



City of Mentor-on-the-Lake

5860 Andrews Road, Mentor-on-the-Lake, OH 44060-2827

Phone: (440) 257-7216 Fax: (440) 257-2766

www.CityMOL.org

MINUTES REGULAR MEETING OF COUNCIL CITY OF MENTOR-ON-THE-LAKE JANUARY 22, 2019

The Regular Meeting of Council of January 22, 2019, 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
At Large: PRESTON WOLK (Absent/Excused)
Aye: **Ward 1:** DAVID CHABUT
Aye: **Ward 2:** PAUL MORRIS
Aye: **Ward 4:** DESIREA THOMPSON, President

READING OF MINUTES: Regular Meeting of Council – January 8, 2019

MOTION MADE BY MR. MORRIS, Seconded by Mr. Johnson, for Approval of the Minutes of the January 8, 2019, Regular Meeting of Council. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

CORRESPONDENCE:

Council Member Morris stated he had been contacted by someone in his Ward about the legislation on tonight's Agenda, and he told the resident he would have to get back to him after the First Reading tonight as he too has questions about it. The resident is concerned about the connections from, for instance, downspouts to the storm sewer, and Council Member Morris was not sure this applied or not. The resident is pretty up in arms about it.

ADMINISTRATIVE AND DEPARTMENT HEAD REPORTS:

Mayor & Safety Director – Mr. Eva

7:02 P.M. Presentation of the 2018 "Citizen of the Year" Award to Mike Sweeney.

Mayor Eva stated Mike Sweeney and his wife, Tracy, moved to Mentor-on-the-Lake in 1987, living on Lawnfield. In 1996 they moved from Lawnfield to Springwood Drive, where they have lived for the last twenty-three years. Mr. Sweeney volunteered with McMinn Baseball from 1999 until 2006. He has also coached Navy Football. In 2002, Mayor John Rogers appointed him to the Parks & Recreation Board. In 2004 Mayor Rogers appointed him to the Charter Review Commission. Mr. Sweeney served on the Parks & Recreation Board until 2006. In February 2006 Mayor Rogers appointed him to the

Planning and Zoning Commission. Mr. Sweeney is also the Planning and Zoning Representative on the Board of Zoning Appeals. Mr. Sweeney has been married to Tracy for 32 years. They have three children, Ashley, Mike and Alex, along with two grandchildren. Mr. Sweeney has volunteered in our Community the past twenty years and has volunteered on our Boards and Commissions the past seventeen years. Mayor Eva congratulated Mr. Sweeney on being the Mentor-on-the-Lake 2018 "Citizen of the Year" and presented him with the 2018 "Citizen of the Year" Award. Mr. Sweeney thanked Mayor Eva and Council for considering him for this award, and stated it has been a pleasure living in this community for so many years and serving on the Boards.

Mayor Eva advised Council has received a Memo from Mrs. Bartone asking for emergency passage of the Lake County Storm Water Management Ordinance No. 2019-O-01. If there are questions, he hoped they can be answered later in the meeting.

Mayor Eva stated Chief Gielink sent out the Prosecutor's Report for the Fourth Quarter to Council. He also sent out the amended December 2018 Police Report.

Mayor Eva thanked Mr. Moore and the Service Department on the job they did keeping the streets cleared over the past weekend with all the snow and snow drifts. He received a call from a resident on Dahlia thanking the City for doing a good job in keeping the streets cleared.

Administrative Director – Mrs. Bartone

Mrs. Bartone stated the appropriations are set and ready to be emailed to Council this week for review. The Mayor mentioned the Ordinance on the Agenda tonight. She stated this is just housekeeping from Lake County Storm Water Management and allows them to enforce the Ordinance already on the books and just cleans up the wording. Mr. Moore knows more about this.

