

**MINUTES  
REGULAR MEETING OF COUNCIL  
CITY OF MENTOR-ON-THE-LAKE  
FEBRUARY 23, 2010**

The Regular Meeting of Council of February 23, 2010 for the City of Mentor-on-the-Lake, Ohio, was Called to Order by Council President, Andrew M. Rose, at 7:00 p.m.

**CALL TO ORDER:** PLEDGE OF ALLEGIANCE

**ROLL CALL:** Aye: Dale O. Langbehn, Vice President  
Aye: David R. Eva  
Aye: Susan M. Shirley  
Aye: Vernita L. Savage  
Aye: Troy D. Elam  
Aye: John Hawkins  
Aye: Andrew M. Rose, President

**READING OF MINUTES:** February 9, 2010 – Regular Meeting of Council

**MOTION MADE BY MR. ELAM,** Seconded by Mrs. Savage, to approve the Minutes for the February 9, 2010, Regular Meeting of Council, as submitted by the Clerk. **ROLL CALL:** Ayes: Council Member Langbehn, Eva, Shirley, Savage, Elam, Hawkins, Rose. Nays: None.

**MOTION CARRIED: 7/0**

**CORRESPONDENCE:** (none)

**ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:**

**Mayor and Safety Director – Mayor Rogers**

Mayor Rogers stated that all Members of Council should have received a copy of the letter dated February 23, 2010 that is going to be sent to Ralph Nazario, President of the McMinn Baseball League. This letter is the reflection of the conversations that were held at the Finance Committee meeting, and this letter will be mailed tomorrow. Mr. Lyons has also provided him with additional information on this matter and he is in the process of putting that information into a letter format as well.

Mayor Rogers attended the Lake County Mayors/Managers Meeting yesterday. The Mayors and Managers that were present asked Art Baldwin, Mayor of the Village of Waite Hill to proceed with attempting to secure funds on behalf of the Lake County Cities, Villages and Townships collectively to acquire funds for the replacement of the radio system. Mentor-on-the-Lake has approximately 60 radios and Mayor Rogers said you are looking at approximately \$3,000 for each radio. Mayor Rogers said that while they have received the majority of the funding for the backbone of the system, there have been no monies set aside for the acquisition of the radios that work with the backbone system. Mayor Rogers feels that if they can get federal funding collectively it would be helpful to everyone.

Mayor Rogers asked that Council consider for passage Resolution No. 2010-R-01 for the participation in an agreement with the Ohio Department of Transportation for the purchase of rock salt for the 2010-2011 winter season.

**Administrative Director – Mr. Molenaar**

Mr. Molenaar asked that Council approve his request for the transfer of funds approval, per his memorandum dated February 15, 2010, in the Amount of \$287,550 from the General Fund/General Services Funds to the General Bond Retirement Fund as provided in the appropriating Ordinance 2010-O-03.

**Law Director – Mr. Lyons**

At the request Mr. Hawkins and Council as a Whole, he was asked to review the consent agenda to be incorporated into the Council Rules. It is Mr. Lyon's legal opinion that they would not be able to do the consent agenda as the Ohio Revised Code and our Charter indicate that each ordinance and resolution shall have to be read by title only and they each have to be voted upon. Mr. Lyons said if we did one large consent agenda, in his opinion, would violate that provision of the Ohio Revised Code which is indirectly incorporated into our Charter.

Mr. Hawkins asked if it would also require Council to vote separately on each one. Mr. Lyons said he would interpret it as Council would have to vote on each piece of legislation separately. Mr. Lyons said he does not feel Council should move forward in changing Council Rules because of those reasons as previously stated.

**City Engineer – Mr. Sayles (no report)**

**Service Director – Mr. Bailey**

Mr. Bailey thanked Council for their support during the budget process, and his department appreciates the mutual respect shown during this process.

It has been a pretty mild winter season, and Mr. Bailey said they are about 80% through their typical season for salt usage which is about normal for them as compared to the State who is running 16% ahead of last year's usage.

Mr. Rose asked if there is salt that rolls over into the bank to next year. Mr. Bailey said when the City enters into a salt agreement for the season; they guarantee they will purchase a certain amount. He said the contract language does change from year to year, and they are guaranteed a certain amount, and if it goes beyond that they do have the opportunity to adjust that. Mr. Bailey they are at approximately \$46.00 per ton for salt, which is down significantly from last year.

**QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:**

Mr. Hawkins asked Mayor Rogers what he was referring to whenever he referred to the backbone system in his report. Mayor Rogers said it is his understanding that the backbone system is the electrical communication system that is in place at the emergency operations center. Mayor Rogers said once the new backbone system is in place the equipment they now have will become obsolete. Also, Motorola is saying they will not be able to acquire parts for your existing system next year. Mr. Eva asked if the idea is still to buy in bulk as a County rather than as an individual City. Mayor Rogers said when they purchased initially, they purchased as an individual City. The Mayors and Managers, at their meeting yesterday, felt it would be prudent for them to collectively purchase in bulk. The question is whether or not they can receive funding to offset those expenses. Mr. Molenaar said they are also talking about funding the radios collectively, with one idea being to put up a small millage County-wide to fund these radios thereby having each community pass a resolution supporting that small millage that would be needed. He said there is also a possibility of an additional 1/4 % sales tax that the Commissioners could put on for a couple of years to pay for this also. Mr. Molenaar said there are a number of financial things plus the grants that are being considered. Mayor Rogers said the radios range from \$2,000-\$3,000 per radio. Mr. Elam asked how soon the radios have to be in place. Mayor Rogers said they will have to be in place by 2011. Mr. Langbehn asked how many suppliers there are for the radios that will be required. Mayor Rogers said there are six different manufacturers that can provide the radios.

**BOARD/COMMITTEE/COMMISSION REPORTS:** (none)

**OPEN TO THE PUBLIC TO SPEAK:** (no one present)

**CLOSED OPEN TO THE PUBLIC SECTION:**

**LEGISLATION BEFORE COUNCIL:**

**RESOLUTION NO. 2010-R-01**

A RESOLUTION AUTHORIZING THE ADMINISTRATIVE DIRECTOR TO PARTICIPATE IN AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT) FOR THE 2010-2011 WINTER SEASON AND DECLARING AN EMERGENCY.

**MOTION MADE BY MR. LANGBEHN**, Seconded by Ms. Shirley for Suspension of the Rules. ROLL CALL: Ayes: Council Member Langbehn, Eva, Shirley, Savage, Elam, Hawkins, Rose. Nays: None.

**MOTION CARRIED: 7/0**

**MOTION MADE BY MS. SHIRLEY**, Seconded by Mr. Langbehn for Passage. ROLL CALL: Ayes: Council Member Langbehn, Eva, Shirley, Savage, Elam, Hawkins, Rose. Nays: None.

**MOTION CARRIED: 7/0**

**OLD BUSINESS:**

**Adoption of Council Rules:**

**MOTION MADE BY MR. LANGBEHN**, Seconded by Mr. Hawkins to remove the adoption of Council Rules from the table for consideration of Council. ROLL CALL: Ayes: Council Member Langbehn, Eva, Shirley, Savage, Elam, Hawkins, Rose.

**MOTION CARRIED: 7/0**

**MOTION MADE BY MR. ELAM**, Seconded by Mr. Langbehn to repeal Section 3(C), Page 5, (Meeting to Discuss Reasons Interested in Office of President and Vice-President of Council). ROLL CALL: Ayes: Council Member Langbehn, Shirley, Savage, Elam, Rose. Nays: Council Member Eva and Council Member Hawkins.

**MOTION CARRIED: 5/2**

**MOTION MADE BY MR. ELAM**, Seconded by Mr. Langbehn to repeal Section 3(D), Page 5 & 6, (Council President Shall Not Serve More than a One Year Term). ROLL CALL: Ayes: Council Member Langbehn, Savage, Elam. Nays: Council Member Eva, Shirley, Hawkins, Rose.

**MOTION FAILED: 3/4**

**MOTION MADE BY MR. ELAM**, Seconded by Mr. Langbehn to adopt Council Rules as Amended. ROLL CALL: Ayes: Council Member Langbehn, Eva, Shirley, Savage, Elam, Hawkins, Rose.

**MOTION CARRIED: 7/0**

**NEW BUSINESS:**

**Transfer of Funds Approval:**

**MOTION MADE BY MS. SHIRLEY**, Seconded by Mr. Langbehn to approve the transfer of funds in the amount of \$287,550 from the General Fund/General Services account to the General Bond Retirement account for the purpose of OPWC Loans, SIB Loan, Note, Interest and Legal Cost as authorized per appropriating Ordinance 2010-O-03. ROLL CALL: Ayes: Council Member Langbehn, Eva, Shirley, Savage, Elam, Hawkins, Rose.

**MOTION CARRIED: 7/0**

**ANNOUNCEMENTS AND SETTING OF MEETINGS:**

Parks & Recreation Board	February 25, 2010	7:30 p.m.
Planning & Zoning Commission	March 1, 2010	7:00 p.m.
Agenda Meeting of Council	March 4, 2010	6:00 p.m.
Regular Meeting of Council	March 9, 2010	7:00 p.m.

Council Member Hawkins announced that the Mentor Public Library received the Organization of the Year Award from the Chamber of Commerce, and thanked those who supported the library over the years.

**ADJOURNMENT:**

**MOTION MADE BY MR. EVA**, Seconded by Ms. Shirley for Adjournment. ROLL CALL: Ayes: Council Member Langbehn, Eva, Shirley, Savage, Elam, Hawkins, Rose. Nays: None.

**MOTION CARRIED: 7/0**

The meeting adjourned at 7:29 p.m.

**APPROVED:**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Andrew M. Rose**  
**President of Council**

Attest: \_\_\_\_\_  
**Clerk of Council**