



City of Mentor-on-the-Lake

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MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE MAY 22, 2018

The Regular Meeting of Council of May 22, 2018, 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:

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

READING OF MINUTES: Regular Meeting of Council – May 8, 2018

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Approval of the Minutes of the May 8, 2018, Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Wolk, Chabut, Morris, Thompson. Nays: None. Abstain: Council Member Bittner.

MOTION CARRIED: 6/0/1

CORRESPONDENCE:

The Clerk read an anonymous letter dated May 7, 2018, complaining about the speed of a fire truck which skidded around the curve at Andrews Road and Lakeshore Boulevard with the brakes locked up.

President Thompson read a letter from Amvets Post 109 Auxiliary Board Members in response to a letter written by a Council Member to Joe Kirkpatrick, Amvets Post 109, (who organizes the Memorial Day Parade), regarding the solemnity of the parade which he feels has more of a circus atmosphere rather than honoring Veterans.

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

Mayor Eva read a letter from Fire Chief James Pechatsko in response to the anonymous letter of May 7, 2018. The driver admitted skidding through the intersection and expressed a concern with a mechanical issue with the truck. The truck was checked by a certified technician for a brake issue. The appropriate

oral warnings for violation of M-O-L FD S.O.P. [Standard Operating Procedure] 604.68, regarding driving safely regardless of poor road conditions, inclement weather, or the actions of others, and 604.74 regarding driving at speeds hazardous to the public or occupants of the emergency apparatus, were issued to the driver, and an oral warning was given to the Shift Officer for violation of M-O-L FD S.O.P. 604.31, regarding the responsibility of all officers to conform to and utilize this policy in the handling of emergency incidents, and 604.32, that all officers are responsible to insure adequate training of all personnel under their command. Mayor Eva advised copies of Chief Pechatsko's letter has been forwarded to all Members of Council. He talked to Chief Pechatsko about this, as these are very expensive vehicles and need to be operated appropriately. He also asked Chief Pechatsko if any other standard operating procedures were violated, and was assured there were none. Mayor Eva said that, with the oral warnings, Chief Pechatsko interviewed all three who were on duty at the time and they offered to give written explanations. Mayor Eva stated at this time he considers the issue closed.

Mayor Eva stated, as far as the Amvets 109 Memorial Day Parade, he was made aware of the letter that was sent and he talked to Joe Kirkpatrick, who has organized the parade for at least the last 5 or 6 years. Joe has always asked Mayor Eva to speak at the end of the parade. The remarks that Mayor Eva gives honor our Veterans and it is a ceremony that is very serious, sincere, and he assured Joe that was not an opinion that he has; he was not speaking for City Council; and he hopes the parade stays in the City. The Amvets Post 109 Parade has been held for at least 50 years, and he hopes we do not lose the parade. Mayor Eva stated he is sorry that there is a Member of Council who thinks it is not what he thinks it should be or that this may be the opinions of other Members of Council.

Mayor Eva advised there was a structure fire today at 5420 Woodside. It is his understanding from Chief Pechatsko and the other responders that the owner is in a nursing home. When they arrived, it was mostly smoke, not a lot of fire, and the structure is still livable. There is some restoration needed. Mentor and Willoughby Fire Departments gave mutual aid.

Mayor Eva read two Memos from Chief Gielink. The first Memo is dated May 14, 2018, regarding Heroes Day 2018 held at the Great Lakes Mall, and is addressed to Ptl. Ken Wuchte, Ptl. Leo Cisternino, Ptl. Clay Braidic, and Telecommunications Officer Jennie McPeck. Chief Gielink thanked each of them for taking the time and braving the cold and rainy weather to participate in this event. He appreciates that the Mentor-on-the-Lake Police Department was represented along with the rest of Lake County Law Enforcement. Employees such as these reflect the dedication and professionalism of the Mentor-on-the-Lake Police Department. The second Memo is also dated May 14, 2018, regarding Lake Elementary's Bingo Night, and is addressed to Ptl. Ken Wuchte, Ptl. Clay Braidic, Ptl. Melissa Kelly, and Ptl. Brianna Fawcett. Chief Gielink thanked each of them for taking the time to participate in Lake Elementary School's Bingo Night on Thursday, May 10, 2018. The Police Department's participation at these school events is an important part of its Community Policing and the children really look forward to it. Their time and commitment to these events reflects their dedication and professionalism of the Mentor-on-the-Lake Police Department.

