



City of Mentor-on-the-Lake

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MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE JANUARY 10, 2017

The Regular Meeting of Council of January 10, 2017, for the City of Mentor-on-the-Lake, Ohio, was called to Order at 7:00 P.M. by Council Vice-President Preston Wolk, who was Chairing tonight's meeting.

CALL TO ORDER: PLEDGE OF ALLEGIANCE

ROLL CALL:

Aye: **At Large:** PRESTON WOLK, Vice President
Aye: **Ward 3:** ROB JOHNSON
At Large: JOHN HAWKINS (Absent)
Aye: **At Large:** JIM LUNDER
Aye: **Ward 1:** DAVID CHABUT
Aye: **Ward 2:** PAUL MORRIS
Ward 4: DESIREA THOMPSON, President (Absent/Excused)

READING OF MINUTES: Organizational Meeting of Council – January 5, 2017
Regular Meeting of Council – December 13, 2016

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Approval of the Minutes of the January 5, 2017, Organizational Meeting of Council. **ROLL CALL:** Ayes: Council Member Wolk, Johnson, Lunder, Morris. Nays: None. Abstain: Council Member Chabut.

MOTION CARRIED: 4/0/1

MOTION MADE BY MR. LUNDER, Seconded by Mr. Chabut, for Approval of the Minutes of the December 13, 2016, Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Wolk, Johnson, Lunder, Chabut, Morris. Nays: None.

MOTION CARRIED: 5/0

CORRESPONDENCE:

The Clerk read the Letter of Resignation addressed to Council President Thompson from Council Member John Hawkins, dated December 14, 2016.

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor and Safety Director – Mayor Eva

Mayor Eva gave the Fire Department Report for December 2016, a copy of which has been sent to all Members of Council. There were a total of 120 calls for the month of December. The breakdown is as follows: Service/Fire – 16 calls; Rescue/EMS – 95 calls; Invalid Assist – 9 calls. The Fire Department finished the year with a total of 1206 calls, which is 65 more call than in 2015. The daily average for the

month was 3.8 calls, and the total average per day for the year was 3.3 calls. There were 110 calls for invalid assist during the year. For comparison, the City's Fire Department handles more calls than Kirtland which has ten full-time firefighters. The Mayor told the Chief and Staff they did a great job this year. The Department held its annual Santa rounds which were well received. The weather was great and many residents came out with their children to greet Santa and get candy calls.

Mayor Eva stated on December 19, 2016, he had the privilege to participate in the Second Annual Santa's Blue Helpers event. This was organized by Officer Tina DeSapri. Seven Officers, Tina DiSapri, Ken Wuchte, Clay Braidic, Kyle Sukys, Rob Higginbotham, Rob Roach and Chief Gielink, and Mayor Eva were able to take twenty Mentor-on-the-Lake children, who were selected by the Staff at Lake Elementary, to Mentor WalMart on a \$100.00 each shopping spree. Prior to the shopping spree, the children were treated to a Pizza Party donated by Joe Jaros, Owner of Marco's Pizza. Mayor Eva thanked all who made donations to make this possible: Retired Chief Charles Hitzel who is part of the Ohio Cops for Kids, Marc's Store in Mentor-on-the-Lake, Paul and Mary Morris, Desirea Thompson, Mike Huelsman, Amvets Post 109 Ladies Auxiliary, Sons of Amvets Post 109, BJ's Restaurant & Brewhouse in Mentor, Valerie Gielink, Doc's Deepwood Foundation, Chris Reschke, and Jim and Cindy Garret, owners of Spuddy's Tavern.

Mayor Eva advised on December 22, 2016, he delivered the gift cards donated by Giant Eagle to the winners of the Holiday Lighting Contest. First Place went to 6026 Thunderbird Drive, Second Place to 5741 Marine Parkway, and Third Place to 5560 Reef Road. The City received over 100 donations benefiting the Toys for Tots Program.

