



# City of Mentor-on-the-Lake

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## MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE JUNE 27, 2023

The Regular Meeting of Council for the City of Mentor-on-the-Lake for June 27, 2023, 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:	<b>MICHELLE MOORE, Vice President</b>
Aye	Ward 4:	<b>DESIREA THOMPSON</b>
Aye	Ward 2:	<b>PAUL MORRIS</b>
Aye	At Large:	<b>KEVIN BITTNER</b>
Aye	Ward 1:	<b>DAVID CHABUT</b>
Aye	At Large:	<b>JIM LUNDER</b>
Aye	Ward 3:	<b>ROB JOHNSON, President</b>

### 7:01 P.M. PUBLIC HEARING:

#### RESOLUTION NO. 2023-R-15 (AMENDED)

(First Reading – May 23, 2023 Second Reading and Amended – June 13, 2023)

#### A RESOLUTION APPROVING THE 2024 BUDGET

The Public Hearing on Resolution No. 2023-R-15 was called to order by Council President Rob Johnson at 7:01 P.M.

Mr. Johnson asked the Administrative Director to provide a brief explanation of the Resolution.

Mr. Ness stated this an estimate of taxes that we project to receive in 2024.

Mr. Johnson asked if anyone in the audience had questions regarding the Resolution. There were none.

Mr. Johnson asked if anyone wished to speak in favor of the Resolution. No one wished to speak in favor of the Resolution.

Mr. Johnson asked if anyone wished to speak against the Resolution. No one wished to speak against the Resolution.

Mr. Johnson asked if any members of Council wished to comment on the Resolution. No Member of Council commented on the Resolution.

The Public Hearing on Resolution No. 2023-R-15 closed at 7:02 P.M.

**READING OF MINUTES:** Regular Meeting of Council – June 13, 2023

**MOTION MADE BY MRS. THOMPSON**, Seconded by Mr. Morris, for Approval of the Minutes of the June 13, 2023, Regular Meeting of Council. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 7/0**

#### **CORRESPONDENCE:**

Mr. Chabut stated he received a phone call last week from Cheryl Kuonen, Executive Director of the Mentor Public Libraries, regarding serious incidents which have taken place at the Mentor-on-the-Lake Branch. Through the help of Mr. Ness, information was provided to her and the appropriate forms were sent to her. She and the Branch Manager will attend the Planning and Zoning Commission Meeting on July 10, 2023, to request permission to tear down their fence.

Mrs. Moore received feedback from residents who had attended the Stargazing Event put on by the Parks and Recreation Board last Friday night. The residents had a really nice time. The lighting needs to be addressed for the next event, which can be discussed.

#### **ADMINISTRATIVE AND DEPARTMENT HEADS**

##### **Mayor and Safety Director: Mr. Eva**

Mayor Eva turned the Meeting over to Chief Gielink to present his Department Awards. Chief Gielink started with Ptl. Leo Cisternino. Chief Gielink said this is for 2020 which due to Covid and some procrastination on his part, he got away from giving the Department Awards for a while. In 2020 Ptl. Cisternino saw a pickup truck parked in the driveway of a residence in the City, and saw a male sitting in the truck who was attempting to end his life. Ptl. Cisternino prevented this incident from happening and was able to get the male to a hospital for treatment. Ptl. Cisternino served as an Acting Sergeant from July 2020 until Mid-October 2020, directing his co-workers and assisting them whenever he could. He was called out to coordinate the investigation of a murder-suicide in the City and took control of the scene until the Lieutenant arrived on scene. Chief Gielink awarded Ptl. Leo Cisternino the 2020 Officer of the Year Award.

In 2021, Covid still had a grip on our lives. That did not stop Ptl. Tina Messinger from continuing to remain active while working. She made over 25 OVI or driving while drug-impaired arrests as a certified drug recognition officer. She continued with her community-based programs to Fill-a-Cruiser and Santa Blue Helpers. In addition, her activity levels while patrolling showed she had twice the activity as the next closest officer. As a new field training officer, she began instructing the next generation of police officers for our Community. Chief Gielink awarded Ptl. Tina Messinger the 2021 Officer of the Year Award.

