

**MINUTES
REGULAR MEETING OF COUNCIL
CITY OF MENTOR-ON-THE-LAKE
JULY 14, 2009**

The Regular Meeting of Council of July 14, 2009 for the City of Mentor-on-the-Lake, Ohio, was Called to Order by Council President, Dale O. Langbehn, at 7:00 p.m.

CALL TO ORDER: PLEDGE OF ALLEGIANCE

ROLL CALL: Aye: Andrew M. Rose, Vice President
Aye: David R. Eva
Aye: Susan M. Shirley
Aye: Sharleen Connolly
Aye: Troy D. Elam
John Hawkins (excused)
Aye: Dale O. Langbehn, President

READING OF MINUTES: June 23, 2009 – Regular Meeting of Council

MOTION MADE BY MR. ROSE, Seconded by Ms. Shirley, to approve the Minutes for the June 23, 2009, Regular Meeting of Council, as submitted by the Clerk. **ROLL CALL:** Ayes: Council Member Rose, Eva, Shirley, Connolly, Langbehn. **MOTION CARRIED: 6/0**

CORRESPONDENCE: (none)

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor and Safety Director – Mayor Rogers

Mayor Rogers reported that Mr. Swanson, a former Member of Council and Member of the Civil Service Commission, will be moving out of the City and will be resigning his appointment to the Civil Service Commission. Mayor Rogers said that Mr. Swanson has been very helpful to the City in many regards and he wished him well.

With the conclusion of the Andrews Road Reconstruction Project, Mayor Rogers said they will be going forward, once again, with the annual Labor Day Parade which is scheduled for Saturday, September 5, 2009.

Mayor Rogers reminded all Members of Council if they wish to participate in parade or volunteer to contact either Laura or the Parks & Recreation Board.

Mayor Rogers said there is a piece of legislation on the Agenda this evening regarding adopting an identity theft policy. This is in compliance with the Federal Government's requirements, and Mr. Lyons will address this matter further during his report.

Administrative Director – Mr. Molenaar

Mr. Molenaar reported that the State budget has been passed, however, there is an additional bill called HB150 which they passed designating August as the Ohio Military Family Month. That happened to have a clause in it that gave the Governor a week to sign the budget so he does not have to sign it until July 21st which also gives him the ability to exercise the veto line item powers. There was legislation at the last Council meeting regarding increasing the tipping fees that was supposed to be increase by \$1.25. From what he has read, this has only been increased by \$1.00, and he does not know what the effective date on that will be but he assumes it will be August 1st. This will have a small impact on us as we will not be putting in place the increase for next quarter. Mr. Molenaar said he will review this again for the next billing cycle which starts on November 1st. Mr. Molenaar said other good news is the formula for the Local Government Funds will not be changing. They decreased the estimates for the last half of this year and he expects them to go down further for year 2010.

Law Director – Mr. Lyons

Mr. Lyons said there is a Resolution on the Agenda this evening to adopt an identity theft policy. The Federal Government passed a law in 2003 that required the Federal Trade Commission to implement such a policy and the Federal Trade Commission has given everybody until August 1, 2009 to pass such a policy. The policy that is being presented this evening is fashioned after the identity theft policy that was passed by the City of Willoughby. We are required to do this because of the garbage billings the City does.

City Engineer – Mr. Federico

Mr. Federico reported that the concrete and asphalt programs for 2009 have both been completed. There are only a few minor punch list items remaining.

Service Director – Mr. Bailey

With summer in full swing and baseball winding up, Mr. Bailey said he believes they have been able to come to an agreement regarding the fields with the McMinn Baseball League.

Mr. Bailey said that water complaints are slowly subsiding, and they will be shifting gears and doing asphalt and concrete repairs throughout the City.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mr. Rose asked Mayor Rogers if he has had a chance to review the pavilion proposal that the McMinn League gave to us. Mayor Rogers said this proposal was given to them after the last meeting of Council. He gave the drawings to the Service Department for their review. Mayor Rogers said he also wants Mr. Lyons to review this matter as there are some issues that have to be resolved. Mayor Rogers said someone has to be assigned to run the project, it has to go to the Parks & Recreation Board for their review and he would also like the City Engineer to look at the proposal.

Mr. Elam asked if there are any plans to address the outfield issues at McMinn. Mayor Rogers said he asked the President of the McMinn League to give him a punch list of the items to be worked on and they have not yet done so. Mr. Rose said he did speak to the President of the League and they are working on this list.

BOARD/COMMITTEE/COMMISSION REPORTS:

Ordinance Committee / Meeting of July 9, 2009 / Mr. Rose

The Ordinance Committee met on July 9, 2009 at 7:00 p.m. Members in attendance were Mr. Rose and Mr. Elam in addition to Law Director, Mr. Lyons. The purpose of the meeting was to review the recommended changes they received from the Planning & Zoning Commission to incorporate into the proposed Ordinance permitting sandwich board signs and regulating the use of such signs. They asked, in preparation for the meeting that Mr. Lyons revised the draft ordinance to include and incorporate the changes that were recommended by the Planning & Zoning Commission. Those changes have been incorporated. The Ordinance Committee voted unanimously to move this proposed legislation forward. With the recommendation from the Ordinance Committee in addition to the proposed changes from P & Z, it would be recommended that this legislation be placed on the Agenda for the first meeting in September with a Public Hearing being held at that time.

