

**MINUTES
REGULAR MEETING OF COUNCIL
CITY OF MENTOR-ON-THE-LAKE
September 23, 2008**

The Regular Meeting of Council of September 23, 2008 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: Susan M. Shirley, Vice President
Aye: David R. Eva
Aye: Andy Rose
Aye: Sharleen Connolly
Aye: Troy D. Elam
Aye: John Hawkins
Aye: Dale O. Langbehn, President

READING OF MINUTES: September 9, 2008 – Regular Meeting of Council

MOTION MADE BY MR. ROSE, Seconded by Mrs. Connolly, to approve the Minutes for the September 9, 2008, Regular Meeting of Council, as submitted by the Clerk.

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

MOTION CARRIED: 6/0/1

CORRESPONDENCE: (none)

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor and Safety Director – Mayor Rogers

Mayor Rogers announced that Andrews Road is now open. He said they received a number of compliments on the project. There are a few punch list items that he has brought to the attention of the Administration with respect to some of the tree lawns, and the curb area as you are going into Mentor Beach Park which needs to be looked at to make it handicap accessible. Also, they are looking at some of the arrow markings in the turn lanes for possible revisions. Mayor Rogers said they anticipate hearing from the Congressman regarding the funding.

Mayor Rogers also reported that the new fire truck will be arriving on Wednesday, September 24, 2008, and will be in operation for the City.

On Wednesday, October 15, 2008, is the Lake County Association of Police Chief's annual dinner, and Mayor Rogers said if any Council Member is planning to attend, they need to respond to Chief Doran as soon as possible.

Mayor Rogers said he received a request from Lake County Job and Family Services to address Council at their October 14th meeting.

Mayor Rogers received a letter when Council was on recess from a resident who requested that the Administration ask Council to look at the matter of limiting pets. He asked that Council assign this matter to the appropriate committee to review.

On the agenda this evening is legislation that has been prepared for Council's consideration to address the issue with regards to Judge Trebets ruling stating that our existing legislation is unconstitutional. Mayor Rogers said this is the Law Director's ability to bring the legislation into line with the constitution.

Administrative Director – Mr. Molenaar

Mr. Molenaar reported that he received a response from CEI on alternate power that was presented by resident, Shawn O'Neil. There is a bill that requires CEI and other energy companies to have a certain percentage in their portfolio of power that is from alternate sources, i.e. wind, sun. They do have a contract with a wind farm out of Pennsylvania, where they contract for a certain percentage of their power. Mr. Molenaar said they have no plans to create an infrastructure for alternate power for themselves. Mr. Molenaar said he will ask them again if solar panels could be put on the street lights.

Mr. Molenaar said that perhaps Council has been reading about the problems they are having with road salt. Last year we were at roughly \$36.00 per ton and next season it will be between \$65-67 per ton. Mr. Molenaar said the City has been getting its salt through ODOT for a number of years, but they also bid it out separately. Mr. Molenaar said we estimate our usage at approximately 800 tons per year, and in that contract was a bid that ODOT sends out to the suppliers. The bids have to be within 50% of our estimate. The State bid it out and did not come in very favorable, so they rebid it with a second provision that the City has to be within 80% of their estimate, however, they did not inform our City of this. Mr. Bailey contacted Morton Salt who is our provider through the contract with ODOT, and they said we had 304 tons left on last year's contract, and that the City could buy that salt at the old price. Mr. Molenaar said they of course did purchase what was left under the old contract price, and they have not received it yet but are looking for a place to store it. Mr. Molenaar said this is about a \$9,000 savings. Mr. Molenaar said they are looking at changing, at least on the main roads, how they will be salting next season.

On Andrews Road they will be using cinders because of the new concrete. Mr. Molenaar said they are already at a minimum on the side streets and really cannot do anything less. They will be notifying the residents in the News-Break that Andrews Road will not be salted this season, as well as the plan for salting throughout the City.

Law Director – Mr. Lyons

Mr. Lyons said he drafted the Ordinance that is on the Agenda this evening on First Reading to replace our existing Ordinance pertaining to lighting. He said he used the City of Mentor's Ordinance as his model for this draft. This ordinance has to have three readings as well as a public hearing. As discussed at the last meeting of Council, he did make this a minor misdemeanor charge.