The 2022 Department Excellence Awards were presented to Ptl. Clay Braidic and Ptl. Conner Matson. Ptl. Clay Braidic has served on the U.S. Marshall's Violent Fugitive Task Force since April 2021. He works with a team of other local officers under the jurisdiction of the U. S. Marshall's Office to serve high-risk felony warrants. He serves as the Department's range officer, and is also a field training officer. Ptl. Conner Matson proposed having a drone/unmanned aircraft system. Through a generous grant from the Elk's Organization, the Department was able to purchase a drone, which he has used on numerous occasions. Additionally, he has taken charge of organizing the property and evidence rooms; has taken over form management and organized departmental forms in an electronic format. He has used his computing skills to help organize not only forms but other data-driven systems of the Department.

The 2022 Officer of the Year Award was presented to Sgt. Tina Messinger. In 2022 Ptl. Tina Messinger did not slow down. She had 360 incidents of activity and additionally Ptl., now Sgt., Messinger leads the Department in OVI arrests. She obtained additional training to become one of the Department's sex crime investigators and developed the skills to investigate complex cases, and has continued with her community outreach programs.

She has become more active with “Hero’s Helping Those with Special Needs,” and has led the Fill-a-Cruiser event before Thanksgiving and raised additional funding for the Santa’s Blue Helpers Program. In 2022 she organized the eighth annual Santa’s Blue Helpers program.

Mayor Eva told Chief Gielink not to go anywhere, and asked Chief Gielink’s family to come forward. He then read a Proclamation to Chief Gielink in recognition and appreciation for his commitment to the safety and well-being of the residents of the City of Mentor-on-the-Lake, which was followed by a round of applause.

Mayor Eva asked Lt. Forsythe and his family to come forward, and then swore in Lt. John Forsythe as the new Chief of the Mentor-on-the-Lake Police Department. While Chief Forsythe was signing papers, Chief Gielink asked the Members of the Police Department to come forward for photos. He then asked any other Police Chiefs, and any former or retired Police Chiefs, in the audience to come forward for photos, after which he asked former Mayor John Rogers and Mayor Eva to come forward for photos.

#### **Administrative Director - Mr. Ness**

Mr. Ness advised they will be finished with the audit this week.

**Law Director – Mr. Lyons** (None)

#### **Fire Chief – Mr. Pechatsko**

Chief Pechatsko proposed an increase in millage for the Fire Department Charter Amendment Levy from 1.1-Mil to between a 1.5-Mil and 2.0-Mil Tax Levy to facilitate the operation of the Fire Department, including the hiring of additional full-time firefighters. The Fire Department continues to be understaffed, with only 18 active part-time firefighters, and is struggling to maintain manning and shift minimums which has resulted in an increase in overtime for full-time personnel in order to cover open shifts. The overtime has already exceeded the budget and we are only half-way through the year. Since the beginning of the year, he has only received one part-time application, and as he had outlined in his 5-Year Growth Plan, the time and financial commitments required for the necessary training to enter the fire service has created a situation that only those looking for a career in fire service are enrolling in these classes. As he also mentioned, the disadvantage of part-time personnel is that their part-time job will never be their main priority. The other considerations on increasing the millage are the replacement of aging equipment, vehicles, and building maintenance. As mentioned in a previous meeting from the City Administration, the roof is in need of replacement, repairs are just a bandaid, and trucks and equipment of the Fire Department continue to be affected.

**QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:** (None)

#### **BOARD/COMMITTEE/COMMISSION REPORTS:**

##### **Community Development Committee / June 15, 2023 / Mr. Morris**

Mr. Morris advised the Community Development Committee met on June 15, 2023, at 6:00 P.M. Present were Council Members Morris (Chair), Thompson, Bittner, Chabut, Lunder, Council Vice-President Moore, and Council President Johnson, Mayor Eva, and many residents. The Meeting was held to discuss Mr. Ness’s reply to the concerns discussed with him during a meeting with Mr. Morris, Mr. Shick, and Mr. Cleveland. During the Meeting, they discussed (1) bringing in other contractors to further explain the revetment process for LOBA Park, (2) consideration of hiring a part-time or volunteer intern to improve the City website, and (3) establishing an RFP/RFQ for further development. In an email reply to Mr. Morris concerning these issues, Mr. Ness said (1) he felt that a meeting with another contractor after the bids were done would be best, if needed, (2) we are using internal resources to improve the website, even though he doesn’t have any problems with the site currently, and (3) he is not convinced that the outcome of a comprehensive plan is worth the expense. He is

willing to do whatever Council requests and pointed out that we already had two companies in to discuss this with Council. There were lengthy conversations concerning these topics, especially No. 3 concerning a master plan. Mr. Morris pointed out that of the two companies presented to Council, one of them stated in a phone conversation to him that they do not develop the plan, they implement plans. It was decided by the Committee to support issuing an RFP (request for proposals) to different organizations to possibly move to the next step. Mr. Shick provided to the Committee a sample RFP and a list of organizations to send it to so that we might get a reply. The Meeting adjourned at 6:41 P.M.

