



City of Mentor-on-the-Lake

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**MINUTES (Revised)
REGULAR MEETING OF COUNCIL
CITY OF MENTOR-ON-THE-LAKE
NOVEMBER 28, 2023
7:00 p.m.**

The Regular Meeting of Council for the City of Mentor-on-the-Lake for November 28, 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:	DESIREA THOMPSON
Aye	Ward 2:	PAUL MORRIS
Aye:	At Large:	KEVIN BITTNER
	Ward 1:	DAVID CHABUT (Absent)
Aye	At Large:	JIM LUNDER
Aye	Ward 3:	ROB JOHNSON, President

READING OF MINUTES:

Regular Meeting – November 14, 2023

MOTION MADE BY MRS. MOORE, Seconded by Mrs. Thompson, for Approval of the Minutes of the November 14, 2023, Regular Meeting of Council. ROLL CALL: Ayes: Council Member Moore, Thompson, Lunder. Nays: None. Abstain: Council Member Morris, Bittner, Johnson.

MOTION CARRIED: 3/0/3

CORRESPONDENCE:

(None)

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director - Mr. Eva

Mayor Eva met with Jason Trapp of ODNR to discuss Lake Overlook Beach Park and its options. Tina Sevenbergen, from ODNR, provided information on applying for a coastal management assistance grant. We will do this. The pre-proposal is due in late October 2024.

Law Director - Mr. Lyons (No report.)

Police Chief - Mr. Forsythe

The fill-a-cruiser was a success with around \$800 cash received as well as many non-perishable items. Santa's Shop with a Cop is December 16 and we have received a good number of donations. Lt. Messinger stated we have over \$4000. The Police locker room is making good progress and is nearly complete. Remainder of demolition is starting this coming Friday.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Lunder asked if the ODNR grant is matching. Mayor Eva is unsure but will find out.

BOARD/COMMITTEE/COMMISSION REPORTS:

Community Development Committee / November 9, 2023 / Mr. Morris

Mr. Morris advised the Community Development Committee met on November 9, 2024 at 7:00 pm. to review RFP for city comprehensive plan. Present were Council Members Morris, Bittner, Mayor Eva, and residents Ms. Wong, Mr. Gray, Mr. Wilhelm, Mr. Elam. Agreed by all present to move forward. Ms. Wong discussed a proposal regarding block parties. Moved to Council for review, but awaiting response from Mr. Lyons. Adjourned at 7:15

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

Mr. Lunder advised the Board of Zoning Appeals met on November 20, 2023, at 7:00 P.M. Present were Committee Members Gieling (Chair), Sweeney, Montgomery, Council Member Lunder, Council Vice-President Moore, and Council President Johnson, Mayor Eva, and the homeowners. Discussion concerned variance for garage height limits; asking for 20-foot height to be changed to 22 feet and 10-3/8 inches. Variance was granted. The meeting adjourned at 7:15 pm.

OPEN TO THE PUBLIC TO SPEAK: 7:07 P.M.

CLOSED TO THE PUBLIC TO SPEAK: 7:08 P.M.

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2023-R-33 (SECOND READING)

A RESOLUTION GRANTING PRELIMINARY APPROVAL TO THE PLANNED UNIT DEVELOPMENT (PUD) THAT IS PROVIDED FOR IN CHAPTER 1255 OF THE CODIFIED RESOLUTIONS FOR THE PROPERTY DESCRIBED AS PERMANENT PARCEL NOS. 19-A-093-B-00-015-0, 19-A-093-B-00-016-0, 19-A-093-B-00-017-0, 19-A-093-B-00-018-0, 19-A-093-B-00-019-0, 19-A-093-B-00-020-0, 19-A-093-B-00-021-0, AND 19-A-093-B-00-075-0

Mr. Johnson stated this is assigned to the Committee as a Whole.

