

**MINUTES  
REGULAR MEETING OF COUNCIL  
CITY OF MENTOR-ON-THE-LAKE  
OCTOBER 14, 2003**

The Regular Meeting of Council of October 14, 2003, for the City of Mentor-on-the-Lake, Ohio, was Called to Order by Council President Stroud at 8:00 p.m.

**CALL TO ORDER:** PLEDGE OF ALLEGIANCE

**ROLL CALL:** Aye: Troy D. Elam, Vice President  
Aye: Susan M. Shirley  
Aye: Kevin C. Swanson  
Aye: Sharleen Connolly  
Warren C. Zorn  
Aye: John Hawkins  
Aye: Diane E. Stroud, President

**READING OF MINUTES:** September 23, 2003 – Regular Meeting of Council

**MOTION MADE BY MR. SWANSON,** Seconded by Ms. Shirley to approve the Minutes for the September 23, 2003, Regular Meeting of Council, as submitted by the Clerk. **ROLL CALL:** Ayes: Council Member Elam, Shirley, Swanson, Connolly. Nays: None. Abstain: Council Member Hawkins and Stroud.

**MOTION CARRIED: 4/0/2**

**CORRESPONDENCE:** (None)

**ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:**

**Mayor and Safety Director – Mayor Rogers**

Mayor Rogers stated that all Members of Council received a memo pertaining to the snowplowing contractor for the senior citizens of the community. Platia Landscaping and Snowplowing came in as the low bidder at \$65.00 per season. This is consistent as to what was charged last year for this contract. They will be notifying residents very soon as to when they can sign up for this program.

Mayor Rogers said there is also an expenditure request in the amount of \$4,481.64 for SBC Global Services, Inc. for the renewal of the maintenance agreement for the 911

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system for one year. This reflects a \$21.00 increase per month, over the previous agreement the City had, which was a five-year agreement.

The Mayor said that Mr. Federico passed out pictures of the Overlook Beach Stairway Project. Mayor Rogers said they anticipate this project to be completed by the end of this week.

On October 7, 2003, Mayor Rogers reported that the City was recognized by the Ohio Motorist's Association, as being a safe City to drive in and having no serious injury accidents.

Mayor Rogers attended the ceremony on October 7<sup>th</sup> for Giant Eagle in celebration of the completion of their expansion/remodeling project. The General Managers asked that the Mayor extend their appreciation to Council Members, the Administration and the entire city for their support and cooperation during this time.

**Administrative Director – Mr. Molenaar** (no report)

**Law Director - Mr. Lyons**

In response to the Ordinance Committee's request, Mr. Lyons said that he prepared the Ordinance that is on the Agenda this evening regarding the regulation of the loading and unloading activities in the City. It is his understanding that this Ordinance will be on First Reading, and this ordinance will be distributed to various businesses in the City for their comment. Mr. Lyons said that if any Member of Council has any comments regarding this Ordinance he would like to hear them. As written, Mr. Lyons believes it is consistent as to what was discussed at the Ordinance Committee Meeting.

**City Engineer - Mr. Federico**

Mr. Federico reported that the Lakeshore Blvd./Andrews Road Program is moving along. The Overlook Beach Stairway Project is almost completed, and Mr. Federico said the photographs show what a nice job was done.

Mr. Federico said the portion of Holly Drive West of Beech has been completed. They had some conflicts with the waterlines and sewers not being where they were supposed to be, but that was resolved. They are now working East of Beech, and they are working around some problems there also.

**Police Chief - Mr. Doran** (no report)

**QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:**

Mr. Elam said at the last meeting there were some issues presented regarding the new development on Andrews Road. He was wondering where things stood regarding fencing, sound barriers, etc.

Mayor Rogers said Mr. Andrews has give the City the indication that he will be extending the brown board fence similar to what is in place on the western section of the back drive, and it will be 8' in height. Subsequent to that installation, it is the City's intent to look at cleanup and adding more that just a row of trees. It is the City's intention not to put any trees in until they see how far the fence will be extended. The curbing in that area is going to be addressed, but it has not been addressed as of yet. Mr. Elam asked if the fence will be installed on top of the curbing. Mayor Rogers said it is his understanding that it will be done the same way as it is in the front of the facility

**BOARD/COMMITTEE/COMMISSION REPORTS:**

**Zoning Committee - Mr. Elam**

The Zoning Committee of Council met on October 14, 2003. They met to discuss maintenance codes relative to housing in the City. At this time, Mr. Elam said there is nothing further to report.

**Ordinance Committee - Mr. Swanson**

The Ordinance Committee met on October 7, 2003. All members of the Ordinance Committee were present. They met to discuss the noise ordinance and issues that have currently been happening within the City. Mr. Swanson said that hopefully Ordinance No. 2003-O-16 will address some of these issues. There was also some discussion on the fence issue Mr. King has pertaining to Mr. Andrews.

**Parks & Recreation Board - Mr. Swanson**

The Parks & Recreation Board met on Thursday, September 25, 2003. They discussed the upcoming Holiday events, including the Toys-For-Kids Program.

**OPEN TO THE PUBLIC TO SPEAK: 8:10 p.m.**

**Jerry Shirer - 7424 Fern Drive, Mentor-on-the-Lake, Ohio**

Mr. Shirer said that the Mentor-on-the-Lake taxpayers paid for this building, and they wanted to use the Community Room and were told they had to pay \$25.00. Mr. Shirer said this is outrageous.