Mayor Eva read a letter dated December 19, 2016, to the Mentor-on-the-Lake Police Department from Alisha and Adam Byrem, 5711 Whitethorn Drive, thanking the Police Department for its kindness and quick response when their home was burglarized. Mayor Eva was copied on this letter together with Sgt. Daubenmire, Ptl. Wuchte, Ptl. Curtner, and Ptl. Samac

Administrative Director – Mrs. Bartone

Mrs. Bartone advised a copy of the letter received from the State Auditor's Office dated December 21, 2016, has been given to all members of Council. The State has denied the City's request to create the Capital Service Equipment Fund, Capital Fire Equipment Fund, and Capital Police Equipment Fund. The State looks at this as trying to create savings accounts with restrictions on unrestricted funds. She does not know if the State's recommendation to establish the funds under Ohio Revised Code Section 5705.13(C) is the correct way to go since setting up reserve accounts creates more restrictions and time frames on the money to be set aside.

Law Director – Mr. Lyons

Mr. Lyons advised H.B. 331 regulating the tall poles and right of way did pass and it will affect the City. The law has not gone into effect yet. It does ban moratoriums as passed by Council. He has been informed by Mrs. Bartone that an application has been submitted, but he is not sure if it has been formally submitted and this will have to be dealt with. Mr. Lyons stated he is putting together an analysis of the law to give to Council at the next meeting or the meeting following. He advised the law gives a lot of rights to the telecommunications industry and very few rights to municipalities. Also the City will have to come up with a right of way ordinance in conjunction with this.

City Engineer – Mr. Sayles

Mr. Sayles advised the bids were opened for the Lake Street Storm Sewer Project. There was a good group of bids. Mrs. Bartone will be preparing legislation for Council's consideration on the award and he will have more information at that time.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Council Member Morris asked Mr. Sayles when he thought the project would start. Mr. Sayles advised no sooner than two months from now, probably in March or early April.

BOARD/COMMITTEE/COMMISSION REPORTS:

Planning & Zoning Commission / January 9, 2017 / Mr. Chabut

Council Member Chabut advised the Planning & Zoning Commission did not meet.

Fire Dependency Board / January 10, 2017 / Mr. Wolk

Vice-President Wolk advised the Fire Dependency Board met just prior to tonight's meeting for its annual meeting. The only business conducted was that Vice-President Wolk was voted in as Chair and Captain Pechatsko was voted as Secretary.

OPEN TO THE PUBLIC TO SPEAK: 7:10 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:11 P.M.

LEGISLATION BEFORE COUNCIL: (None)

OLD BUSINESS:

Vice-President Wolk suggested that the Review of Council Rules be continued until there is a full Council to discuss and vote on the Council Rules. He asked if there was any discussion on the Council Rules tonight, and Council Member Morris stated he thought they had been pretty well covered at the Organizational Meeting.

NEW BUSINESS:

Vice-President Wolk stated he and Council President Thompson had discussed Council Member Hawkins's letter of resignation. He asked the Administration to advertise for applications to fill Council Member Hawkins seat as they would like to try to get the seat filled before the appropriation discussions if possible. Mayor Eva asked about the dates for the advertisement. Council Member Hawkins last meeting will be January 24, 2017. Vice-President Wolk suggested advertising should start as soon as possible to close by Friday, February 3, 2017, at 5:00 P.M. and target February 18, 2017, for the Finance Committee Meeting. Council Member Lunder advised he will be out of town on that date. Council Member Johnson suggested applications be in by February 3, 2017, and Council meet on February 7, 2017, to vote. Vice-President Wolk stated he wanted to give Council more than a week for discussion. Mayor Eva suggested getting the ad in by Thursday, with a cut-off of January 27, 2017, with Council meeting on January 31, 2017. Mr. Lyons said a meeting cannot be held on January 31, 2017, because Council Member Hawkins is still in office through January 31, 2017. Vice-President Wolk said he would like to give more than two weeks to get out the word applications are being taken. Vice-President Wolk said if Council meets on February 18 on the appropriations, it still gives three readings until the end of March. Mayor Eva said he agrees, but was thinking of the research a new member of Council would have to do to get up to speed on the appropriations. Vice-President Wolk suggested getting the ad in this week, with applications due by February 3, 2017, at 5:00 P.M., schedule interviews on February 7, 2017, and vote later that week or the next week. Council Member Johnson asked if Council was voting the night of the interviews, which is what was done the last time. Vice-President Wolk said Council would vote the same evening as the interviews, and the exact meeting date can be decided at the next Council