Mayor Eva advised he was at the Opening Day for McMinn Baseball. Mrs. McMinn threw out the first pitch, and he threw out the second pitch. Mayor Eva thanked Mr. Moore and the Service Department. The park is in excellent shape and the fields look great.

Administrative Director – Mrs. Bartone

Mrs. Bartone advised there are a couple of items on the Agenda tonight, Resolution No. 2018-R-13 allows her to do business with First National Bank, and Ordinance No. 2018-O-18 and Ordinance No. 2018-O-19 relate to the annual debt renewal. She met with Squire Patton and they decided that as of today the best rate going forward will be to privately place this. First National Bank has offered a very competitive rate, lower than she anticipated, and they lowered it even more with a depository agreement. She asked that these be passed tonight. The note comes due June 14, 2018.

Mrs. Bartone stated, regarding the construction in the hallway, the Administration is working with the Art Teacher at Lake Elementary and they are creating an art wall of the student's artwork which the Art Teacher will pick every quarter or so. The artwork will be on display for a couple of months. The Art Teacher will be sending letters to the parents of the students whose artwork is on display.

Mrs. Bartone advised there is a tentative meeting scheduled in June with people from ODNR. Senator Yuko, and Representatives Young, Rogers and Eklund will all be in attendance as well as most of the Mayors, Managers, anyone in administration, to discuss the erosion problem and what the plans are going forward, if any. Mrs. Bartone will keep everyone posted as more information becomes available on the website if anyone else wants to attend.

Law Director – Mr. Lyons

Mr. Lyons advised he has been able to work with the Lake County Prosecutor's Office regarding the letter sent to the Auditor's Office regarding the Primrose property. In his conversations with them, the City can transfer the property to the Land Bank and if it does, the back taxes on the property will go away. If the City tried to sell to Habitat for Humanity or a third party, then the back taxes would not go away and a pro rata amount of the back taxes would have to be paid. This is his understanding, and a letter will be forthcoming from the Auditor's Office. His plan is to have an ordinance ready for the next Agenda Meeting authorizing the transfer of the property to the Land Bank, if Council wants to put this on the Agenda and go forward. He would be glad to answer any questions about this.

City Engineer – Mr. Sayles

Mr. Sayles advised the Pinehurst drainage improvement project should start in earnest the week of June 11, 2018. Before that, they will be surveying and delivering materials. A week before the project starts, a door hanger will be passed out to the residents by the contractor.

Service Director – Mr. Moore

Mr. Moore stated the Service Department continues to patch pot holes throughout the City. Daily trash pickup has begun at the parks as well as mowing and trimming when needed. The Service Department installed a precast catch basin and 35' of 12" pipe across Pinehill Drive that drains onto Yacht Street. The road had collapsed there and they had to replace it. There has been some flooding the last couple of heavy storms due to leaves blocking the pipes and ditches. They had 182 OUPS tickets to date that had to be marked for the utility companies. The Housing Department has completed 30 Point of Sale inspections and 19 house rentals as of May 2018. They have received 9 work requests and completed 3.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Council Member Chabut asked Mr. Lyons about putting together the purchase agreement for the Primrose property as he had received a call from Mr. Myers with Habitat. Council Member Chabut stated he advised Mr. Myers to send it to Mr. Lyons, if that was correct. Mr. Lyons stated the first agreement will not be with the City, it will be with the Land Bank, but Mr. Myers can put one together and send it directly to John Rogers.

Council Member Morris stated he appreciates Mayor Eva sharing the information on the fire truck. With his experience as a firefighter and driving the engines, he never slid a fire engine in his life. He does not believe the story that was generated to cover that incident. He has two other issues, and thinks they may have been covered by Mayor Eva or Chief Pechatsko. If the operator thought there was a mechanical problem, why did he wait until that letter surfaced to report anything, and he is disappointed in that. A mechanical issue with the truck stopping, as noted by Mayor Eva, is very serious and could have created a big problem. Those trucks are very expensive. Council Member Morris hopes Chief Pechatsko did not

