

Mayor and Safety Director: Mr. Eva

Mayor Eva gave the Fire Department report. For May 2023, there were a total of 103 calls for service, as follows: 15 Fire/Service Calls; 88 Rescue/EMS Calls. Noteworthy service years were given for for F F Spencer (38 years) and F F Santos (8 years). The Mayor also spoke with Ryan Smalley re the comprehensive city master plan. The Mayor will get back with him as soon as possible now that he's mentioned it at a Council meeting. He would like to discuss this at a future time.

Administrative Director - Mr. Ness

Mr Ness discussed the new roof over the fire department and city entrances only. Roofs are still needed over the fire department and city hall buildings. A roof scan indicated there are three major bad spots and insulation needs to be looked at, as well. He is also working on the city audit materials.

Law Director - Mr Lyons (No report)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS

Mr Johnson asked Mr Lyons about chartering for levies. Mr Lyons indicated we can do three readings, pass something tonight, or put items on the ballot. The final date for getting on the ballot is 90 days prior to voting, which is either August 5 or 9.

Mr Johnson indicated the council would like to recess the first meeting only for July and August, 2023. Mr Lyons wondered if erosion control should go to ballot and has additional information coming. Perhaps a SID would be preferable to ballot. The rules may need suspended to get this on the ballot. He should have more information coming by the next meeting and may need to add this to the agenda.

BOARD / COMMITTEE / COMMISSION REPORTS

PARKS AND RECREATION BOARD was held 5/25 at 7:00 pm

Ms Thompson stated the first Stargazing will be held 6/23/23 at 9:00 pm for all ages at city hall.

Telescopes will be borrowed from the library. The event is not named yet.

Other plans for Parks and Recreation include: community garden, city hall pavilion (rock painting, etc), farmer's market, activities with police/fire department.

Meeting adjourned: 7:35 pm

PLANNING AND ZONING / 6/5/23 at 7:00 pm / Mr. Chabut

Present: Suzanne Carson, Mike Sweeney, Gary Leonard, Brent Moore, David Chabut, Dave Eva, Jim Lunder, Michelle Moore, Rob Johnson, Paul Morris

Minutes attached. Mr. Chabut stated two conditional use permits were approved (Mario's and Anderson's) and one for Amvet's Post 109. Ordinance 2022-O-25 was approved with minor typos corrected. Ordinance 452.17, driveways, is moved to Title 4 Parking for police enforcement. Several changes to the P&Z Commission were discussed and approved.

Meeting adjourned: 7:47 pm

ORDINANCE COMMITTEE / 6/5/23 at 7:00 pm / Mr. Bittner

Present: Bittner, Morris, Chabut, Johnson

Title of the ordinance was changed to include inspection of rental housing, and "rental units" is used throughout.

Further clarification needed of some items and will be discussed.

Meeting adjourned: 7:56 pm

OPEN TO THE PUBLIC TO SPEAK 7:55.

CLOSED TO THE PUBLIC TO SPEAK: 7:56 pm

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2023-R-15 (SECOND READING).

A RESOLUTION APPROVING THE 2024 BUDGET.

Mr. Johnson stated the Public Hearing date is amended to June 27, 2023, unless special meeting is requested.

MOTION MADE BY MR BITTNER to amend the date of the Public Hearing; seconded Moore. **ROLL**

CALL: AYES: Council Members Moore, Thompson, Morris, Bittner, Chabut, Linder, Johnson. Nays:

None

MOTION CARRIED: 7/0

LEGISLATION BEFORE COUNCIL (Continued):

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 returned from P&Z and goes to Public Hearing because it's a change of zoning. Mr Johnson said Ordinance No. 2022-O-25 will stay on Third Reading.

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

AN ORDINANCE AMENDED CHAPTER 1462 - RENTAL INSPECTIONS OF THE CODIFIED ORDINANCES.