Storm Water Management Committee / Meeting of July 14, 2009 / Mr. Elam

The Storm Water Management Committee met on July 14, 2009 at 6:30 p.m. Present were Mr. Elam, David Eva and Service Director, Mr. Bailey. The purpose of the meeting was to study the issue of city-wide drainage/storm water run off in residential areas. They are in the early stage of information gathering and will continue at that level. They do plan to meet again in September.

OPEN TO THE PUBLIC TO SPEAK: 7:20 p.m.

Kevin Swanson / 7917 Lakeshore Blvd. / Mentor-on-the-Lake, Ohio

Mr. Swanson said he wanted to take the opportunity to say that it has been a pleasure for him to serve in City Government over the last 9 years. He said he will be moving to Atlanta, Ga. He thanked everyone for not only the opportunity to serve with them but also thanked the citizens for the opportunity to learn from them and serve them as well. He wished everyone the best of luck in the future.

CLOSED OPEN TO THE PUBLIC SECTION: 7:22 p.m.

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2009-R-10 (THIRD READING)

FIRST READING: JUNE 9, 2009 / SECOND READING: JUNE 23, 2009

PUBLIC HEARING HELD ON JUNE 23, 2009

A RESOLUTION APPROVING THE 2010 BUDGET.

MOTION MADE BY MR. ROSE, Seconded by Mr. Eva for Suspension of the Rules.

ROLL CALL: Ayes: Council Member Rose, Eva, Shirley, Connolly, Elam, Langbehn.

Nays: None.

MOTION CARRIED: 6/0

MOTION MADE BY MR. ROSE, Seconded by Mr. Eva for Passage. ROLL CALL:

Ayes: Council Member Rose, Eva, Shirley, Connolly, Elam, Langbehn. Nays: None.

MOTION CARRIED: 6/0

RESOLUTION NO. 2009-R-11

A RESOLUTION ADOPTING AN IDENTITY THEFT POLICY FOR THE CITY OF MENTOR-ON-THE-LAKE, OHIO AND DECLARING AN EMERGENCY.

MOTION MADE BY MRS. CONNOLLY, Seconded by Ms. Shirley for Suspension of

the Rules. ROLL CALL: Ayes: Council Member Rose, Eva, Shirley, Connolly, Elam, Langbehn. Nays: None.

MOTION CARRIED: 6/0

MOTION MADE BY MR. ROSE, Seconded by Mr. Eva for Passage. ROLL CALL:

Ayes: Council Member Rose, Eva, Shirley, Connolly, Elam, Langbehn. Nays: None.

MOTION CARRIED: 6/0

ORDINANCE NO. 2009-O-13

AN ORDINANCE LEVYING LIENS FOR EXPENSES INCURRED FOR LAWN MAINTENANCE AND/OR CULVERT REPAIRS, AND DECLARING AN EMERGENCY.

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

MOTION CARRIED: 6/0

MOTION MADE BY MR. ROSE, Seconded by Ms. Shirley for Passage. ROLL CALL: Ayes: Council Member Rose, Eva, Shirley, Connolly, Elam, Langbehn. Nays: None.

MOTION CARRIED: 6/0

MOTION MADE BY MS. SHIRLEY, Seconded by Mr. Rose to bring Ordinance No. 2009-O-14 onto the Agenda this evening for First Reading. ROLL CALL: Ayes: Council Member Rose, Eva, Shirley, Connolly, Elam, Langbehn. Nays: None.

MOTION CARRIED: 6/0

Council President Langbehn asked the Clerk to read the title of Ordinance No. 2009-O-14 which will be placed on First Reading tonight, with a Public Hearing to be scheduled for the first Regular Council Meeting of September 8, 2009.

ORDINANCE NO. 2009-O-14 / FIRST READING

AN ORDINANCE PERMITTING SANDWICH BOARD SIGNS AND REGULATING THE USE OF SUCH SIGNS, AND DECLARING AN EMERGENCY.

OLD BUSINESS: (none)

NEW BUSINESS:

Council President Langbehn said it has been brought to his attention that there is no anticipation of any legislation being brought before Council for the last meeting in July. Council President Langbehn asked if there would be a motion to cancel the last meeting in July.

MOTION MADE BY MR. ROSE, Seconded by Ms. Shirley to cancel the Regular Meeting of Council for July 23, 2009. ROLL CALL: Ayes: Council Member Rose, Eva, Shirley, Connolly, Elam, Langbehn. Nays: None.

MOTION CARRIED: 6/0

Council President Langbehn said that each year in the month of August Council normally suspends the meetings for this month with the idea that if something comes up from the Administration, that a meeting will be called.

MOTION MADE BY MR. ROSE, Seconded by Ms. Shirley to cancel the Regular Meetings of Council for the month of August, 2009. ROLL CALL: Ayes: Council Member Rose, Eva, Shirley, Connolly, Elam, Langbehn. Nays: None.

MOTION CARRIED: 6/0

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Parks & Recreation Board	July 23, 2009	7:30 p.m.
Parks & Recreation Board	August 27, 2009	7:30 p.m.
Agenda Meeting of Council	September 3, 2009	6:00 p.m.
Storm Water Management	September 8, 2009	6:30 p.m.
Regular Meeting of Council	September 8, 2009	7:00 p.m.

ADJOURNMENT:

MOTION MADE BY MRS. CONNOLLY, Seconded by Mr. Eva for Adjournment. ROLL CALL: Ayes: Council Member Rose, Eva, Shirley, Connolly, Elam, Langbehn. Nays: None.

MOTION CARRIED: 6/0

The meeting adjourned at 7:25 p.m.

APPROVED:

Date

Dale O. Langbehn
President of Council

Attest: _____
Clerk of Council