

**REGULAR COUNCIL MEETING  
MINUTES  
January 21, 2020  
6:30 PM**

Mayor Clark called the meeting to order at 6:30 pm and led the Pledge of Allegiance and asked for a moment of silence for Don Martin, Leona Livezy, and Vic Grimm.

**Roll Call:** Bob Gaglione, Marty Hura, Paula Tubalkain, Dave Sluka, Scott Weaver and Ben Prescott.

**Other Village Personnel:** Linda Clark, Mayor; Clerk- Treasurer, Jenny August; Village Solicitor, Michele Stuck; Village Administrator, John Trew; Police Chief Joe Urso; Village Engineer, Rich Iafelice; Officer Paul Maroni, K9 Officer Ciko.

**Citizens Present:** Tom Aldrich, Carol Scerba with Ravenna Kennel Club, Marty Fergus, Ted Bixler, Roy Peck, Bob Ress and Cookie Vanek, Stacy Turner from The Villager.

**Presentation of K9 Donation:**

Carol Scerba of the Ravenna Kennel Club presented Chief Urso with a check for \$2,500 for the K9 program.

- ❖ Ben Prescott moved to accept the donation of \$2,500.00 from the Ravenna Kennel Club, with a second by Bob Gaglione. All ayes on vote.

**Acceptance of Minutes of Dec. 17, 2019:**

Paula had corrections and proposed amendments to the minutes in public comment, specifically Ted Bixler's comments. Mayor Clark said the minutes will be tabled until next month so Jenny can review the audio.

**Approval of the Special Meeting Minutes from January 7, 2020.**

- ❖ Bob Gaglione moved to approve the minutes from the January 7, 2020 Special Council meeting, with a second from Dave Sluka. Paula abstained, all others voted aye.

**Citizens:**

Roy Peck asked why some of the village employees are allowed to come and go whenever they please and do not have to punch a time clock. He doubts if the Police Department is run that way. He worked down the street for 40 years and had to punch in and out. He thinks it is shoddy management and a big liability for the village. Mayor Clark said she put in a time clock several years ago and Council made her take it out. Scott said where he works they all clock in and out. Bob agreed that it is standard practice to clock in and out. Ben and Paula both said they have never clocked in and out. It was the honor system. John Trew said for three guys it would be too much of an expense. This will be discussed further in committee meetings.

**Financial Reports:**

Everything has been done for RITA to process Mantua Income Tax. Jenny is still having weekly meetings with them and will be through June. Jenny has been working with their IT people on the reports. We are still receiving a lot of income tax, so she packs it up and sends it certified mail to RITA. We are now "live" on their website and residents and businesses can file electronically or just print off forms to file through the mail.

The books are closed for 2019 and all annual financial reports uploaded to the state website. Council was provided with the Financial reports representing the month of December. Jenny invited questions or comments. There were none.

- ❖ Ben Prescott moved to approve the Financial Reports with a 2nd by Dave Sluka- All Ayes on vote.

**Correspondence:** None

**Bills of Resolution, Addendum Bills of Resolution**

No discussion

- ❖ Motion to approve the Bills of Resolution and Addendum Bills of Resolution by Ben Prescott, 2<sup>nd</sup> by Marty Hura- All ayes on vote.

**Legislation:**

**ORD. 2019-60** AN ORDINANCE AMENDING SECTIONS 921.08(b) AND 941.14(k) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, INCREASING THE MONTHLY FIXED WATER AND SEWER CAPITAL IMPROVEMENT CHARGES IN ORDER TO FUND THE IMMEDIATE AND LONG-TERM REPAIR AND REPLACEMENT NEEDS OF THE VILLAGE'S WATER AND WASTEWATER SYSTEMS. 3rd Reading. Mayor Clark said the Service Committee recommends tabling this legislation for further discussion about the surcharge.

- ❖ Scott Weaver moved to table this ordinance. Bob Gaglione seconded. All ayes on vote.