**Committee of the Whole / June 15, 2023 / Mr. Johnson**

Mr. Johnson advised the Committee of the Whole met on June 15, 2023, at 7:00 P.M. Present were all Members of Council. The discussion concerned trees in the tree lawn, and conflict between the proposed right-of-way legislation and Chapter 1036-Tree Preservation. He proposed a list of criteria required to allow a tree on the tree lawn. There was discussion over those. There was also a discussion on adding requiring City approval before adding a tree to the tree lawn, and in the future we need to discuss the need to set requirements for the distance from property lines but that will be related to overall tree yard discussion rather than just the tree lawn. He sent out a proposed list of trees that would be acceptable, preferred on the tree lawn, which can be discussed later if we need to. The Meeting adjourned at 7:10 P.M.

**OPEN TO THE PUBLIC TO SPEAK: 7:30 P.M.**

Carey Marino, Meadowbrook Drive. Mr. Marino is handicapped, in a wheelchair, and about a week and a half ago he was at Auto Zone, and fell over the "wheel chock" while getting into his truck. Two members of Auto Zone came out, and called EMS. Two EMS/Paramedics and a Supervisor came and helped him out. The Supervisor was Chief Pechatsko and Mayor Eva advised the EMS/Paramedics were Gabe Ananea and Brian Sedmak. Mr. Marino said he has had bad experiences in the past another City's EMS, but these guys were very professional and he thanked all of them. He wanted Council to know how helpful and professional they were.

**CLOSED TO THE PUBLIC TO SPEAK: 7:36 P.M.**

Mr. Johnson advised Council has to amend the Agenda to add Ordinance No. 2023-O-18 which has been emailed to everyone, and everyone has been given a hard copy.

**MOTION MADE BY MRS. THOMPSON**, Seconded by Mr. Morris, to amend the Agenda to add Ordinance No. 2023-O-18. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 7/0**

**LEGISLATION BEFORE COUNCIL:**

**RESOLUTION NO. 2023-R-15 (AMENDED) (THIRD READING)**

A RESOLUTION APPROVING THE 2024 BUDGET.

**MOTION MADE BY MRS. MOORE**, Seconded by Mrs. Thompson, for Passage of Resolution No. 2023-R-15. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 7/0**

**RESOLUTION NO. 2023-R-17**

A RESOLUTION CONFIRMING THE APPOINTMENT OF BRANDI MONTGOMERY TO THE BOARD OF ZONING APPEALS AND DECLARING AN EMERGENCY

**LEGISLATION BEFORE COUNCIL (Continued):**

**RESOLUTION NO. 2023-R-17 (Continued):**

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

**MOTION CARRIED: 7/0**

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Chabut, for Passage of Resolution No. 2023-R-17. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 7/0**

Mr. Johnson, for Resolution No. 2023-R-18 and Resolution No. 2023-R-19, asked Mr. Lyons to explain why there are two (2) Resolutions. Mr. Lyons explained at a prior meeting Council discussed giving the voters the opportunity to pass a levy to fund the LOBA erosion project. The plan being discussed was the Shoreline Improvement District (SID) which issues its own bond and it is that agency that does it, not the City. The advantage to the City and homeowners is a lower interest rate. The Ohio Revised Code, in terms of tax levy law, specifically allows levies to be put on for bonds and notes, there is nothing that directly applies to whether we are allowed to put a bond issue on specifically for this project and this project only. They have asked the SID attorney to address this, and also asked the County Auditor's Office, who has contacted the Department of Taxation which has to approve levy languages, and they are struggling with that. As a back-up plan, we are allowed to put on a levy for Parks and Recreation, but it is a general Parks and Recreation levy, the same terms, so it would raise the same amount of money but we can't say it's specifically for LOBA. Council can pass a resolution to tell the residents that this is what the money will be used for. He thought it would be best to pass both of these, submit them to the Auditor's Office, see if the Auditor's Office will approve the bond one, and get approval from the Department of Taxation. If they say we can do it, then it would be able to go on the ballot. If they say no, then we have a back-up plan. He knows it is the intent of Council to only act on one of these. But the first step in putting a levy before the voters is to ask the Auditor how much money this would raise.