fall for that line that the driver was doing 25, because he does not believe that. He is glad something was said, and hopefully we never hear about something like this again. Mayor Eva agrees and one of the things about an anonymous letter, he and Chief Pechatsko both looked into it, and what they noticed was that the letter said "last night" and when they went through the dispatch records, the fire truck did not go out May 6, 2018, but to Council Member Morris' point, no one came forward to say this happened. They had to search through the records for the answers. Mayor Eva thinks, with the warnings they received, they understand the equipment is expensive, and when you think no one is around, somebody is watching. Mayor Eva knows no matter where you are turning in the City off Andrews Road, it is a tight fit even with a car, let alone a fire truck, and he thinks they get the point. Council Vice President Lunder also commented on this. His point is when the driver thought there was a mechanical problem, when that truck got back that night, the truck should have been put out of service and the day crew should have been notified there was a possible problem with the truck. Council Member Morris said it almost sounds like a cover-up. He almost wished the Police Department could have investigated the skid marks, and they might have found it was a lot more than 25.

Council Member Wolk asked Mr. Moore about the sidewalk letters that had gone out to residents regarding broken or raised or uneven sidewalks. A resident who received one of those letters asked if there was a possibility of the City facilitating a group purchase from a contractor to do all of the sidewalks at one time. Mr. Moore stated he thought there was something like that several years ago. Mrs. Bartone stated they would have to do it as a pre-payment plan. There was discussion on this, including the estimated cost per foot to fix the sidewalks, as well as extending the grace period to get this work done. Council Member Wolk asked to be copied on any correspondence regarding this.

Council Member Wolk asked if there was a date for the ODNR meeting in June. Mrs. Bartone stated she thought it was set for June 14, 2018, in Eastlake, but does not have a definite location or time yet. Council Member Wolk asked if it was going to be a tutorial meeting for residents, or just a discussion. Mrs. Bartone stated, from the information she has received, it was going to be more of an open session to discuss what everyone knows and what they have been able to gather at the State level to help everyone else. Council Member Wolk asked Mr. Sayles, as they had discussed last Fall, about having a tutorial for the residents that live on the lake regarding erosion, and is this something still in the works. Mr. Sayles stated it takes some effort to do this, and there are costs in putting this together. He will talk to the people at CT and try to figure this out, and how costly it will be. Council Member Wolk asked to be included in any correspondence regarding this. Mayor Eva stated he and Mrs. Bartone had met tonight with a resident on Salida to discuss erosion. The reason Senator Yuko is putting this together is the number of inquiries that he has had, that Representative Rogers has had, that the City has had, all over Lake County and even outside of Lake County. Mayor Eva would like to see what they have to say first, and does not know if it is a tutorial or a strategy meeting, but we can go from there. In talking with the resident tonight, he is looking at approximately \$140,000.00 to fix what he feels needs to be repaired at this point.

Council Member Wolk asked if the letter to the Amvets was written by a Mentor-on-the-Lake Council Member. Council President Thompson said yes, and she has a copy of that letter as well. Council Member Wolk asked if he could have a copy.

BOARD/COMMITTEE/COMMISSION REPORTS:

Combined Ordinance Committee and Zoning Committee / May 14, 2018 / Mr. Morris and Mr. Johnson

Ordinance Committee: Council Member Morris advised the Ordinance Committee met on May 14, 2018, at 6:00 P.M. to discuss the annual business license Ordinance 804.01, possible ordinance regarding ditches, and proposed changes to the residential zoning ordinance. Present were Council Members Morris, Chabut, Bittner, Johnson, Wolk, Council Vice President Lunder, and Council President

Thompson. Also present were Service Director Mr. Moore, Al Buescher, and Madeline Coca. The Committee discussed and approved the proposed changes to Ordinance 804.01 concerning the annual business license. This is proposed to change the registration fee to \$10.00 as opposed to a fee of \$75.00. Certain other businesses are still required by Ordinance to maintain a license. This was done to make the City a little more competitive in the business market. The Committee also looked at a ditching ordinance from another City and comparing it to CT Consultants policy for a possible ordinance of our own. Mr. Buescher brought the Committee up to speed concerning his proposal for residential building, which the Committee will review for the next meeting. The meeting adjourned at 6:35 P.M.