**ORD. 2019-62** AN ORDINANCE AMENDING CHAPTER 951 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA REGARDING CONTROL AND SUPERVISION OF THE VILLAGE PARK FACILITIES. 2nd Reading.

Paula said regarding section 951.03 (c) it states that nobody can ride a motorized vehicle in the park. She has concerns about it including the parking lot. Council said it would not include the parking lot. Also, in 951.03 (e) it says no person shall be on the grounds between the hours of 9:30 pm and 7:30 am. During the Potato Festival there are people in the park in those hours.

Scott recommended that we add “except for special events”. Michele found a typo in section f.

- ❖ Scott Weaver moved to amend 961.03 (e) to add “except pursuant to special event permits”. Dave Sluka seconded the motion. All ayes on vote.
- ❖ Paula moved to amend 951.03(f) be changed to 10 miles per hour, with a second from Dave Sluka. All ayes on vote.
- ❖ Dave Sluka moved to amend 951.03(h) to add “except pursuant to special event permits”, with a second from Scott Weaver. All ayes on vote.

**RES. 2020-01** A RESOLUTION GRANTING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION TO COMMENCE PROJECT ID # 96560, MICRO-SURFACING OF STATE ROUTE 44, WHICH IS EXPECTED TO BEGIN CONSTRUCTION IN FISCAL YEAR 2021. 1st Reading.

- ❖ Bob Gaglione moved to suspend the rules. Ben Prescott seconded. All ayes on roll call.
- ❖ Ben Prescott moved to approve, Bob Gaglione seconded. All ayes on roll call.

**RES. 2020-02** A RESOLUTION AUTHORIZING AND DIRECTING THE PORTAGE COUNTY BOARD OF ELECTIONS TO PLACE UPON THE NOVEMBER 3, 2020 GENERAL ELECTION BALLOT IN THE VILLAGE OF MANTUA, THE QUESTION OF

WHETHER ORDINANCE 2019-49, AUTHORIZING THE MANTUA VILLAGE-COUNTY OF PORTAGE WATER AND SANITARY SEWER SYSTEMS TRANSFER AGREEMENT, SHALL BE APPROVED OR REJECTED. 1st Reading. No action was taken.

**RES. 2020-03** A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT APPLICATION MATERIALS TO PARTICIPATE IN OHIO DEPARTMENT OF NATURAL RESOURCES RECREATIONAL GRANT PROGRAMS AND TO EXECUTE DOCUMENTS AS REQUIRED, AND DECLARING AN EMERGENCY. 1st Reading.

Mayor Clark said this is for phase 3 of the Buchert Park Walking Trail.

- ❖ Scott Weaver moved to suspend the rules. Marty Hura seconded. All ayes on vote.
- ❖ Scott Weaver moved to approve. Marty Hura seconded. All ayes on vote.

**RES. 2020-04** A RESOLUTION RETROACTIVELY APPROVING THE VILLAGE ADMINISTRATOR'S EXECUTION OF A MONTH-TO-MONTH AGREEMENT WITH ENVIROLINK, INC. FOR THE OPERATION OF THE VILLAGE OF MANTUA WATER UTILITY, AND DECLARING AN EMERGENCY. 1st Reading.

Michele said the heading should include wastewater utilities.

- ❖ Motion to amend the heading to read "Water and Wastewater Utilities" by Marty Hura, seconded by Ben Prescott. All ayes on vote.

Mayor Clark said this was only a week before the county was not going to be operating the plants and they had to find someone to operate the plants. Envirolink came in and spoke with them. That was the only one they heard from. Meanwhile they had a call from Beth Mathis of the Environmental Protection Agency (EPA) and we told them we would have operators here when the county left. They wanted a 12-month contract and we negotiated down to a month to month contract with a 15-day clause out and this would have to be bid out. John executed the contract and Michele reviewed it. Paula noted that on page 15 they do not define hourly or overtime rates, or say if they do any extra work for us. John said they have worked with us as far as repairs. Mayor Clark said in the bid packet we need to address this. Ben said this company charged us \$2,300 for five days' work. We need to get someone more reasonably priced in there or we will be in the red. Rich said this contract has them paying for the lab work.