Mr Johnson stated this is still assigned to 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 stated this is referred to Committee of the Whole meeting, scheduled to 6/15/23
Mr. Johnson stated this will stay on third reading

ORDINANCE NO. 2023-O-09 (THIRD READING)

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

MOTION MADE BY MS THOMPSON , seconded by Mr Lunder to approve Ordinance 2023-O-09 as presented. AYES: Council Member Thompson, Bittner, Chubut, Lunder. Nays: Council Member Moore, Morris, Johnson

MOTION CARRIED: 4/3

ORDINANCE 2023-O-12

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF MENTOR-ON-THE-LAKE AUTHORIZING THE AMENDMENT OF ARTICLE XII, SECTION 12.05 IN ORDER TO CONTINUE THE EXISTING 1.1 MIL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR FIRE OPERATIONS OF THE CITY FOR FIVE MORE YEARS THROUGH TAX YEAR 2028.

ORDINANCE 2023-O-13

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF MENTOR-ON-THE-LAKE AUTHORIZING THE AMENDMENT OF ARTICLE XII, SECTION 12.04 IN ORDER TO CONTINUE THE EXISTING 1.5 MIL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR POLICE OPERATIONS OF THE CITY FOR FIVE MORE YEARS THROUGH TAX YEAR 2028.

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE 2023-O-14

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF MENTOR-ON-THE-LAKE AUTHORIZING THE AMENDMENT OF ARTICLE XII, SECTION 12.06 IN ORDER TO CONTINUE THE EXISTING 1.2 MIL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR ROAD CONSTRUCTION AND REPAIR PURPOSES OF THE CITY FOR FIVE MORE YEARS THROUGH TAX YEAR 2028.

The following discussion is relevant to the three immediately preceding Ordinances. (2023-O-12, 2023-O-13, and 2023-O-14).

Ms Moore clarified: this is approving us to send these to the Board of Elections so our residents can vote and give their opinion on supporting police, fire, and roads. I favor suspending the rules so this can get this out to the public. Mr Bittner also wished to suspend rules so it can get out to the public. Mr Morris Opposed suspension of rules due to plenty of time to get this done. Mr Bittner clarified: this isn't passing, it's for getting it to the residents for their vote. Mr Johnson would like it to go to three readings and then get it out to the residents. The Mayor indicated the chief may want to make some revisions. Mr. Johnson said he needs to act fast if we want to get this on the ballot. It is understood by everyone this is discussion only, not a motion to approve or second. Mr Johnson stated all three will go to second reading

OLD 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 stated CT Consultants expenditure is actually old business and not new business. He asked Mr Ness for an update. Mr Ness stated it's not 64% complete; that's only the police locker. This was tabled from last time because it's for the LOBA Revetment. This may need to be either SID or levy. Mr Johnson stated: This was tabled from last time. How should we proceed? Mr Morris has Mixed thoughts as \$102,000 is a high cost. He would consider levy on the ballot and let the residents decide. People on Salida may not be willing to spend that much because they did it themselves for a lot less. Mr Johnson asked: Do we want to go ahead? If no, how to pay? Mr Morris wants to move forward with a levy. Ms Moore said we must consider the cost and get feedback to save the park at over \$1.2 million. SID loan, bond, or other means will take financing to do this and we don't have \$1 million. I suggest we present this to the voters to see if they want to fund this. Do we have to cut services? Approve a levy? It's still coming from residents' pockets and they have the right to weigh in on this decision. Mr Lunder said a SID loan is preferred. If levy doesn't pass (November), we will have another year to try and set SID loan and we might not get that. It could be 2024/25 before it's done and we'll lose another 20 feet of the park. Mr. Johnson said we cannot do \$1.2 million without a levy and that needs to be repaid. Twelve, thirteen, or fourteen years ago we had a lot of debt and it's been whittling down. Also we had reduction in revenue, hiring freezes, yet we need more fire and police. How do we afford that with taking on enormous debt plus interest? That doesn't even include the current debt we have. Also roofs on city and attached buildings need replacing at \$500,000. We can't take on trillions of dollars of debt. Mr Morris stated the

Fire Department vehicles are aging and will need replacing at \$300,000 per vehicle. Chief Pechatsko will need to come in front of Council. Mr Lunder does not think residents will approve the park levy because there are other parks available, which are highly used. LOBA is probably only used by the exact neighborhood. I don't think a levy will pass. Mr Johnson said It's the residents money - levy or general fund, it's still the resident's money. Mr Lunder stated: We are losing lakefront and will soon be up to Thunderbird. Mr Johnson indicated We will not be able to stop erosion, only perhaps slow it down. Ms Thompson believes a levy is more appropriate. If it doesn't pass, eventually the park will go away. Mr Chabut asked about residents on both sides of the park. Are we responsible for them if we don't do anything? Are we required to do something? Mr Johnson said, No, we are not responsible to those people. Mr Johnson also indicated we need to put forward a motion to put this before voters.