RESOLUTION NO. 2023-R-34 (SECOND READING)

A RESOLUTION REQUESTING THE LAKE COUNTY AUDITOR TO MAKE ADVANCE PAYMENTS OF TAXES PURSUANT TO OHIO REVISED CODE 321.34 AND DECLARING AN EMERGENCY

MOTION MADE BY MR. LUNDER, Seconded by Mr. Bittner, for Suspension of the Rules. ROLL CALL:

Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None

MOTION CARRIED: 6/0

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Lunder, for Passage of Resolution No. 2023-R-

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

MOTION CARRIED: 6/0

RESOLUTION NO. 2023-R-35

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF SUZANNE MARTIN CASON TO THE PLANNING AND ZONING COMMISSION

LEGISLATION BEFORE COUNCIL (Continued):

RESOLUTION NO. 2023-R-35 (Continued):

MOTION MADE BY MR. MORRIS, Seconded by Mr. Bittner, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None.
MOTION CARRIED: 6/0

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Passage of Resolution No. 2023-R-35. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None.
MOTION CARRIED: 6/0

RESOLUTION NO. 2023-R-36

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF CAROL STAFINSKI TO THE PARKS AND RECREATION BOARD

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

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Lunder, for Passage of Resolution No. 2023-R-36. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None.
MOTION CARRIED: 6/0

RESOLUTION NO. 2023-R-37

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF CATHERINE ROOS TO THE PARKS AND RECREATION BOARD

MOTION MADE BY MR. LUNDER, Seconded by Mrs. Thompson, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None.
MOTION CARRIED: 6/0

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Lunder, for Passage of Resolution No. 2023-R-37. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None.
MOTION CARRIED: 6/0

RESOLUTION NO. 2023-R-38

A RESOLUTION CONFIRMING THE APPOINTMENT ON THOMAS FRATUS TO THE BOARD OF ZONING APPEALS

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None.
MOTION CARRIED: 6/0

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Passage of Resolution No. 2023-R-38. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None
MOTION CARRIED: 6/0

RESOLUTION NO. 2023-R-39

A RESOLUTION CONFIRMING THE APPOINTMENT OF DAVID CHABUT TO THE CIVIL SERVICES COMMISSION

LEGISLATION BEFORE COUNCIL (Continued):

RESOLUTION NO. 2023-R-39 (Continued):

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

MOTION MADE BY MR. LUNDER, Seconded by Mrs. Thompson, for Passage of Resolution No. 2023-R-39. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None
MOTION CARRIED: 6/0

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

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

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

ORDINANCE NO. 2023-O-22 (THIRD READING) (ASSIGNED TO ORDINANCE COMMITTEE)

AN ORDINANCE AMENDING CODIFIED ORDINANCES 1036.04(a) BY CREATING NEW SECTION 1036.04(a)(4) IN ORDER TO REGULATE AND DESCRIBE TREES THAT MAY BE PLANTED ON TREE LAWNS OR WITHIN THE PUBLIC RIGHT-OF-WAY

Mr. Johnson advised this is still with the Ordinance Committee and waiting for a response from Mr. Lyons; then it will go to Council.

ORDINANCE NO. 2023-O-23 (THIRD READING)

AN ORDINANCE AMENDING CODIFIED ORDINANCE 893.04 – EXEMPTIONS FOR COMMUNITY REINVESTMENT AREA

Mr. Johnson advised he is unsure of the status of this Ordinance, and is assigning this to the Committee as a Whole.

ORDINANCE NO. 2023-O-24 (SECOND READING)

AN ORDINANCE PROVIDING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MENTOR-ON-THE-LAKE, OHIO, FOR THE YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY

This is a temporary ordinance for the First Quarter of 2024, until the Budget Meeting is held.

MOTION MADE BY MR. LUNDER, Seconded by Mrs. Thompson, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None.
MOTION CARRIED: 6/0

MOTION MADE BY MR. LUNDER, Seconded by Mrs. Thompson, for Passage of Ordinance No. 2023-O-24. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None
MOTION CARRIED: 6/0

LEGISLATION BEFORE COUNCIL (Continued):

**ORDINANCE NO. 2023-O-25 (SECOND READING) (ASSIGNED TO PLANNING AND ZONING)
(ASSIGNED TO COMMITTEE AS A WHOLE)**

AN ORDINANCE REZONING PERMANENT PARCEL NOS. 19-A-093-B-00-015-0, 19-A-093-B-00-016-0, 19-A-093-B-00-017-0, 19-A-093-B-00-018-0, 19-A-093-B-00-019-0, 19-A-093-B-00-020-0, 19-A-093-B-00-021-0, AND 19-A-093-B-00-075-0 FROM BUSINESS DISTRICT I AND/OR SINGLE-FAMILY DISTRICT E TO THE ZONING CLASSIFICATION OF A PLANNED UNIT DEVELOPMENT (PUD) THAT IS PROVIDED FOR IN CHAPTER 1255 OF THE CODIFIED ORDINANCES

OLD BUSINESS: (None)

NEW BUSINESS:

Mrs. Thompson advised Parks and Recreation wants to do something for the 100th Year Anniversary of Mentor-on-the-Lake, sometime in October, and asked if Council wants to be involved or should they just go ahead? Mr. Johnson said Council should help out after January 1, 2024.