Zoning Committee: Council Member Johnson advised the Zoning Committee met immediately after the Ordinance Committee meeting on May 14, 2018, at 6:35 P.M. to discuss the proposed business zoning changes. Present were Council Members Johnson, Morris, Chabut, Bittner, Wolk, Council Vice President Lunder, and Council President Thompson. Also present were Service Director Mr. Moore, Al Buescher, and Madeline Coca. Mrs. Coca was present to discuss ways to encourage business development for her plaza on Munson Road. With shops moving and vacancies in her plaza, she was interested in discussing what types of businesses perhaps she should seek out as well as interest in adding residential features to her property. At this time she is limited to existing zoning ordinances for that area. The Committee then discussed the current draft of zoning changes for the Business District including the new section for screening dumpsters which was agreed to. The draft of the proposal was sent to Mr. Lyons for the official draft. The meeting adjourned at 7:15 P.M.

OPEN TO THE PUBLIC TO SPEAK: 7:35 P.M.

Gary Stumpf, representing Kiwanis. Mr. Stumpf thanked Mayor Eva, Council President Thompson and Council for letting him talk tonight. Mr. Stumpf represents the new Mentor Kiwanis Club that was formed a couple of weeks ago. He talked about the various services the Kiwanis perform for children and communities. He is working with the high schools on this. Mr. Stumpf will be the Secretary of the new Club and has been with Kiwanis for over 15 years. He will be available if anyone has any questions or wants to discuss joining the Mentor Kiwanis. Mayor Eva stated the idea of going to the High School, they used to have a Key Club which got involved in projects in the neighborhood. He is now a member of the Mentor Kiwanis and there are about 14 or 15 members. Mr. Stumpf advised various people in the area have joined, he has 17 applicants and 8 more making application to join.

Al Buescher, 5426 Coronado Drive. Mr. Buescher asked what the date was for the erosion meeting. He represented the City on the Coastal Planning Committee and would like to attend. His comments about information is not to take a position but the data is out there, and the authority is really ODNR. He thinks the City's position is to create an awareness and directing property owners to ODNR. Regarding individual attempts, they risk conflicting ODNR requirements. Regarding the sidewalks, he feels the City should approach this the same way as cutting lawns. If the City has to go out to cut lawns, they do it at the homeowner's expense. One of his pet peeves on sidewalk replacements, when it is done individually by the homeowner it can create hazards for the public in changes in elevations. Mr. Buescher further commented on the uneven sidewalks in the City. The City needs to be able to control the elevation of contiguous parcels. This could be done by ordinance, not that everyone looks at the ordinances, but he likes the common bidding approach and maybe doing it at two different price levels, with the City knowing what parcels are involved and putting this out to bid, notifying the residents and if they want to take part in this, the City needs payment. If no payment is received, the City will do it, much like the lawn cutting ordinance. Mr. Buescher stated the City of Euclid has a program on erosion control and he will be looking into that. He does have suggestions for ODNR relative to partnering with private property owners.

CLOSED OPEN TO THE PUBLIC SECTION: 7:46 P.M.

LEGISLATION BEFORE COUNCIL:

RESOLUTION NO. 2018-R-13

A RESOLUTION DESIGNATING CERTAIN BANKING INSTITUTIONS TO BE ELIGIBLE DEPOSITORIES FOR THE ACTIVE, INACTIVE AND INTERIM DEPOSITORIES OF FUNDS FOR THE CITY OF MENTOR-ON-THE-LAKE, OHIO, FOR A FIVE YEAR PERIOD, COMMENCING AUGUST 21, 2016, AND DECLARING AN EMERGENCY

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Morris, for Passage. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Chabut, Morris, Thompson. Nays: None. Abstain: Council Member Wolk.

MOTION CARRIED: 6/0/1

ORDINANCE NO. 2018-O-15 (SECOND READING)

AN ORDINANCE ADOPTING SECTION 1024.03 OF THE MENTOR ON THE LAKE ORDINANCES RELATING TO MAINTENANCE OF DITCHES

Council President Thompson asked in Section 4, under 1024.03, the second paragraph, what is considered an emergency. There has been a lot of rain this week and what if the owners have not been able to go out and clean their ditch, causing flooding into the road. Is the owner expected to go out in the rain and clean out the ditch. Council Member Morris stated he and Mr. Moore talked about this yesterday. He does not see this as being a problem. Whether it is amended or taken out, he does not see this as an emergency other than flooding caused by a plugged drain. Somebody has to clean it, whether it is the Service Department or the property owner. He wondered if this should be amended or left in. Council President Thompson asked if the Committee wanted to look at this again. Council Member Johnson said the Committee could look at it again. Council Member Morris agreed. Council President Thompson stated Ordinance No. 2018-O-15 is assigned back to Committee.