MOTION MADE BY MR MORRIS and seconded by Mr Bittner, to put the CT expenditures before the voters. **ROLL CALL:** Ayes: Council member Moore, Thompson, Morris, Bittner, Chabut, Johnson. Nay: Council Member Lunder.

MOTION CARRIED: 6/1

Mr Lyons added a comment. There is no question this should be on the ballot. In order to do that, it must be one of three: General Operating Expenses used for anything, Police/Fire, or Parks and Recreation. Levy needs to be specific to LOBA only. Mr Lyons will draw up a levy for Park/Rec as a 15-year levy. He will check with state to one sure it can be a levy and not Shoreline Improvement. Mr Morris asked if the levy is approved, then we get a grant, can we cancel the levy? Mr Lyons answered: It depends on how the terms of the grant are set; bonds or other may prevent that because they are sold for a certain number of years and investors expect a certain stream of income.

Mr Morris asked Mr Ness: Did SID application get approved?

Mr Ness replied: What was approved was the petition to make an application, but nothing else.

NEW BUSINESS

City Plan:

Morris - community development meeting 6/15 during Council as a Whole, so we are close.

Expenses for Travelers \$18,318, renewal of various insurance.

Expenditure Approval:

Vendor: Travelers Insurance Company

Cost: \$82,318.00

Item: Renewal of various insurance policies

Coverage	Premium	Deductible
Property	\$12,520	1,000
Inland Marine	\$ 1,385	1,000
General Liability	\$ 6,847	25,000
Employee Benefits Liability	\$ 192	25,000
Employers Overhead Liability	\$ 599	25,000
Law Enforcement Liability	\$11,357	25,000
Public Entity Mgmt. Liability	\$ 2,503	10,000

Public Entity Empl. Practices Liability	\$ 8,951	25,000
Auto	\$29,972	1,000-10,000
Umbrella - \$2m	<u>\$ 7,992</u>	25,000
TOTAL	\$82,318	

(Per Memorandum of May 24, 2023, from Mr. Ness)

MOTION MADE BY MS THOMPSON, seconded by Mr Lunder to approve Traveler's expenditures.
ROLL CALL: AYES: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson.
Nays: None
MOTION CARRIED: 7/0

OPEN TO PUBLIC: 7:36 pm

Nicholas Lorber, 7416 Larkspur Drive. He, and neighbors, have many concerns about the feral cat population and the damage being caused by those cats. He read the letter and asked that the cat problem be taken seriously and further investigated for an equitable resolution to the cats and residents. Mr Johnson stated A copy of the letter Mr Lorber read is attached.

CLOSED TO THE PUBLIC: 7:48 pm

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Public Hearing on Resolution 2023-R-15 Tuesday	June 27, 2023, 7:00 pm
* Amended Public Hearing date from 6/20	
Public Hearing on Ordinance 2022-O-25	Tuesday, July 25, 7:00 pm
Community Development Meeting	Thursday, June 15, 2023, 6:00 pm
Council of the Whole Thursday	Thursday, June 15, 2023 7:00 pm
Planning and Zoning	Monday, July 10, 2023, 6:00 pm
Next regular agenda meeting	Thursday, June 22, 2023, 6:00 pm
Next regular meeting of Council	Tuesday June 27, 7:00 pm

ADJOURNMENT

MOTION MADE BY MR MORRIS, seconded by Ms Thompson for adjournment. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.
Motion carried: 7/0

Meeting Adjourned 7:50 pm

APPROVED:

Date June 27, 2023


ROBERT JOHNSON
President of Council

Attest: Joyce M. Anze
Clerk of Council