



City of Mentor-on-the-Lake

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MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE FEBRUARY 14, 2017

The Regular Meeting of Council of February 14, 2017, for the City of Mentor-on-the-Lake, Ohio, was called to Order at 7:00 P.M. by Council President Desirea Thompson.

CALL TO ORDER: PLEDGE OF ALLEGIANCE

ROLL CALL:

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

READING OF MINUTES: Regular Meeting of Council – January 24, 2017
Special Meeting of Council – February 7, 2017

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Approval of the Minutes of the January 24, 2017, Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Johnson, Lunder, Chabut, Morris, Thompson. Nays: None. Abstain: Council Member Bittner.

MOTION CARRIED: 5/0/1

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Approval of the Minutes of the February 7, 2017, Special Meeting of Council. **ROLL CALL:** Ayes: Council Member Johnson, Lunder, Chabut, Morris, Thompson. Nays: None. Abstain: Council Member Bittner.

MOTION CARRIED: 5/0/1

CORRESPONDENCE: None

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor and Safety Director – Mayor Eva

Mayor Eva administered the Oath of Office to Mellissa M. Kelly and Alexandra V. Longo as Part-Time Communications Officers.

Mayor Eva gave the Fire Department report for January 2017, a copy of which has been provided to all members of Council. There were a total of 114 calls for service during the month of January as follows: Service/Fire – 15 calls; Rescue/EMS – 90 calls; and Invalid Assist – 9 calls. Chief Konitsky also advised that the new year has started off on another possible record setting rate. The call volume continues to outpace last year with 114 calls, which is an increase of 32 calls over January of last year.

Mayor Eva also advised that the Fire Prevention report has also been provided to all members of Council.

Mayor Eva read a letter addressed to Chief Gielink from Diane J. Faehnrich, 7723 Salida Road, dated January 30, 2017, complimenting Dispatcher Jennifer [Coughlin] on the excellent job she did regarding an incident which occurred on August 27, 2010, when she was told her 19-month grandson had passed. Dispatcher Jennifer was very helpful in obtaining information for Mrs. Faehnrich regarding the death of her grandson.

Mayor Eva advised he has received the Use of Force Analysis from Chief Gielink, and if any member of Council would like a copy, to please let him know. He stated when the Police or Fire, or even the Service Department goes out, they really do not know what they are getting into. There were seven use of force incidents in 2016; there were 11 incidents of use of force in 2015. In 2016 all the incidents were reviewed and found to be within policy. In five of the incidents in 2016 there was indication of the suspects being intoxicated or impaired to some degree by alcohol or drugs and in each instance the subject resisted arrest or assaulted an officer. The officers were in full uniform at the time of each incident. The officers have been trained in use of force deployment and the Department's use of force policy. No officers were injured during the seven incidents. There was one incident where the suspect or arrested person receiving injuries.

Administrative Director – Mrs. Bartone

Mrs. Bartone advised Ordinance No. 2017-O-02 needs to be passed tonight as set forth in her Memo to Council. She will be forwarding suggested revisions to that Ordinance on file to speed up the process.

Law Director – Mr. Lyons

Mr. Lyons stated he was looking at the use of force analysis, and none of the incidents involved any type of shooting by a Mentor-on-the-Lake Police Officer. The police have always done a good job in training officers to stay within the policy guidelines.

Mr. Lyons stated regarding the Agenda, there are two lengthy Ordinances on the Agenda, one regarding the use of right-of-way and the other regarding comprehensive storm water management. Regarding storm water management, Dan Donaldson from Soil and Water has volunteered to come to a meeting to speak to Council, or to a Council Committee. Mr. Lyons said Mr. Sayles is also an excellent resource for this as to what the EPA has proposed on the City and County in order to be able to discharge water into the rivers and lakes. As to the right-of-way Ordinance, as has been discussed, there are companies who want to put tall utility poles in the City's right-of-way and this is an effort to try to control the right-of-way better. Mr. Lyons advised this cannot be passed until forty-five days after the PUCO has been notified that this is being considered by Council. That notification process should be done by the next Council Meeting and there will still be time for any Committee meetings. He advised Mr. Sayles would also be a very valuable resource regarding the right-of-way.

City Engineer – Mr. Sayles (No Report)

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Council Member Morris thanked Mrs. Bartone for the advance notices she is sending out about legislation that needs to be passed. It is very helpful.

BOARD/COMMITTEE/COMMISSION REPORTS:

Parks & Recreation Board / January 26, 2017 / Mr. Johnson

Council Member Chabut advised he attended the Parks & Recreation Board meeting on behalf of Mr. Johnson. The Parks & Recreation Board met on January 26, 2017, at 7:00 P.M. Present were Ryan Jakosh, Chair, Cathy Roos, Michelle Moore, Harry Burt, Dorinda Myers, Jennifer Jakosh, and Council Member Chabut. Council Member Chabut said Parks & Recreation does a lot, and he was impressed. The Holiday Contest went well. It was discussed that we need to get more homes to apply for the contest. 103 toys were collected for Toys for Tots. For this year's Holiday Lighting Contest, judging will be on December 14, 2017, and donations for Toys for Tots will be from December 15 to December 21, 2017. The Fall Festival is set for September 9, 2017. Letters seeking donors will be mailed, and the Committee is looking for craft vendors. The City-Wide Yard Sale will be held from June 8 to June 10, 2017. Cleanup day for the baseball diamonds and parks is scheduled for May 6, 2017, from 10:00 A.M. to Noon. The Committee is seeking grants for the parks through PlanHealth. These grants are going to those cities that are unable to obtain matching funds. Jennifer Jakosh was voted as the new Chairperson and Michelle Moore as the Vice Chairperson. The meeting adjourned at 7:37 P.M.