Mr. Lyons advised the language is probably based on what is done with a property structure that is in imminent danger. The property owner first needs to be told this needs to be secured or something has to be done. If that person cannot be reached or action needs to be taken immediately, then the City would take action and assess it against the property. If the Committee wants to take that section out, it will not hurt the Ordinance. The idea is to have people keep their ditches clean before an emergency happens. This was discussed further.

ORDINANCE NO. 2018-O-16 (SECOND READING)

AN ORDINANCE REPEALING CHAPTER 860 AND 862 AND ENACTING CHAPTER 680 – PROPERTY MAINTENANCE REQUIREMENTS FOR SNOW REMOVAL AND LANDSCAPING

There was no Motion for Suspension of the Rules. Ordinance No. 2018-O-16 is placed on Third Reading.

ORDINANCE NO. 2018-O-17

AN ORDINANCE AMENDING CODIFIED ORDINANCE 670.30 – EXHAUST MUFFLER REQUIRED

Council Member Wolk stated last summer he was told by the Police Chief that they would not be able to enforce something like this because the officers would not be able to tell if a particular watercraft had a

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2018-O-17 (Continued):

muffler or not, and he would like to see what the Police Chief thinks about this. Council Member Morris said that actually this came from the Police Chief. Council Member Wolk asked if the Police Chief said anything about training or anything. Council Member Morris said this Ordinance does not require the same thing that the previous Ordinance did where it requires a specific standard which required a decibel meter to measure sound levels, we do not have that equipment nor do they have the training for it. After conversations with Chief Gielink, Chief Gielink found this Ordinance which came from Fairport, and a lot of other cities have adopted this, and only requires a visual inspection of the vehicle or the craft to determine if there is actually an exhaust and muffler system installed in the vehicle. This could be done shore side or dock side and does not require seeing the vehicle in the lake.

There was no Motion for Suspension of the Rules. Ordinance No. 2018-O-17 is placed on Second Reading.

ORDINANCE NO. 2018-O-18

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,355,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, (I) TO PAY A PORTION OF THE COSTS OF IMPROVING STATE ROUTE 283 BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, PAVING, RECONSTRUCTING, WIDENING, WHERE NECESSARY, CONSTRUCTING BIKE PATHS, SIDEWALKS, CURBS, GUTTERS, STORM SEWERS, CATCH BASINS, MANHOLES AND DRIVEWAY APRONS, WHERE NECESSARY, INSTALLING AND UPGRADING TRAFFIC CONTROL DEVICES AND SIGNALS, WHERE NECESSARY, ACQUIRING ANY REAL ESTATE OR INTERESTS THEREIN NECESSARY IN CONNECTION THEREWITH, AND OTHERWISE IMPROVING THE SAME, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, (II) IMPROVING THE ENTIRE LENGTH OF HOLLY DRIVE BY RESURFACING, CONSTRUCTING STORM SEWERS, INLETS AND MANHOLES, AND OTHERWISE IMPROVING THE SAME, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, (III) TO PAY THE COSTS OF THE ACQUISITION AND IMPROVEMENT OF A COMMUNICATIONS SYSTEM FOR THE CITY'S POLICE AND FIRE DEPARTMENTS, (IV) TO PAY THE COSTS OF ACQUIRING A VEHICLE AND RELATED EQUIPMENT FOR THE SERVICE DEPARTMENT AND ALL RELATED EXPENSES THERETO; (V) TO PAY THE COSTS OF IMPROVING AND EQUIPPING THE CITY'S EXISTING FIRE AND POLICE EMERGENCY COMMUNICATIONS SYSTEM, AND ALL RELATED EXPENSES THERETO, (VI) TO PAY A PORTION OF THE COSTS OF THE ACQUISITION AND INSTALLATION OF THE LAKE STREET TRUNK STORM SEWER, AND ALL RELATED EXPENSES THERETO, AND (VII) TO PAY A PORTION OF THE COSTS OF THE ACQUISITION AND INSTALLATION OF THE PINEHURST STREET TRUNK STORM SEWER, AND ALL RELATED EXPENSES THERETO, AND DECLARING AN EMERGENCY.