Mr. Johnson asked on Resolution No. 2023-R-19, the January 1, 1925, date, can Mr. Lyons tell Council what that is. Mr. Lyons said that is the language that is in the statute, not something that we created or made a typographical error on. It is taken out of Section 5705.19(B), and word for word from the statute. Mr. Johnson asked, to be clear, we are not trying to raise money to pay for a debt that is almost one hundred years old. Mr. Lyons said that was 100% correct. Mr. Johnson thanked him, as Skip Gray decided that was what they were trying to do, and he wanted to make clear that is not what we are trying to do here. Mr. Lyons said it was brought to his attention, he believes from Facebook, and he has a copy of the statute if anyone would like to see it.

**RESOLUTION NO. 2023-R-18**

**A RESOLUTION DECLARING IT NECESSARY TO LEVY AN ADDITIONAL 0.75 MILL TAX LEVY FOR THE PURPOSE OF PARKS AND RECREATIONAL PURPOSES IN THE CITY AND REQUESTING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT ADDITIONAL LEVY, AND DECLARING AN EMERGENCY**

Mr. Johnson said this has to be passed tonight to send to the Auditor. Mr. Lyons said it has to be passed so that we get the numbers back, and then Council makes a choice at the July Meeting. The Rules would have to be suspended and this passed as an emergency measure in order to put it on the ballot, because it has to be at the Board of Elections ninety days before the November 7<sup>th</sup> election, he would say by August 1<sup>st</sup> to be on the safe side. The same with the Charter Amendment levies.

**LEGISLATION BEFORE COUNCIL (Continued):**

**RESOLUTION NO. 2023-R-18 (Continued):**

**MOTION MADE BY MRS. THOMPSON**, Seconded by Mr. Morris, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.  
**MOTION CARRIED: 7/0**

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Chabut, for Passage of Resolution No. 2023-R-18. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.  
**MOTION CARRIED: 7/0**

**RESOLUTION NO. 2023-R-19**

A RESOLUTION DECLARING IT NECESSARY TO LEVY AN ADDITIONAL 0.75 MILL TAX LEVY FOR THE PURPOSE OF THE PAYMENT OF DEBT CHARGES ON CERTAIN DESCRIBED BONDS, NOTES, OR CERTIFICATES OF INDEBTEDNESS OF THE SUBDIVISION ISSUED SUBSEQUENT TO JANUARY 1, 1925 AND REQUESTING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT ADDITIONAL LEVY, AND DECLARING AN EMERGENCY

Mr. Johnson reiterated this is not a hundred year old debt.

**MOTION MADE BY MR. MORRIS**, Seconded by Mrs. Thompson, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.  
**MOTION CARRIED: 7/0**

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Chabut, for Passage of Resolution No. 2023-R-19. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.  
**MOTION CARRIED: 7/0**

Mr. Morris said when this was pointed out to him, he was a little baffled, and he too was contacted by Mr. Gray and he told Mr. Gray to wait until Tuesday night for an explanation.

**ORDINANCE NO. 2022-O-25 (THIRD READING)**

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

Mr. Johnson said the Public Hearing on Ordinance No. 2022-O-25 is on Tuesday, July 25, 2023.

**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 the Ordinance Committee.

**ORDINANCE No. 2023-O-07 (THIRD READING) (AMENDED) (ASSIGNED TO COUNCIL OF THE WHOLE)**

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

**LEGISLATION BEFORE COUNCIL (Continued):**

**ORDINANCE No. 2023-O-07 (THIRD READING) (AMENDED) (ASSIGNED TO COUNCIL OF THE WHOLE) (Continued):**

Mr. Johnson stated this is still assigned to Council of the Whole.

**ORDINANCE 2023-O-12 (SECOND READING)**

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.

