

**Village of Mantua
Regular Council Meeting**

January 15, 2013

Mayor Clark called the meeting to order at 7:00 p.m. and led the pledge of Allegiance. Linda asked everyone to remain standing for a moment of silence for Zoning Inspector John Vechery

Roll Call: Ben Prescott, Bill Zoller, Giles Seith, Paul Janson, Marty Hura.

Motion to excuse Giles Seith from the meeting made by Bill Zoller with a second from M. Hura. All ayes on vote.

Others Present: Mayor Linda Clark, Clerk-Treasurer Jenny August, Village Solicitor Michele Stuck, Police Chief Harry Buchert, Village Administrator Anthony Fiorilli III, Village Engineer Rich Iafelice.

Public: Loretta, Todd and Alan Brugmann, Joan Martin, Jeff and Tom Van Auken, Lori Durak, Debby Bailey, Rich and Shannon Bretz, Dave Pifer, Christine Pitsinger, Aaron Snopek, John & Lisa Rizzotto, Michelle Barnauskas, Stacy Turner from the Villager, Angie Hunter, Ken Ule & others.

Proclamation: Mayor Clark thanked the families of Oscar Brugmann Sand & Gravel for their many generous donations over the years, including the repairs to High Street this past fall and hanging our Christmas wreaths. She read and presented a proclamation to Loretta Brugmann declaring every January 15th to be Roy Brugmann Day in the Village of Mantua.

Nominations for Council President: Bill Zoller nominated Ben Prescott, with a second from Linda Schilling. There were no other nominations. Marty Hura moved to close the nominations. Linda Schilling seconded. All ayes on roll call except abstention from Ben Prescott.

Minutes: Motion to approve the regular meeting minutes of December 18, 2012 made by B. Prescott with a second from M. Hura. All ayes on vote except abstention from Linda Schilling.

Mayors Report:

Regarding the CDBG grant from the County to pave Orchard St., Linda spoke with Lisa from Regional Planning and the funds are being released. She and Michele have a meeting on the 28th to put the next steps in motion.

The OPWC hydrant grant will be funded later this year, maybe July. The OPWC Sewer line project should be happening around the same time.

Regarding the AMATS grant, Linda read a letter from the DMRC stating that they and the participating property owners requested to have Council ask ODOT for a variance to reduce the sidewalk to 5 feet. They included rationale for the variance. Ben Prescott moved to have CT Consultants go to ODOT and ask for a variance to reduce the sidewalk to five feet. Linda Schilling seconded. All ayes on vote.

Mayor Clark wanted to show everyone the article Giles gave her that shows Asst. Fire Chief Matt Roosa in the paper. This is related to a project that donates money for resuscitation masks for animals that have been in a fire.

The Mayor also wanted to let Council know that the DMRC is interested in proposing plans to upgrade the flag pole structure out front that includes purchasing and raising the national flag. Motion to approve upgrading the flagpole by Ben Prescott, seconded by Bill Zoller. All ayes on vote.

Lastly, Linda wanted to introduce our new Auxiliary Patrol Officer, Hoyle West.

Finance Report: Jenny gave her report as of December 31, 2012. The financial reports have all been sent by e-mail or copied to Council. All funds remained in the black this year. The budgetary receipt report shows that overall we exceeded our revenue goals for 2012. The disbursed v revenue report shows that we had just under \$78,000 in unspent appropriations.

Jenny said in the past, Council has approved allowing AARP to use the lodge free of charge to help the elderly and needy residents with tax preparation. Also, Crestwood Schools have been allowed to use the lodge free of charge for team sign-ups and other functions such as a picnic for disabled students. Would Council like to allow these to be free again this year? Motion to allow the AARP and Crestwood School to use the lodge free of charge by Linda Schilling, seconded by Ben Prescott. All ayes on vote.

Motion to approve the financial reports: bank reconciliation, fund status, water/sewer reconciliation, municipal income tax reconciliation, revenue & expenses, cash summary, comparison of budget & actual receipts, comparison of disbursements/encumbrances report and correspondence made by B. Prescott with a second from B. Zoller. All ayes on vote.

Correspondence:

- Jenny received a form from Regional Planning asking who will be our representative and alternate, which she will get from Ben.
- Local Gov't Services called and said they will be in tomorrow at 8:00 a.m. to start our review of fiscal watch status.

Bills of Resolution:

- Bill had a question about the fire ~~hydrant~~^{extinguisher} inspection service. Is this put out for bid? Anthony said we are using the same company for several years. They give us the best price. He would like to see three quotes for this as well as buying chemicals.