Law Director – Mr. Lyons

Mr. Lyons stated, regarding the amendment presented to Council, he saw the Ordinance on Thursday and thought it needed some changes. There was one part he changed significantly, Section 1470.09. The way it was written was Lake County Storm Water Management would send out enforcement letters. He thought it was odd that they would be enforcing the City's law so he talked to Tim Miller, the Director, and asked him about it. Mr. Miller did not know anything about it, so it wasn't something that he, on behalf of that Agency, had proposed. Mr. Lyons eliminated that wording. The EPA requires us to adopt these types of Ordinances so we can discharge storm water into waters in Ohio or the United States. We are part of the EPA storm water permit process. The Storm Water people work with the City and they are the ones do a lot of the administrative paperwork so they have been added in terms of housekeeping matters. Mr. Lyons stated they do not have the statutory right to enforce the City's Ordinance. As a practical matter, the City would need their expertise in order to testify and provide information so that the proper letters and documentation could be sent out. Mr. Lyons stated he also made a few other clean-up type modifications. In terms of gutters and storm sewers and disconnecting the gutters, this Ordinance does not have anything to do with that and he does not believe the main Ordinance passed a number of years ago deals with that. Instead it deals with pollutants going into the storm waters that eventually flow into the rivers and the lake which is being regulated. Mr. Lyons asked Mr. Sayles whether he knew if storm water is really an issue for the sanitary sewers so the sanitary sewers do not get overloaded and this does not deal with sanitary sewers. That is where he has always seen the gutters being disconnected from the sanitary sewers. The water coming off a roof is storm water that they try to slow down before it gets into the rivers and lake. Mr. Sayles said that was right. Mr. Moore stated the storm water runs across the grass and soaks in before it gets into the storm sewers.

City Engineer – Mr. Sayles (No Report)

Service Director – Mr. Moore

Mr. Moore stated the Service Department has gone through approximately 200 tons of salt this winter, leaving them with around 600 tons left to purchase. The Service Department has performed 21 work requests plus any additional ditching or culvert pipe replacement that was needed to help out the drainage in 2018. The Service Department has received 567 Ohio Utilities Protection Service tickets. When it receives a ticket, the Service Department has 48 hours to go out and mark the storm sewers. The Service Department is continuing to patch potholes. The Housing Department has performed 115 point of sale inspections, 39 house rental inspections, and 242 apartment units.

QUESTIONS TO ADMINISTRATION AND DEPARTMENT HEADS:

Council Member Morris noticed that one of the Service Department trucks was at the vacant house on the south side of Pinehurst and asked Mr. Moore if there was movement on that house about getting it condemned or demolished. Mr. Moore stated there is, and he believes it is in the hands of the Land Bank right now. Council Member Morris also commended Mr. Moore on the job done in the City on the snow removal. Mr. Moore stated he has a great crew, and Council Member Morris agreed.

BOARD/COMMITTEE/COMMISSION REPORTS:

Board of Zoning Appeals / January 21, 2019 / Mr. Bittner

Council Member Bittner advised the Board of Zoning Appeals met on January 21, 2019, at 7:00 P.M. and was a relatively short meeting. The Board held the election of officers and adoption of its Rules, keeping the same Chair, Mr. Buescher, and Mr. Baransky is the Vice. There were a few changes made to the Rules.

OPEN TO THE PUBLIC TO SPEAK: 7:12 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:13 P.M.

LEGISLATION BEFORE COUNCIL:

Council President Thompson said Ordinance No. 2019-O-01 would be read by its title, then amended, then the amended Ordinance would be read by its title.

ORDINANCE NO. 2019-O-01

AN ORDINANCE REGULATING ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS TO THE CITY STORM WATER SEWER SYSTEM AND DECLARING AN EMERGENCY

MOTION MADE BY MR. JOHNSON, Seconded by Mr. Morris, to amend Ordinance No. 2019-O-01 as presented. **ROLL CALL:** Ayes: Council Member Lunder, Johnson, Bittner, Chabut, Morris, Thompson. Nays: None.

MOTION CARRIED: 6/0

Council Member Morris had a couple of questions regarding this Ordinance. He noticed it makes reference to home sewage treatment systems, is that like a septic system they are referring to. Mr. Lyons stated he is not aware this would affect any downspouts, drains, or anything. Mr. Lyons said this amendment certainly would not. It does not have anything to do with that. He does not know if there are any home sewage treatment systems in the City, an exemption is given to any existing ones, but that really applies more to the townships than cities. Council Member Morris thought there might be a

couple of septic systems left in the City. Council Member Morris asked Mrs. Bartone why this needed to be passed tonight, could it be held for one more meeting before being voted on or is it that important it be passed tonight. Mrs. Bartone said it could wait. Council Member Morris said he would rather do that as this is the first he has seen the amended version. Mrs. Bartone said the Ordinance on the books is from the 70's and as Mr. Lyons has said, it is primarily to update the wording and agreements with storm water, so it can wait. Council President Thompson asked the Clerk to read the amended Ordinance by its title.