- ❖ Ben Prescott moved to suspend the rules. Bob Gaglione seconded. All ayes on vote.
- ❖ Scott Weaver moved to approve. Bob Gaglione seconded. All voted yes.

**RES. 2020-05** A RESOLUTION AUTHORIZING CT CONSULTANTS TO SOLICIT BIDS FOR THE OPERATION AND MAINTENANCE SERVICES FOR THE VILLAGE OF MANTUA WATER AND WASTEWATER FACILITIES, AND DECLARING AN EMERGENCY. 1st Reading.

Paula said she wonders why when we have a Village Administrator that we have to go through our Engineers to go out for the bid. John said we don't even have copy machines that work. Dave said he is only part time. Paula asked if we should consider addressing whether we need a full time Village Administrator? Paula said if having a copier was the issue, maybe we need to look into getting copies made externally or replacing the copier.

- ❖ Dave Sluka moved to suspend the rules. Bob Gaglione seconded. Paula abstained, everyone else voted aye.
- ❖ Scott Weaver moved to approve. Bob Gaglione seconded. Paula abstained, everyone else voted aye.

Michele asked what papers these go in and who is supposed to send it in. Rich said they will publish it in the Record Courier, and they will also circulate it. It will all be on our website as well. Rich said it will be done at no additional cost to the village.

**ORD. 2020-06 AN ORDINANCE ADOPTING THE STANDARDIZED RULES AND REGULATIONS OF THE REGIONAL INCOME TAX AGENCY. 1st Reading.**

Dave said RITA provided us with their standard agreement. Michele reviewed it and corrected a few issues. If it were to conflict with our tax ordinances, then our ordinances prevail.

- ❖ Dave Sluka moved to suspend the rules. Bob Gaglione seconded. All ayes on vote.
- ❖ Dave Sluka moved to approve. Scott Weaver seconded. All ayes on vote.

**ORD. 2020-07 AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2020 APPROPRIATIONS AND DECLARING AN EMERGENCY. 1st Reading.**

Mayor Clark said this is for the Buchert Park Trail project and the Orchard Street widening project. Scott asked if we have a timeline on the Orchard Street project. The Mayor said we have to go on the Ohio Edison schedule. Paula suggested that we use the AMG alert to let people know when we start this project.

- ❖ Bob Gaglione moved to suspend the rules. Scott Weaver seconded. All ayes on vote.
- ❖ Dave Sluka moved to approve. Bob Gaglione seconded. All ayes on vote.

**Department Heads and Village Engineer**

**Police Chief Urso:**

Chief Urso said he was very grateful for the donation from the Ravenna Kennel Club. Also, today was testing for Ciko, and he passed. There was a minor issue with the School Resource Officer (SRO) candidate and we are going to go forward with our alternate candidate.

**Village Administrator John Trew:**

John said the water pump was repaired in house, which saved a lot of money. A resident on Fernway has applied for a sewer tie in to the Ambler lift station. This will be approved pending application filled out along with all fees due to the village. We will soon be advertising for Class 1 Water Operator and Class 2 Wastewater Operator as well as a mechanic to help with maintenance at both plants. Lastly, we are still working on the easements from Hoffman to finish repair work on the sewer main to Orchard St. Mayor Clark said she would like Council's approval to advertise for the employment positions John just mentioned.

- ❖ Ben Prescott moved to approve advertising a Class 1 Water Operator, a Class 2 Wastewater Operator, and a Mechanic. Bob Gaglione seconded. All ayes on vote.

