

**MINUTES
REGULAR MEETING OF COUNCIL
CITY OF MENTOR-ON-THE-LAKE
NOVEMBER 10, 2009**

The Regular Meeting of Council of November 10, 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

Moment of Silence in memory of those who were lost in the Fort Hood incident.

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: October 27, 2009 – Regular Meeting of Council

MOTION MADE BY MR. ROSE, Seconded by Ms. Shirley, to approve the Minutes for the October 27, 2009, Regular Meeting of Council, as submitted by the Clerk. **ROLL CALL:** Ayes: Council Member Rose, Eva, Shirley, Elam, Langbehn. Nays: None. Abstain: Council Member Connolly

MOTION CARRIED: 5/0/1

CORRESPONDENCE:

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor and Safety Director – Mayor Rogers

Mayor Rogers has been meeting with Mr. Molenaar extensively in respect to the budget. They are working on the budgetary concerns that have been discussed in the past. There is no finalized information as of yet but they will bring to Council at the appropriate time their concerns.

There will be a Veterans Day Ceremony at Mentor Public Schools on November 11, 2009 at 11:00 a.m. Mayor Rogers said he would encourage Members of Council to attend, if they are available to do so.

Mayor Rogers reminded all Members of Council of the retirement party for Glenn Bailey that will be held this week.

The pictures of the Boo-Bash have been posted on the City Web-site for viewing.

Mayor Rogers congratulated all Members of Council who have been recently re-elected and said it was nice to see Vernita Savage back on Council.

Administrative Director – Mr. Molenaar

Mr. Molenaar said that he will give further explanation on Ordinance No. 2000-O-19 at the appropriate time.

Law Director – Mr. Lyons (no report)

City Engineer – Mr. Federico (no report)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

BOARD/COMMITTEE/COMMISSION REPORTS:

Parks & Recreation Board / Meeting of October 29, 2009 / Mr. Rose

Mr. Rose reported that the Parks & Recreation Board Meeting of October 29, 2009 took place at Lake Elementary School in conjunction with the Boo-Bash. The turn out for the Boo-Bash was spectacular and a lot of fun. There were over 215 children who were judged in the costume contest and the tally was just over 250 children. Mr. Rose thanked the Mayor for the trophy presentation time. All of the food that was donated for admission has been donated to local food pantries.

The Parks and Recreation Board will not meet the month of November due to Thanksgiving. The next two events will be the shopping for the Toys-for-Kids Program which will be on December 12th, and the judging for the Holiday Lighting Contest will be held on December 15th. Mr. Rose said if anyone wishes to donate toys or give a monetary contribution it would be greatly appreciated. The donations can be dropped off at City Hall until December 14th.

Planning & Zoning Commission / Meeting of November 2, 2009 / Mrs. Connolly

The regular meeting of the Planning & Zoning Commission was called to order by John Rampe at 7:00 p.m. Present were John Rampe, Mike Piunno, Mike Sweeney, Suzanne Cason, Sharleen Connolly, and Dwayne Bailey.

The first item on the agenda was a request for a lot split made by Mr. David Kaleta for his property located at 7669 Salida Road. Mr. Kaleta provided drawings of the subject property which included detailed diagrams of the proposed lot split. After reviewing the drawings, the Commission agreed that the lot split would be an enhancement to the property as it clears an existing encroachment. The motion was made contingent on the lots having two separate parcel numbers. The motion passed 5/0.

A Public Hearing was scheduled for a Conditional Use Permit for outside seating at 5609 Andrews Rd. The request was made by Mario Cacic dba Mario's Lakeway Lunge. The request was discussed by the members and then tabled due to the fact that there was no one present for the establishment requesting the permit.

The next meeting of the Planning & Zoning Commission will be held on December 7, 2009 at 7:00 p.m.

The meeting adjourned at 7:19 p.m.

OPEN TO THE PUBLIC TO SPEAK: 7:08 p.m.

CLOSED OPEN TO THE PUBLIC SECTION: 7:09 p.m.

LEGISLATION BEFORE COUNCIL:

ORDINANCE NO. 2009-O-19

AN ORDINANCE AMENDING CODIFICATION SECTION 1444.06, AREAS OF SPECIAL FLOOD HAZARD.

MOTION MADE BY MR. ROSE, 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

Mr. Molenaar explained this is the Ordinance he discussed at the last meeting of Council. This Ordinance amends our flood insurance map. The last time this was done was in 1979.

The Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) amended these maps and the coordination of getting all of this accomplished is being handled by the Ohio Department of Natural Resources. He has contacted the ODNR and has given them a copy of what we are amending and they did approve this amendment. There are a number of certifications to follow which will be handled by the Clerk of Council. Mr. Molenaar said that basically what this does is change the date of the new map which will take effect on February 3, 2010. Our current flood plain program that we have in our codification will remain the same except for this one section.