Planning & Zoning Commission / February 6, 2017 / Mr. Chabut

Council Member Chabut advised the Planning & Zoning Commission met on February 6, 2017, at 7:00 P.M. Present were Suzanne Cason, Chair, Mike Sweeney, Mayor Eva, and Council Members Dave Chabut, Rob Johnson, and Jim Lunder. Suzanne Cason was elected as Chair and Ralph Boomer elected as Vice Chair. He also advised the Committee is in need of a new member. The meeting adjourned at 7:06 P.M.

OPEN TO THE PUBLIC TO SPEAK: 7:17 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:18 P.M.

LEGISLATION BEFORE COUNCIL:

ORDINANCE NO. 2017-O-02

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

MOTION MADE BY MR. LUNDER, Seconded by Mr. Morris, for Suspension of the Rules **ROLL CALL: Ayes: Council Member Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None. MOTION CARRIED: 6/0**

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Bittner, for Passage. **ROLL CALL: Ayes: Council Member Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None. MOTION CARRIED: 6/0**

ORDINANCE NO. 2017-O-03

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

MOTION MADE BY MR. LUNDER, Seconded by Mr. Chabut, for Suspension of the Rules **ROLL CALL: Ayes: Council Member Bittner, Lunder, Chabut, Thompson. Nays: Council Member Johnson, Morris. MOTION FAILED: 4/2**

Ordinance No. 2017-O-03 is placed on Second Reading.

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2017-O-04

AN ORDINANCE ENACTING CHAPTER 1022 OF THE MENTOR ON THE LAKE CODE OF 1998 RELATING TO PUBLIC RIGHTS-OF-WAY AND DECLARING AN EMERGENCY

Council President Thompson asked Mr. Lyons if this was the Ordinance Council needed to wait forty-five days. Mr. Lyons advised forty-five days from notification to the PUCO. Council President Thompson assigned Ordinance No. 2017-O-04 to the Ordinance Committee for review.

ORDINANCE NO. 2017-O-05

AN ORDINANCE AMENDING CHAPTER 1472 – COMPREHENSIVE STORM WATER MANAGEMENT – AND DECLARING AN EMERGENCY

There was no Motion for Suspension. Council President Thompson assigned Ordinance No. 2017-O-05 to the Storm Water Management Committee for review.

OLD BUSINESS:

Council President Thompson stated a couple of Council Members cannot attend the Finance Committee Meeting on February 18, 2017. She asked if February 25, 2017, would be good for everyone.

MOTION MADE BY MR. LUNDER, Seconded by Mr. Morris, to reschedule the Finance Committee Meeting to Saturday, February 25, 2017. **ROLL CALL: Ayes:** Council Member Johnson, Bittner, Lunder, Chabut, Morris, Thompson. **Nays:** None.

MOTION CARRIED: 6/0

Council President Thompson confirmed that the Finance Committee will meet as a Committee of the Whole on Saturday, February 25, 2017, beginning at 9:00 A.M. in the Community Room.

Review of Council Rules: Council President Thompson asked Council Member Bittner if he had received a copy of the Council Rules, and he advised he had not yet received a copy. Council President Thompson advised the review of Council Rules will be brought up at the next meeting.

NEW BUSINESS:

Mayor Eva stated except for Council Member Bittner, Members of Council have had copies of the appropriations since February 3, 2017, and he wondered if any Member of Council had any questions. He asked each Member of Council individually if they had any questions or comments on the appropriations. Council Member Lunder stated he was pleased with what he saw, he did have a couple of questions but has talked to Mrs. Bartone; Council Member Johnson said he had no questions at this time; Council President Thompson advised she had no questions and she also liked the format; Council Member Morris said he had no questions at this time; Council Member Chabut said he was happy with the format. Mayor Eva stated he brought this up as he and Mrs. Bartone will be meeting with Council Member Bittner on Thursday at 4:00 P.M. to review the appropriations if any other Member of Council would like to sit in on the meeting. Mr. Lyons advised if there are going to be more than three Members of Council attending the meeting, it would be safest to only have three so no one can complain there has been a violation of the Sunshine Law as this is a prearranged meeting to discuss public business, and he asked if any Member wanted to attend, to please notify Mrs. Bartone.

OPEN TO THE PUBLIC TO SPEAK: 7:25 P.M.

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

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Council Member Morris suggested a date to schedule an Ordinance Committee meeting to review the right-of-way Ordinance. A discussion was held as to a time frame for scheduling an Ordinance Committee meeting on the right-of-way. Mr. Lyons stated he did not think any wording should be changed unless there are some clerical changes that need to be made as this Ordinance was drafted specifically to try to be in conjunction with the new State law passed in December. Council also has forty-five days after notification to the PUCO for passage. Council Member Morris stated they would hold off on a meeting at this time. Council Member Lunder asked about the moratorium. Mr. Lyons advised he will have legislation for the next Meeting or the Meeting after to cancel the moratorium. Mr. Lyons stated he will also have additional legislation on the storm water management ready for the next Meeting. Council President Thompson asked Mr. Lyons to see if Mr. Donaldson can attend the next Council Meeting.

Parks & Recreation Board	Thursday, February 23, 2017, at 7:00 P.M.
Regular Agenda Meeting	Thursday, February 23, 2017, at 6:00 P.M.
Regular Council Meeting	Tuesday, February 28, 2017, at 7:00 P.M.

ADJOURNMENT:

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Adjournment. **ROLL CALL:**
Ayes: Council Member Johnson, Bittner, Lunder, Chabut, Morris, Thompson. Nays: None.
MOTION CARRIED: 6/0

The Regular Meeting of Council adjourned at 7:32 P.M.

APPROVED:

Date

DESIREA THOMPSON
President of Council

Attest: _____

Clerk of Council