**Village Engineer from C.T. Consultants:**

Rich reviewed some of the highlights of the Capital Planning workshop. He would recommend doing an analysis in order to help determine what the water and sewer surcharge should be. He would like some direction as to which improvements you would like to do. Mayor Clark reviewed the recommendations by the Service Committee. On the water improvements, using the needs list from the county, we must finish the reservoir to satisfy the EPA mandate, replace the mercury control level switch at the clear well, clean and restore well pump 1 so it operates automatically, do a meter upgrade, develop a well head protection program. This should cost about \$504,637.00. For wastewater, the oxidation ditch, repair & replace the scum pit sump pump, repair & replace clarifiers, calibrate flow meters, influent screening, install a new chopper pump, repair perimeter fence and clean out debris. This cost is about \$251,609. These were the most pertinent and critical things that the Service Committee recommended.

Regarding the West Prospect Street Project, Mayor Clark spoke with Jennifer Brown of C.T. Consultants. She said the Transportation Improvement District (TID) funding was available, and compiled with the OPWC funding would reduce our \$150,000 Road Levy and our \$50,000 loan by maybe 25%.

## Committees

### **Scott Weaver for Service, and Planning:**

Service- John covered most of it.

Planning- We found some maintenance and zoning issues to work on. We reviewed the rental inspections. We have a new Planning member that we were bringing up to speed. Scott welcomed Dave Sluka to the Planning Commission. We talked about Orchard Street and Mats Road bridge. We are working on revising the maintenance code. He asked Bob Ress if he could attend the next Planning meeting to help review the Exterior Maintenance Code since he was very instrumental in the first code. Bob said he will. Mayor Clark said they advertised for an inspector. Paula said the Finance committee asked what the qualifications were going to be. Dave Sluka said they are concerned about cost. If our requirements were too stringent, the cost could be doubled. We were waiting to see what responses we got from the ad. Mayor Clark said we are trying to see what kind of people are out there, and their qualifications. Paula said there are some lesser degrees in levels of certification. Scott said they will not hire anyone without Council reviewing their credentials and background.

### **Bob Gaglione for Fire Board:**

They have been working on the dispatch contract and employees. Phase 3 of the roof replacement is going to start in the spring. The Marcs radios are in.

### **Marty Hura for Parks and Shade Tree:**

Marty said Parks and Shade Tree meetings will resume in March. Mayor Clark said the seedlings have been ordered. They are .65 cents each and we need 125. Eric Doll from Doll Lumber will be the speaker on May 1 at 9:00. Ashlee Hawkins will be presenting.

### **Mayor Clark for Cemetery, and Board of Zoning Appeals:**

Cemetery- The Board meets on Jan. 28<sup>th</sup> at 2:00. They will have some ideas to present to Council for what needs done at the Cemetery. She thanked Cookie Vanek and Patty Leventry for weeding and planting at the cemetery.

BZA- There will be a hearing on Jan. 27<sup>th</sup> at 6:00 pm.

**Paula Tubalkain for Portage County Regional Planning:** Paula said there are work programs coming up. They talked about Cemetery mapping GIS, LMI studies, and also Mantua Township is asking for help with a virtual walking tour of the historic district. On March 20 is a training for newly elected officials.

### **Dave Sluka for Planning and Finance-**

Safety was cancelled. In Planning they talked about how we are not enforcing the exterior maintenance code. They earmarked about a half dozen residents to get letters.

In Finance, legislation was reviewed.

### **New and Other Business-**

Mayor Clark said she would like Council to authorize C.T. Consultants to do a site plan review for Middlefield Bank for \$500 that Middlefield Bank will be paying the village for. Also, C.T. has requested a work authorization for design and engineering of Phase 2 of Buchert Park Trail in the amount of \$4,000.00. Paula reminded Council that these work authorizations are supposed to be coming to the Finance Committee first to make sure we have the funds for it.

❖ Ben Prescott moved to authorize both C.T. Consultants work authorizations. Bob Gaglione seconded. All ayes on vote.