MOTION MADE BY MR. EVA, Seconded by Ms. Shirley for Passage. ROLL CALL: Ayes: Council Member Rose, Eva, Shirley, Connolly, Elam, Langbehn. Nays: None.
MOTION CARRIED: 6/0

OLD BUSINESS: (none)

NEW BUSINESS:

Council President Langbehn said that all Members of Council received a letter from Aqua Ohio, Inc. along with a fax message regarding the proposed 19% increase. Mr. Langbehn asked if Council has any wish to responding to this matter.

Mr. Rose said that he realizes the increase as explained, and although \$5.88 does not seem like a lot, it is a 19% increase. He believes this is a bit much, and was wondering if Council, as a body, would like to respond to Aqua or PUCO expressing that 19% is an excessive rate hike. Mr. Langbehn said that perhaps the Law Director could draft a letter to Aqua and/or PUCO regarding this matter. Mr. Rose said that he does not believe that a reply to PUCO would be necessary since they will not be doing anything until December. He believes the initial letter should go to Aqua Ohio until such time they actually file with PUCO. Mr. Langbehn said he would like to see PUCO awakened by this by somebody actually objecting to this to get it all started.

Mr. Eva asked if we know if this is just for Lake County. Mr. Langbehn said it is for their whole service areas of Lake and Summit Counties. Mr. Rose said we owe it to our residents to voice their objection to a 19% rate increase. All Members of Council were in agreement with this approach. Mr. Elam said he would support this since we are looking at an 8-10% shortfall this year. He said the amount of money is not the issue here, but they need to be pushed back on this. Mr. Elam said he feels that PUCO is the agency that should look out for us as Aqua has every right to ask for a rate increase. Council President Langbehn asked that the Law Director draft the initial letter.

Mr. Lyons said he agrees with what Mr. Rose said initially regarding sending the letter to Aqua, and he would also recommend contacting the surrounding communities to see what their intent would be on this matter.

Council President Langbehn asked that the letter be prepared and they will discuss it at the next meeting. Mr. Elam said he does not care what the other communities are thinking about doing, but to let them to know what we will be doing and ask them to join us. Mr. Lyons said the only reason he mentioned this is that in the past City of Mentor has hired outside Council to object to the Aqua Ohio increases to the PUCO. Council President Langbehn said he would like a draft prepared for the next meeting and they can discuss further if they want it to be sent to both Aqua Ohio and PUCO.

Mr. Elam said the House of Representatives passed the health care bill this week. He is not hearing very much from our Senators or Congressman on their position on this issue. Mr. Elam said that he thought that Council should contact our Congressmen and Senators, if Council does have a consensus of opinion on the matter. Mr. Elam said that perhaps Council could consider what position they would have on this matter. Council President Langbehn said Council can individually let our Congressmen and Senators know how we feel on this issue. Mr. Langbehn said he feels it will go well into next year before this goes before the President. He does not know if Council would impact this as a body as it seems to be more of a political issue. Mr. Langbehn said he would not want to send something out unless it was a unanimous decision of Council. Mrs. Connolly said, as an individual, she has already been sending out letters and e-mails. Mr. Elam said that he thinks waiting until next year to do something would not be the right thing to do.

Council President Langbehn asked Members of Council their opinions on this matter. Mr. Eva said he also feels that it would have to be a unanimous decision of Council. Mr. Elam said he would be in agreement with that. Mrs. Connolly and Ms. Shirley were also in agreement that it would have to be unanimous. Mr. Rose said he agrees there would have to be a 7/0 vote in expressing any concerns to our federal legislators. He thinks we would be better served if they would look at some issues that are affecting our State and Local issues similar to what they will be doing with Aqua. He is not opposed to sending a letter to Congressman LaTourette, Senators Voinovich and Brown as long as Council is a unified front of 7/0. He believes something needs to be corrected in the health care reform whether the House or the Senate's version is the right answer.

Council President Langbehn said that he would like to bring this issue back up at the next meeting of Council whenever all Members of Council are present. Mr. Elam requested this matter be placed on the next Agenda under Old Business.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Agenda Meeting of Council	November 19, 2009	6:00 p.m.
Regular Meeting of Council	November 24, 2009	7:00 p.m.
Planning & Zoning Commission	December 7, 2009	7:00 p.m.

Mr. Molenaar added that historically Council recesses the second meeting in December. He said that not knowing how the Senate is going to act in the General Assembly on the budget request for the tax increase, there may be a need for Council to go forward with their meeting on December 22nd.

ADJOURNMENT:

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

MOTION CARRIED: 6/0

The meeting adjourned at 7:30 p.m.

APPROVED:

Date

Dale O. Langbehn
President of Council

Attest: _____
Clerk of Council