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Mrs. Stroud said Council decided not to refund that deposit because of the cost of cleaning the room and maintaining it, in addition to the cost for new tables and chairs. It did not seem feasible.

Mr. Shirer asked what determines what roads get repaired in the City. Mrs. Stroud said that the neediest road is usually done first.

Mr. Shirer showed pictures of Fern Drive in its current condition. He said he did a traffic survey to count the traffic. He did traffic surveys at the identical times on Larkspur and Fern to count the traffic, and Fern Drive far exceeded the number of cars traveling on it as compared to Larkspur. He cannot understand why Larkspur was done prior to Fern Drive. Also, they have yard drainage problems on their street. He asked what the residents need to do make things happen.

Mr. Hawkins suggested that Mr. Shirer talk to Members of Council individually after the meeting.

**John Ryan - 7365 Fern Drive, Mentor-on-the-Lake, Ohio**

Mr. Ryan asked what the storm water agency is going to do for the residents of Mentor-on-the-Lake. He also asked if they could state their position on the 22% tax evaluation. Mr. Ryan said the Mayor was suppose to get back to him after he talked to the Commissioners. Mayor Rogers said he is still looking into the matter for him.

**Larry King - 5878 Springwood Drive, Mentor-on-the-Lake, Ohio**

Mr. King asked what type of penalty a 4<sup>th</sup> degree misdemeanor carried. Mr. Lyons said up to 30 days in jail and a \$250.00 fine.

Mr. King passed out photographs of the area behind Marcs that he is complaining about. Mr. King said that the drains need to be looked at, the trash compactor, and the fence damage. He said he doesn't see anything in the ordinance about Saturday and Sunday, and this needs to be addressed.

Mr. Elam asked how long ago the damage was done to his fence. He said it is going on five months. Mr. Elam asked what it would cost to fix the fence. He said probably fifty to seventy-five dollars.

Mr. King said you need more than trees put in. Sound barriers and curbs for proper drainage also need to be installed.

**Marguerite Wilmot - 5890 Springwood Drive, Mentor-on-the-Lake, Ohio**

Mrs. Wilmot said the dumpster is still leaking behind Marcs. They put down some sort of gravel over it to stop it from going into her neighbor's yard. She said it smelled all the

way to Andrews Road. She said the idea of the curb along the drive would be a very good idea. Mrs. Wilmot asked if anything has been started to fix this whole situation.

Mayor Rogers said that Mr. Andrews is now willing to put in the fence, but no date has been set as to when this would happen. Mayor Rogers said that Mr. Bailey is checking into the tree solution, and Mr. Federico is looking into the drainage/curb issue.

**CLOSED OPEN TO THE PUBLIC SECTION: 8:26 p.m.**

**LEGISLATION BEFORE COUNCIL:**

**RESOLUTION NO. 2003-R-20**

A RESOLUTION AUTHORIZING THE MAYOR AND ADMINISTRATIVE DIRECTOR TO ENTER INTO A CONTRACT WITH PLATIA LANDSCAPING AND SNOWPLOWING, AND DECLARING AN EMERGENCY.

**MOTION MADE BY MR. SWANSON**, Seconded by Ms. Shirley for Suspension of the Rules. ROLL CALL: Ayes: Council Member Elam, Shirley, Swanson, Connolly, Hawkins, Stroud. Nays: None.

**MOTION CARRIED: 6/0**

**MOTION MADE BY MR. SWANSON**, Seconded by Ms. Shirley for Passage. ROLL CALL: Ayes: Council Member Elam, Shirley, Swanson, Connolly, Hawkins, Stroud. Nays: None.

**MOTION CARRIED: 6/0**

**ORDINANCE NO. 2003-O-16 First Reading)**

AN ORDINANCE REGULATING LOADING AND UNLOADING ACTIVITIES IN THE CITY AND DECLARING AN EMERGENCY.

**OLD BUSINESS:**

Mr. Elam said he would like to respond to the residents who are here this evening. He said he feels they deserve a response to their issues.

Mr. Hawkins asked for a Motion that Council convene as a whole. (He felt this would be a point of order.) Motion was seconded by Ms. Shirley. Mr. Elam said he would address their concerns after the meeting. Mr. Hawkins withdrew his motion...he said he felt that it would be appropriate for Council Members to talk to the individuals after the meeting. Ms. Shirley withdrew the second to this motion.

**NEW BUSINESS:**

**MOTION MADE BY MS. SHIRLEY**, Seconded by Mr. Swanson to approve the expenditure to SBC Global Services, Inc. for the renewal of the maintenance agreement for the 911 system for one year. ROLL CALL: Ayes: Council Member Elam, Shirley, Swanson, Connolly, Hawkins, Stroud. Nays: None.

**MOTION CARRIED: 6/0**

**ANNOUNCEMENTS AND SETTING OF MEETINGS:**

Ordinance Committee	October 21, 2003	7:30 p.m.
Agenda Meeting of Council	October 23, 2003	6:30 p.m.
Regular Meeting of Council	October 28, 2003	8:00 p.m.
Parks & Recreation Board	October 30, 2003	7:30 p.m.

**ADJOURNMENT:**

**MOTION MADE BY MR. HAWKINS**, Seconded by Mr. Swanson for Adjournment. ROLL CALL: Ayes: Council Member Elam, Shirley, Swanson, Connolly, Hawkins, Stroud. Nays: None.

**MOTION CARRIED: 6/0**

The meeting adjourned at 8:32 p.m.

**APPROVED:**

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

\_\_\_\_\_  
**Troy D. Elam**  
**Vice-President of Council**

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