Mayor Eva asked if Council has resolved rental inspections? Mr. Bittner said yes, it's been finalized. Mayor Eva asked if anything else was open other than those already discussed? Mr. Johnson said there is nothing else at this time other than what is on the agenda.

Mrs. Moore advised we need to amend the Agenda to add Ordinance No. 2023-O-27 and Ordinance No. 2023-O-28.

MOTION MADE BY MRS. THOMPSON, Seconded by Mr. Morris, to amend the Agenda by adding Ordinance No. 2023-O-27 and Ordinance No. 2023-O-28. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None.

MOTION CARRIED: 6/0

ORDINANCE NO. 2023-O-27

AN ORDINANCE AMENDING CODIFIED ORDINANCE 250.11 - HEALTH BENEFITS AND DECLARING AN EMERGENCY

Mr. Johnson said this is the Ordinance for new health insurance rates for 2024. Mr. Morris asked if the employees have had a change to weigh in? He would like to wait until December meeting. Mrs. Thompson said we have no option, these are rates defined by company. Mrs. Moore asked if this affects police/fire? Mayor Eva said no, this is not for them at all. The deadline is prior to 1/1/24. Mr. Johnson said Ordinance No. 2023-O-27 is placed on Second Reading.

ORDINANCE NO. 2023-O-28

AN ORDINANCE ESTABLISHING A SIX-MONTH MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING AND/OR OCCUPANCY PERMIT APPROVALS FOR CANNABIS OPERATIONS WITH THE CITY AND THE ISSUANCE OF SUCH APPROVALS IN THE CITY OF MENTOR ON THE LAKE, AND DECLARING AN EMERGENCY.

Mr. Bittner asked what is the intent of this ordinance? Mr. Johnson said it is to provide six months to allow it in zoning. Mr. Bitter said this is proactive and we should support it. Mr. Lyons said this takes affect October 2024 and puts restrictions on certain medical marijuana dispensaries. It is legally easier to defend a 6-month moratorium. Mr. Morris wants to amend to 12-month moratorium to prevent repeated renewals. Mr. Lyons said

again, it is easier to defend six months, as we are working during that time. Mrs. Moore said we need to work more effectivity as a council and not drag things out. Mr. Lyons said it is difficult to get medical dispensaries. This Ordinance will likely involve planning and zoning in the future.

MOTION MADE BY MR. BITTNER, Seconded by Mr. Lunder, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None.
MOTION CARRIED: 6/0

MOTION MADE BY MRS. THOMPSON, Seconded by Mrs. Moore, for Passage of Ordinance No. 2023-O-28, as written. ROLL CALL: Ayes: Council Member Moore, Thompson, Morris, Bittner, Lunder, Johnson. Nays: None
MOTION CARRIED: 6/0

OPEN TO THE PUBLIC TO SPEAK: 7:32 P.M.

CLOSED TO THE PUBLIC TO SPEAK: 7:32 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Parks and Recreation Board	Thursday, November 30, 2023, at 6:30 P.M.
Planning and Zoning Commission	Monday, December 4, 2023, at 6:00 P.M.
Committee of the Whole	Tuesday, December 5, 2023, at 7:00 P.M.
Organizational Meeting	Thursday, January 4, 2024, at 7:00 P.M.
Agenda Meeting	Thursday, January 4, 2024, at 7:45 P.M.
Charter Review Committee	Thursday, January 4, 2024, at 8:00 P.M.
Public Hearing, Ordinance 2023-O-25	Tuesday, January 9, 2024, at 7:00 P.M.
Next Regular Agenda Meeting	Thursday, December 7, 2023, at 6:00 P.M.
Next Regular Meeting of Council	Tuesday, December 12, 2023, at 7:00 pm


ADJOURNMENT:

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

The Regular Meeting of Council adjourned at 7:45 pm

APPROVED:

January 9, 2024
Date



ROBERT JOHNSON
President of Council

Attest: Joyce M. Pugh
Clerk of Council