Motion to approve the Bills of Resolution with addendum for January made by Linda Schilling, with a second from B. Prescott. All ayes on vote.

Legislation:

RESOLUTION 2012-28: A RESOLUTION REPEALING RESOLUTION 2011-37 AND GRANTING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION TO COMMENCE A PROJECT THAT IS EXPECTED TO BEGIN CONSTRUCTION IN FISCAL YEAR 2014. TABLED AT 3rd READING. This is on the table.

ORDINANCE 2012-60: AN ORDINANCE VACATING THE WESTERN PORTION OF COLLEGE STREET BETWEEN MAIN STREET AND ITS WESTERN TERMINUS. TABLED AT 3rd READING. This is also tabled, and we are waiting to hear from the surveyor.

ORDINANCE 2012-76: AN ORDINANCE AMENDING VILLAGE OF MANTUA CODIFIED ORDINANCE SECTION 955.01(d) TO ESTABLISH AN AWNING SETUP AND TAKE DOWN FEES. 2nd READING. This pertains to a local funeral home wanting to buy an awning for us to set up for cremation burials only. There would be a charge of \$75.00 to the funeral home each time for our guys to set it up and take it down as needed.

ORDINANCE 2013-01: AN ORDINANCE AUTHORIZING AGREEMENTS FOR RECIPROCAL EMERGENCY MANAGEMENT AND ASSISTANCE OR AID BETWEEN THE VILLAGE OF MANTUA AND OTHER POLITICAL SUBDIVISIONS AND PUBLIC AND PRIVATE AGENCIES WITHIN THE STATE OF OHIO, AND DECLARING AN EMERGENCY. 1st READING. Linda explained that this is 17 communities working together to share mutual aid, manpower and equipment.

ORDINANCE 2013-02: AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2013 APPROPRIATIONS AND DECLARING AN EMERGENCY. 1st READING. This needs to be amended where it says 2012 appropriations should say 2013. Motion to amend the year by Ben Prescott, seconded by Marty. All ayes on vote. Motion to suspend the rules made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Zoller. All ayes on vote.

ORDINANCE 2013-03: AN ORDINANCE AUTHORIZING THE CLERK TO CLOSE FUNDS THAT HAVE A ZERO BALANCE AND ARE NO LONGER IN USE. 1st READING. Jenny said these are grant funds that are closed, and this will allow us to use the numbers again.

At this time the Mayor asked Council for a motion to go into executive session for reasons of appointment and employment of personnel at 7:30 p.m. Ben made the motion and Linda Schilling seconded. All ayes on vote.

Motion to return from executive session at 8:18 p.m. by L. Schilling and seconded by M. Hura. All ayes on vote.

ORDINANCE 2013-04: AN ORDINANCE MODIFYING THE POSITION OF ASSISTANT CLERK TO A PART TIME POSITION, ESTABLISHING THE CURRENT PAY SCALE AND POSITIONS OF ALL NEWLY HIRED EMPLOYEES IN THE VILLAGE OF MANTUA AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES AND DECLARING AN EMERGENCY. 1st Reading.

Michele said someone may want to make a motion to add to section one to say that this position will not exceed 24 hours per week for 46 weeks per year, and will not exceed 39 hours per week for 6 weeks of the year. Motion to amend by B. Prescott with a second from L. Schilling. All ayes on vote. Motion to suspend the rules by L. Schilling with a second from M. Hura. All ayes on vote. Motion to approve as amended by L. Schilling with a second from B. Prescott. All ayes on vote.

Ben Prescott moved to permit Jenny to run an ad and begin interviewing, seconded by L. Schilling. All ayes on vote.

Ben Prescott moved to have the Solicitor draw up an ordinance amending 135.01(c) to permit the Clerk Treasurer to delegate responsibility for income Tax and revenue collection to Assistant Clerk to be hired. His motion was seconded by P. Janson. All ayes on vote.

Ben Prescott moved to place legal ads announcing that we are seeking applicants for general professional design services to be selected pursuant to Ohio's qualifications based selection statutes, and to permit the Mayor and Marty and Ben to evaluate all applicants and make further recommendations to Council with a second by Marty Hura. All ayes on vote.

Departmental Reports:

Police Chief, Harry Buchert asked Council to accept a donation of four new snow tires worth \$628.00 from Mantua Auto Parts. Motion to accept this donation by B. Prescott seconded by b. Zoller. All ayes on vote. Harry noted that copies of the Police report are on file and on the website. The next safety meeting will be held Jan. 31st at 6:30 a.m. Harry also wanted to say he thought it was great that we are moving forward with the tower and getting the flag up there.