Mrs. Thompson asked if we knew how much this millage will cost. Mr. Ness said 1.1 for all three per year is \$133/\$100,000 home value. 1.5 is \$147/\$100,000 home value per year, 1.2 is \$164.50/\$100,000 home value per year. For 2.0 mils, you are looking at an increase of \$31.50 per year just for the Fire Department; 1.5 is \$14.00/year, and 1.1 is no change. Mr. Chabut asked if this is being sent to the Ordinance Committee for discussion, or how do you want to discuss. Mr. Johnson said it would be the Finance Committee, and everyone is here now, so let's discuss it now. Council discussed what happens if the issue on the ballot is not approved by the voters; Chief Pechatsko stated what would happen in the Fire Department if the increase in millage was not approved. Mr. Lyons said the Charter millage is outside of the Ohio Revised Code, Chapter 5705 process, and we don't have to ask the Auditor's Office for the amount that will be raised in order to put it on the ballot. We would have to amend; we would have to include it as a renewal and that it is an additional levy. Also discussed was how overtime would be paid once the overtime amount budgeted is depleted. Chief Pechatsko also went over how many years senior members of the Fire Department have, and that they can retire at any time. Mr. Ness said they do have the budget for one full-time, but going forward next year we would not have it without the General Fund. Mrs. Moore asked for a copy of the budget before making a final decision. Mr. Lyons said it has to be passed by July to be on the ballot.

There was no Motion for Suspension of the Rules. Ordinance No. 2023-O-12 goes to Third Reading.

**ORDINANCE 2023-O-13 (SECOND READING)**

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.

There was no Motion for Suspension of the Rules. Ordinance No. 2023-O-12 goes to Third Reading.

**ORDINANCE 2023-O-14 (SECOND READING)**

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.

There was no Motion for Suspension of the Rules. Ordinance No. 2023-O-12 goes to Third Reading.

**LEGISLATION BEFORE COUNCIL (Continued):**

**ORDINANCE NO. 2023-O-15**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MENTOR ON THE LAKE TO ENTER INTO AN AGREEMENT WITH THE LAKE COUNTY BOARD OF COMMISSIONERS TO PARTICIPATE IN THE URBAN ENTITLEMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND FOR THE UTILIZATION OF FUNDS MADE AVAILABLE BY THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, AND DECLARING AN EMERGENCY

Mr. Johnson asked if there was any urgency to pass this Ordinance. Mayor Eva said not that he was aware of. Mrs. Moore said she was open to suspending the Rules and passing this Ordinance in order to pursue block grant money. Mr. Lyons said there may be some urgency in that the County has to requalify every certain number of years in terms of having enough communities participate in this.

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

**MOTION CARRIED: 7/0**

**MOTION MADE BY MR. MORRIS**, Seconded by Mrs. Thompson, for Passage of Ordinance No. 2023-O-15. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 7/0**

**ORDINANCE NO. 2023-O-16**

AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY

Mr. Johnson said these are already posted on line.

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

**MOTION CARRIED: 7/0**

**MOTION MADE BY MRS. THOMPSON**, Seconded by Mr. Morris, for Passage of Ordinance No. 2023-O-16. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 7/0**

**ORDINANCE NO. 2023-O-17**

AN ORDINANCE REPEALING CHAPTER 893 – COMMUNITY REINVESTMENT AREA

Mr. Johnson explained why he proposed repealing the CRA; throughout this year we have been talking about not being able to afford different items so why are we giving away tax money. He has not seen a lot of benefit from the CRA, not what he had hoped to see and not his goal when the CRA was passed. People who currently have the abatement would still have it; we are just not accepting any new applications. Mr. Bittner said we do not have to give 100%. We did a stepdown program, which he feels was done wrong. He agrees it has not been as productive but it has been tough times. Mr. Chabut said he can see not giving it to commercial or multi-family developments; he is not sure it is going to be of that much value and we need the money. Mr. Johnson



**LEGISLATION BEFORE COUNCIL (Continued):**

**ORDINANCE NO. 2023-O-17 (Continued):**

said he has also seen a lot of people who have done things to their homes but have not applied for the CRA. Mr. Chabut asked if we decide to cease the CRA, we would be done. Mr. Johnson said we would stop receiving applications. Mr. Johnson asked Mr. Lyons if this was correct. Mr. Lyons said his guess would be, without looking at case law, if it was terminated today, applications would not be accepted, but this doesn't mean there would not be a legal challenge. Council could indicate that any building project commenced today, or when it is repealed, are still eligible, but it is up to Council. Mr. Morris said he would probably abstain from repealing this as he has a family member who is working on a permit to build a garage, but he understands, and the family member also understands. Mr. Lyons said it also does not have the emergency language in it which means once it is signed by the Mayor, it will not go into effect for thirty days. There was no further discussion. Mr. Johnson said he is putting Ordinance No. 2023-O-17 on Second Reading.