Meeting on January 24, 2017. Mayor Eva confirmed the ad will go in this week, with the final date for applications being February 3, 2017, at 5:00 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Vice-President Wolk suggested an Ordinance Committee meeting be scheduled. Council Member Johnson said there is no Ordinance Committee yet. Vice-President Wolk advised he did not know who will be Chair, but Council Members Lunder, Johnson, and Morris will be on the Ordinance Committee. He also thought Mr. Lyons should also attend. Mr. Lyons asked what was being discussed. Vice-President Wolk advised the tall poles. Mr. Lyons stated he did not quite have a handle on the new law yet as the law has not gone into effect yet, and did not feel he would be ready to make any type of proposals. As he stated in his report, he was hoping to have a hand-out to Council at the next meeting with highlights of the new law. It seems to him Council needs to pass a right of way ordinance which is still in the proposal stage in Painesville who was paying for the study. Once it does, before it can go into effect, the PUCO will review it. Mr. Lyons said there could be a meeting but does not know what will be accomplished. Vice-President Wolk asked if the City's moratorium will still be in effect once the law passed. Mr. Lyons said no. Vice-President Wolk asked when the State law goes into effect, and Mr. Lyons indicated ninety days after passage, which was around the time of Council's last meeting. There is time and Mr. Lyons feels the best thing would be to get more familiar with the law before scheduling a meeting. Vice-President Wolk said Council will wait until the next Regular Meeting on January 24, 2017, to schedule an Ordinance Committee Meeting.

Jennifer Jakosh advised she had a question and asked if there was going to be a second Open to the Public Section. Vice-President Wolk asked her to step to the lectern and state her name and address.

OPEN TO THE PUBLIC TO SPEAK: 7:24 P.M.

Jennifer Jakosh, 7574 Southland. Mrs. Jakosh had a question about the funds, and asked what the difference was between the City's proposal and the State's proposal, and is Council thinking about moving to the new proposal. Her second question is she understands Council Member Hawkins has resigned, but before any dates are set, asked if Council should make sure the Council President is available for any dates suggested for a meeting. Vice-President Wolk stated if the Council President is not available, other arrangements will be made. Mrs. Bartone responded to Mrs. Jakosh's first question. The recommendation from the State was a different Revised Code section, 5705.13, called Reserve Balance Accounts. The main difference or the highlights of that, you can't reserve more than 5% of the revenue credited in a previous year to that account and additionally there is only a set amount of time you can set money aside for a specific purpose and at the end of that if it expires it has to go back to the original fund it came from. These are the two biggest items. Mrs. Jakosh asked if the City has the 5% available. Mrs. Bartone said the City does not have the full 5% for those three funds.

CLOSED OPEN TO THE PUBLIC SECTION: 7:26 P.M.

Regular Agenda Meeting
Regular Council Meeting

Thursday, January 19, 2017, at 6:00 P.M.
Tuesday, January 24, 2017, at 7:00 P.M.

ADJOURNMENT:

MOTION MADE BY MR. LUNDER, Seconded by Mr. Chabut, for Adjournment. ROLL CALL:
Ayes: Council Member Wolk, Johnson, Lunder, Chabut, Morris. Nays: None.
MOTION CARRIED: 5/0

The Regular Meeting of Council adjourned at 7:30 P.M.

APPROVED:

Date

DESIREA THOMPSON
President of Council

Attest: _____

Clerk of Council