ORDINANCE NO. 2019-O-01 AMENDED

AN ORDINANCE AMENDING ORDINANCES 1470.03(b), 1470.06, 1470.07(a)(3), 1470.08 AND 1470.09(a) OF CHAPTER 1470 OF THE MENTOR ON THE LAKE CODIFIED ORDINANCES THAT REGULATE ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS TO THE CITY STORM WATER SEWER SYSTEM AND DECLARING AN EMERGENCY

Mr. Sayles stated in response to the call Council Member Morris received, water running off a roof is not considered illicit, it is contaminated water. Mr. Lyons stated they are trying to prevent oils, pollutants, from getting into the storm water. He believes they have had to have the Health District identify where there are discharge areas in the City, and the Health Department takes samples throughout the year to make sure there are no illicit discharges in order to be in compliance with the Federal storm water program.

Council President Thompson asked if Council wanted to make a motion for passage or wait. Council Member Morris said he has no problem with this Ordinance passing tonight.

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

MOTION MADE BY MR. MORRIS, Seconded by Mr. Lunder, for Passage of Ordinance No. 2019-O-01 Amended. ROLL CALL: Ayes: Council Member Lunder, Johnson, Bittner, Chabut, Morris, Thompson. Nays: None.
MOTION CARRIED: 6/0

OLD BUSINESS:

Council President Thompson stated, after speaking with Council and the Administration, they are going to leave the Finance Budget Meeting for Monday, February 18, 2019, at 6:00 P.M. She was asked if Council Member Wolk had been contacted. Council President Thompson said she had sent him a message this evening letting him know the meeting would still be held on February 18, 2019. Mayor Eva asked if Council was ok with legislation being presented before the meeting. Council President Thompson said yes and Council was in agreement.

NEW BUSINESS:

Council President Thompson said since we are going in line and getting all the Commissions and Boards in order with how they are doing their meeting minutes and she thought Parks & Recreation was not in line with what they have done with Planning and Zoning and the BZA, so maybe they could get that Board in line also. Council Member Johnson stated adding the Service Director's report. Council President Thompson stated just to make them all conform so they are all easier for everybody.

OPEN TO THE PUBLIC TO SPEAK: 7:19 P.M.

CLOSED OPEN TO THE PUBLIC SECTION: 7:20 P.M.

ANNOUNCEMENTS AND SETTING OF MEETINGS:

Parks and Recreation Board Thursday, January 24, 2019, at 7:00 P.M.

Ordinance Committee Monday, January 28, 2019, at 6:00 P.M.
(There was discussion about the possibility of rescheduling this meeting as Council Member Morris has to go out of town because of family issues. Council President Thompson asked if he could notify the Committee and her by Saturday whether he will be back in time for this meeting, so if the meeting is cancelled, a sign can be posted in case a resident wants to attend this meeting.)

Finance Committee Monday, February 18, 2019, at 6:00 P.M.

Regular Agenda Meeting Thursday, February 7, 2019, at 6:00 P.M.
Regular Council Meeting Tuesday, January 22, 2019, at 7:00 P.M.

ADJOURNMENT:

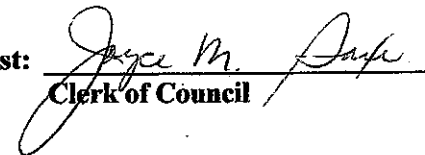
MOTION MADE BY MR. BITTNER, Seconded by Mr. Morris, for Adjournment. **ROLL CALL:**
Ayes: Council Member Lunder, Johnson, Bittner, Chabut, Morris, Thompson. Nays: None.
MOTION CARRIED: 6/0

The Regular Meeting of Council adjourned at 7:22 P.M.

APPROVED:

February 12, 2019
Date


Desiree Thompson
President of Council

Attest: 
Clerk of Council