Village Administrator, Anthony Fiorilli III reported that he met with Neptune this week regarding a new meter reading program. He also called Victory Waterworks to compare systems and meters. We have purchased 100 tons of salt towards our allocation this year, leaving us with 250 tons to purchase by the end of September. The plow pump on the F350 went bad and Meyers gave us a new one because it was still under warranty. A spinner motor and an auger motor went bad on the Freightliner. The number two well is 75% done. It is being bleached now. He attended a meeting regarding the shared services program that the Mayor previously mentioned, there are 17 communities involved. We hope to have access to the asphalt recycling machine that Kent and Ravenna is buying.

Village Engineer, Rich Iafelice said that the variance changes in the design of the State Route 44 Sidewalk Project will increase costs. The project includes extension of sidewalk & storm drains. Redesign will increase costs which means local share goes up as well. The ODOT survey was never part of this project. The Mayor asked Rich what are the chances of the variance being approved by ODOT. Rich said he will consult with his staff and let Council know.

Committee Reports:

Shade Tree: Linda Schilling had nothing.

Finance: Paul Janson reported we are moving in the right direction and must keep a handle on it.

Parks and Safety: Marty Hura reported that backstop project has been inspected and approved by the Trust. Mayor Clark said we should have a check in 21 days. The backstops

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and benches have all been done and look great. Marty said there was a lot of help from the Service Department. Safety did not meet last month.

Planning: Mayor Clark reported they are still working on signage. The scout tried to visit some businesses last Saturday morning and none of the businesses were open. He will try again.

Cemetery: Mayor Clark said the Cemetery Board has a list of items to submit to the Trust next month.

BZA: Mayor Clark reported that nothing has happened.

Service: Bill Zoller reported that everything is going well; the Service Department is doing a good job.

Fire Board: Giles is absent.

Committee Selections: Ben distributed his list of recommendations for Committee's.

New or Other Business:

Linda Clark said she and Marty met with Mayor Broska and several other Mayors regarding the solid waste plan update, and we will probably be generating a letter along with other communities expressing our displeasure on certain issues.

Chief Buchert wanted Council to know that they have made an arrest for the bomb threats at the high school.

The Mayor asked for a motion to approve the Council President's and Mayoral appointments as listed on the paper that Ben distributed. Motion by L. Schilling, seconded by M. Hura. All eyes on vote.

Citizens:

Dave Pifer wanted to mention that twice in the past week he has seen a car, both women drivers, crest the hill at 60 mph with a cell phone in their hand. He is stunned and concerned.

Lisa Rizzotto, the owner of Italiano's, distributed a booklet to Council and others that she has prepared. She said this is not meant to be negative to the previous Zoning Inspector. She has had issues with loitering, fights, and drinking in front of her business. There was an altercation that involved her delivery driver being physically touched and intimidated by a loiterer. The police were called and she was personally told that they took the man home and tucked him in. She has personally spoken with the Mayor and Police Chief about this problem. She asked about placing "no loitering" signs in front of her business and was told that there are no ordinances against loitering and she would have to enforce it herself, and if there is an issue she could call the police for help. She placed the signs up without being told that she needed a permit. Then the Village Administrator came by and told her that the Mayor sent him to remove the signs as a violation of public walkway. She was never notified to remove her signs. She researched the Mantua Village website and determined she was in violation by not landscaping her signs. She corrected them. Then one of her signs was stolen, later found, and when she wanted to press charges, the Officer told her she watches too much T.V. She then received a letter from the Mayor that she was in violation for not getting a permit. She came in, filed a permit and paid. She felt she was being targeted by the way the Village Administration handled her problem. She feels that enforcement varies by what your last name is or who you know. Her booklet showed pictures of many businesses that are in violation and have not gotten permits which would have made the Village \$281.00 if they had paid for permits. She loves Crestwood Schools, but their sign is completely illegal in every way. There was never a permit or a variance issued. She doesn't appreciate how she was treated and wants Council to look into it and be fair with everyone. Harry apologized on behalf of the Police Department for any way she was treated. She said she doesn't even bother to call the Police anymore because she feels like it doesn't get her anywhere. Paul said we really need to discuss this. He told Lisa we will address this, starting at Planning.

Motion to adjourn the meeting at 8:51 p.m. made by L. Schilling with a second from B. Prescott. All eyes on vote.