**ORDINANCE NO. 2023-O-18**

AN ORDINANCE EXTENDING THE EXISTING 6 MONTH MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING AND/OR OCCUPANCY PERMIT APPROVALS FOR ELDERLY APARTMENTS IN THE AREA DESIGNATED AS THE ARTARP AREA IN THE MENTOR ON THE LAKE ZONING ORDINANCES 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 this needs to be passed tonight because the Public Hearing on the ARTARP Ordinance is not until July 25, 2023.

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Chabut, for Suspension of the Rules. **ROLL CALL:** Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder, Johnson. Nays: Council Member Bittner.  
**MOTION CARRIED: 6/1**

**MOTION MADE BY MR. MORRIS**, Seconded by Mr. Chabut, for Passage of Ordinance No. 2023-O-18. **ROLL CALL:** Ayes: Council Member Moore, Thompson, Morris, Chabut, Lunder, Johnson. Nays: Council Member Bittner.  
**MOTION CARRIED: 6/1**

**OLD BUSINESS**

Mr. Johnson said we have the bid process for an RFP (request for proposals) for a city plan for discussion as the Committee has said we should move forward with that. Mr. Morris said he would like to move forward with what Mr. Shick sent us. Mrs. Moore asked if we would have an RFP review by Mr. Lyons to make sure there is nothing in there that would get us into a situation that would create a lawsuit. Mr. Johnson said if we decided to move forward with this, it would be sent to Mr. Lyons to review. There followed discussion by Council, which was at times intense and to which some offense was taken by other Members of Council. Discussed was cost, what we want and are looking for in a city plan, what exactly what a company is going to do for their fee, will a city plan actually be followed, things change, plans change; Council cannot decide what goes on private property. The development of the private property at the corner of Andrews and Lakeshore was brought up. Also needed was someone who can talk to owners of private properties, to investment companies, about why they should build in the City; we are not like an HOA community and telling private residents what they can and cannot do with their property; the whole idea of this is for bringing businesses in and making the City more appealing to other people coming in, we need someone to market the City. We are the only community in Northeast Ohio who does not have a comprehensive plan.

**MOTION MADE BY MR. BITTNER**, Seconded by Mr. Morris, to move forward with an RFP for a city plan.  
ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder. Nays: Council Member Johnson.

**MOTION CARRIED: 6/1**

Mr. Morris asked Mayor Eva about Council getting monthly financial reports and if he could look into that. Mayor Eva said he would.

**NEW BUSINESS:** (None)

**OPEN TO PUBLIC:** 8:29 P.M.

Earle Kurress, 7523 Salida Road. Mr. Kurress commented on block grants for the City and asked if the City had ever received any grants from it and participation in the block grant, and connected it to a city plan.

Jeff Shick, 7533 Salida. Mr. Shick commented on the RFP and the city plan.

Stan Kowalski, 7589 Salida. Mr. Kowalski commented on the Fire Department staffing and the Charter Levy.

Lynn Toth, 7643 Salida. Ms. Toth asked about an error in Resolutions No. 2023-R-18 and 2023-R-19. Mr. Lyons said that was a clerical error.

**CLOSED TO THE PUBLIC:** 8:41 P.M.

**ANNOUNCEMENTS AND SETTING OF MEETINGS:**

Public Hearing on Ordinance No. 2022-O-25	Tuesday, July 25, 2023, at 7:00 P.M.
Planning and Zoning Commission	Monday, July 10, 2023, at 6:00 P.M.
Parks and Recreation Board	Thursday, June 29, 2023, at 7:00 P.M.
Finance Committee	Thursday, July 13, 2023, at 6:00 P.M.
Ordinance Committee	Thursday, July 13, 2023, at 7:00 P.M.

Next Regular Agenda Meeting	Thursday, July 20, 2023, at 6:00 P.M.
Next Regular Meeting of Council	Tuesday July 25, 2023, at 7:00 pm

**ADJOURNMENT:**

**MOTION MADE BY MR MORRIS**, seconded by Mrs. Thompson for Adjournment. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Chabut, Lunder, Johnson. Nays: None.

**MOTION CARRIED: 7/0**

The Regular Meeting of Council Adjourned at 8:45 P.M.

**APPROVED:**

Date July 25, 2023

Attest: Joyce M. Anja  
Clerk of Council

  
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ROBERT JOHNSON  
President of Council