Mayor Clark also wanted to bring up that when we were entering into the merger with the county, and talking about homes that have multi meters, that the county would allow them to put in a master meter so they would only pay one surcharge. We have Codified Ordinance 921.08, and because we did not enter a merger, states that at least one meter for each industrial operation, or as approved by the Village Administrator. No person shall alter or change any water service or meter without the permission of the Village Administrator. At least one meter for each business or commercial enterprise or one meter for each unit. We have had two property owners that have done this. One was called by Johns Administrative Assistant and told to not do it because it was not authorized. The other one was when John was on vacation we were contacted and she (the Mayor) emailed them January 14 with an email stating the whole ordinance. Dave Akerley ran into the property owner today and was told by the property owner that he has removed 4 or 5 meters out of his rental property and has put in one master meter. We talked to the plumber and they assured us they would not do it. So she contacted the Solicitor and in the Ohio Revised Code section 4933.22 tampering with pipe or meter it says "No person shall tap, sever, open, or make unauthorized connections with a main or pipe used or intended for the transmission of water." This is a 4<sup>th</sup> degree misdemeanor.

Paula said that issue was brought up in meetings, and maybe we should let the people know that those statements were made in Council pending the merger. Mayor Clark said these people were called and told to wait.

Dave Sluka asked for clarification on the ORC prohibiting them from going from multiple meters to a single meter. Michele said our Codified Ordinances say that in 921.08, but the violation is under the Ohio Revised Code. Dave asked if we can grant permission. Michele said we can authorize it, but we didn't.

Scott Weaver said Gene Roberts was making this offer in Council, so Paula has a point. Mayor Clark said these two people were told not to go forward with this and they did anyway, and we even sent one of our service guys down to take pictures to make sure the hookup was being done correctly. We either enforce the rules or we don't.

Paula suggested that Michele should send them letters stating that those statements were made pending the merger with the county, and that we are still under village ordinances and give them an opportunity to convert them back by a certain date, and include our ordinance. Bob suggested that since they already did it we should hold them accountable, and send them forward with a violation with the state. Scott said to give them ten days to convert it back.

Marty Fergus said we need to stronghold this and give them 10 days, and send it certified mail. He said if you let this one get away it is going to snowball bad. He told Mayor Clark to be a strong Mayor and stand up to this one.

Bob Ress asked if they should have obtained a permit before doing something to that extent.

Paula said that the words that brought this up came out of the Mayors mouth, so from that stand point, all of a sudden she has turned on that thought process to our property owners, so she thinks we owe it to them to say that it was under the county negotiations, but now that the referendum has been filed, we are back under our ordinances that state you cannot make those changes. Mayor Clark said just for clarification, she only introduced the idea after discussions with Gene Roberts from the county. It is not something she just fabricated up. Paula said she did not say

that. Paula said that at that time, the Mayor was the one that brought that issue up and she was shocked to hear her saying that. Dave said he thinks at that point it was said just to comfort the residents. Scott said they were told not to do it. Give them ten days. Michele will send letters.

John Trew said something was sent to the Mayor that should have gone to him of a fill and grade rendering of a vacant lot with a four foot wall in the back. If there is a wall and ingots, it needs to go through C.T. Consultants. This is just preliminary. Council can review the drawings provided by the Clerk-Treasurer.

Bob Ress said it looks like the village is trying to hire operators for the water & wastewater plants. What will happen if the county takes over in November? Mayor Clark said in the agreement with the county, they would be given an opportunity to work for the county. Mayor Clark said the Portage County Commissioners have given permission to go back into renegotiations.

Bob said regarding the rental inspections, could we entice someone to get certification to do the inspections and do it in house? Mayor Clark said Chief Roosa said there is a reason the Fire Marshall may not have time to get to it.

**Executive Session if Needed-**

- ❖ Bob Gaglione moved to go into an executive session for a complaint of misconduct against employees or a public official at 8:22. Seconded by Marty Hura. All ayes on vote.
- ❖ Dave Sluka moved to come out of executive session and resume the Council meeting at 8:47. Ben Prescott seconded. All Ayes on vote

There was no discussion or action taken.

**Anything else that may properly come before Council-** Nothing

**Adjournment**

- ❖ Motion to adjourn at 8:47 by Bob Gaglione, seconded by Ben Prescott. All Ayes on vote.

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Mayor Linda Clark

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Jenny August, Clerk-Treasurer