City Engineer – Mr. Federico

Mr. Federico said as the Andrews Road Reconstruction Project is coming to a close, things have gone very well in all departments. The contractor did a good job and the weather cooperated. Mr. Federico said he appreciates all of the cooperation they received from all involved to make this a very successful project.

Fire Chief – Mr. Mahoney

Chief Mahoney reported that the new fire truck will be arriving tomorrow. They will be doing some training, etc. They have to run an emergency vehicle operator's certification. The second Sunday in October you will probably notice the trucks out in the parking lot, and that is what they will be doing.

The Department may be possibly doing a house burn. If that occurs, and Council would be interested in attending, he will put out a notice to inform everyone what date it will be. They have not had the opportunity to conduct a house burn for about 8 years, and there are rules and regulations that have to be followed.

Fire Prevention Week will begin on the 5th of October. They are going to do things the way they used to do things, with the cooperation of the Mayor, to get the fire trucks reinstated. The station has been repainted, and Chief Mahoney welcomed Council to stop in and see the new fire truck, etc.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Mrs. Connolly asked if the fine on the new ordinance is \$150.00 per day. Mr. Lyons said it is \$150.00 for each violation. Mr. Lyons said it could be per day.

Mr. Eva said he has been asked why the speed limit on Andrews Road is not kept consistently at 25 mph. Mayor Rogers said it is consistent with ODOT regulations based on our zoning.

Mrs. Connolly asked the Mayor about not hearing about the funding for the Andrews Road Project. Mayor Rogers said they have sent a couple of e-mails to Congressman LaTourette, and they have not yet heard back from him.

Mr. Molenaar said that part of this grant was to address possible change orders, and he has not received any feedback from the State on this, but does not think there were a lot of change orders. The balance was to payoff the debt that we borrowed on. Mayor Rogers said it was his understanding that the money was appropriated and released to one of the governmental agencies and then the funds would be disbursed to the City. Mr. Molenaar said the first slot of funds that came through Congressman LaTourette came through the transportation end. The \$625,000 came through a water development act. Mr. Molenaar said there were two different appropriation bills, and apparently they were approved, and the notice went to the Corps of Engineers. Mr. Molenaar said if that approval wasn't secured there is a chance that it would go back to the table. Mr. Molenaar said this was an earmark, and part of the bill. There was one small approval that had to be made, which they are waiting on.

Mr. Langbehn asked Chief Mahoney to please notify Council of the house burning.

BOARD/COMMITTEE/COMMISSION REPORTS: (none)

OPEN TO THE PUBLIC TO SPEAK: 7:28 p.m.

CLOSED OPEN TO THE PUBLIC SECTION: 7:29 p.m.

LEGISLATION BEFORE COUNCIL:

ORDINANCE NO. 2008-O-18 (FIRST READING)

AN ORDINANCE REPEALING EXISTING ORDINANCES THAT REGULATE FLOODLIGHTS AND OTHER FORMS OF EXTERIOR LIGHTING AND ENACTING A COMPREHENSIVE ORDINANCE TO REGULATE OUTDOOR LIGHTING IN THE CITY AND DECLARING AN EMERGENCY.

OLD BUSINESS: (none)

NEW BUSINESS:

Mr. Elam said he attended a meeting at Mentor City Hall attended by our local Senators to discuss several of the neighborhoods surrounding our area regarding the well drilling issue and feels that this matter needs to be looked at by our Council in more detail.

Council President Langbehn assigned this matter to the Utility Committee for their review.

Mr. Elam said he would also like to see a Resolution of appreciation done to the local businesses for their patience and cooperation during the Andrews Road Reconstruction Project.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Parks & Recreation Board	September 25, 2008	7:00 p.m.
Agenda Meeting of Council	October 9, 2008	6:00 p.m.
Regular Meeting of Council	October 14, 2008	7:00 p.m.

ADJOURNMENT:

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

MOTION CARRIED: 7/0

The meeting adjourned at 7:40 p.m.

APPROVED:

Date

Dale O. Langbehn
President of Council

Attest: _____
Clerk of Council