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

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

MOTION CARRIED: 7/0

LEGISLATION BEFORE COUNCIL (Continued):

ORDINANCE NO. 2018-O-19

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$225,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF THE ACQUISITION OF CITY VEHICLES INCLUDING A DUMP TRUCK AND A POLICE SQUAD CAR, AND DECLARING AN EMERGENCY

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Lunder, for Suspension of the Rules. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 7/0

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

MOTION CARRIED: 7/0

OLD BUSINESS:

Council Member Morris advised he and Mrs. Bartone are working together to get a good price for the traffic calming signs. He advised the radar sign has been in his yard for a little over a week and it does produce changes.

NEW BUSINESS:

Mayor Eva stated for a couple of years he has been having conversations with Rocky Nails, 5635 Chagrin Drive, who has been issued several citations. He drives a tow truck for a living and occasionally parks it in his driveway or close to his driveway. His neighbor frequently calls the Police that the truck is over the load limit, the truck has been there over half an hour, come out and issue a citation. The Police Department has responded every time they get a call. For a while, Mr. Nails was parking the tow truck at Cal's Marathon, but every time he received a call, he would walk up there to get his vehicle. Now he occasionally brings it home, which causes an issue with the neighbor, and Mr. Nails is issued a citation. Mayor Eva said he has had several conversations with Mr. Nails about enforcement of the Ordinances, and has suggested he talk to someone on Council about this. Mayor Eva did give Council President Thompson his phone number. In talking to Sgt. Daubenmire, Mayor Eva said there are several Ordinances if Council could look into them: 440.01 has to do with load limits; 452.17 has to do with parking; 1280.07 has to do with parking prohibitions; and 452.16 has to do with parking trucks and other large vehicles. One of these has to do with vehicles being 20' from the road. Council may want to take a look at some of the other ones. In some of the conversations Mayor Eva has had with Mr. Nails his vehicle is registered at the BMV at 12,000 tons. When he brings it home, it does not have anything on it and may only weigh about 7,000 tons, which would fall under the Ordinance. Mayor Eva advised Mr. Nails has been in Court at least three times this year, and thinks Council could look at these and determine if these ordinances would apply to Mr. Nails and should they continue to be enforced the way they are written. Council Member Wolk asked what the Court has determined. Mayor Eva said in some cases, Mr. Nails pays the fines. In other cases, the last one as far as load limits, from what he understands the Judge is asking the City to take a look at its Ordinances, and he thought he would bring it up before anything comes up between the Judge and the City Prosecutor. Council Member Wolk asked if Mayor Eva could be at the next Ordinance Committee Meeting, and Mayor Eva said he would. Mayor Eva feels that Mr. Nails should also be there, and Council President Thompson said she would reach out to him to be there. Council Member Wolk asked if the Prosecutor should also be there and Mayor Eva thought maybe Chief Gielink or the Sergeant should be there.

OPEN TO THE PUBLIC TO SPEAK: 8:09 P.M.

Al Buescher, 5426 Coronado Drive. Mr. Buescher asked if Mr. Nails could just get a conditional use permit from the Police Chief. He asks this because on Coronado there is a neighbor who, for years, has gotten permission to park on the fire hydrant side of the street on the tree lawn, which she has now paved with gravel, totally endorsed by the City, and this drives the neighbors nuts. If this woman can get permission from the Police Chief or the City, why can't this guy. It seems to him, on a case to case basis, that the City would be interested in allowing this person, who is not really creating much of an issue, to get permission or some sort of acknowledgment from the City. He is curious as to how his neighbor can get away with this and this man cannot.

CLOSED OPEN TO THE PUBLIC SECTION: 8:12 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Parks & Recreation Board	Thursday, May 24, 2018, at 7:00 P.M.
Ordinance Committee	Tuesday, May 29, 2018, at 6:00 P.M.
Planning & Zoning Commission	Monday, June 4, 2018, at 7:00 P.M.
Zoning Committee	Monday, June 11, 2018, at 6:00 P.M.
Regular Agenda Meeting	Thursday, June 7, 2018, at 6:00 P.M.
Regular Council Meeting	Tuesday, June 12, 2018, at 7:00 P.M.

ADJOURNMENT:

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Adjournment. **ROLL CALL:**
Ayes: Council Member Lunder, Johnson, Bittner, Wolk, Chabut, Morris, Thompson. Nays: None.
MOTION CARRIED: 7/0

The Regular Meeting of Council adjourned at 8:15 P.M.

APPROVED:

Date June 12, 2018

Desiree Thompson
DESIREA THOMPSON
President of Council

Attest: Jose M. Sape
Clerk of Council