

**REGULAR COUNCIL MEETING
MINUTES
February 17, 2015
7:00 p.m.**

The meeting was called to order at 7:02 pm and Mayor Clark led The Pledge of Allegiance.

Roll Call: John Clark, Marty Hura, Paul Janson, Giles Seith, and Bill Zoller

- ❖ Motion to excuse Ben Prescott made by Bill Zoller, 2nd by Giles Seith-**All Ayes**

Other Village Personnel: Mayor Linda Clark; Clerk-Treasurer, Jenny August; Village Solicitor, Michele Stuck; Police Chief Harry Buchert; Village Engineer, Kate Rogers; Assistant Clerk-Treasurer, Ashlee Hawkins; Rich Iafelice of CT Consultants

Citizens Present:

Dan Pompelli of the Record Courier, Janis Stamm, Jennifer Filippi, Carole Pollard, Greg Kovar, Hal Stamm, Lynne Stamm, Toomas Tubalkain, Brentt Cartor.

Approval of Minutes

- ❖ Motion to accept the regular council minutes from the January 20, 2015 Council Meeting made by Marty Hura, 2nd by Giles Seith-**All Ayes**

Paul Janson stated that he would like to keep all committees the same. Mayor Clark made a motion to make Marty Hura a member of Shade Tree and make John Clark the alternate.

- ❖ Marty Hura accepted the motion, 2nd by John Clark-**All Ayes**

Use of Ball Fields

Mayor Clark said that the parks committee has some recommendations that she would like everyone to have. We have not gotten very involved in the past; the ball leagues filled out the special event forms and got the required insurance information. However, in the past few months we have found out that there is other information that we wanted, so the parks committee recommended that we get certain information. We would still need the special event forms, insurance information with the Village listed as an additional insured, a list of all team managers and contact information in case we have to cancel a game for some reason, a list of the game and practice times so the Parks Committee can set up a schedule, and all of the team managers must have concussion certification paperwork before any practices begin.

Jennifer Filippi asked where they should drop information, and Mayor Clark said to drop it off at the clerk's office and they will get it to her. Mayor Clark said that we are still working on who is going to be doing the scheduling. Mayor Clark said that we are going to have 2 leagues that are going to want to use the north field. She said that we are going to have another league this year so we need to be able to split up the time adequately. Mayor Clark said that once the special event form is dropped off, they then have permission to use the field. Michele said that the forms are online under the recreation tab. Mayor Clark said that if they have any issues, they can send her an e mail or give her a call.

Greg Kovar asked that if the previous list of game and practice times that they submitted is what we would still like now or does it need to be more broken down? He said that they have three different teams that play for the pigtail and Mondays and Wednesdays are the juniors, Tuesdays and Fridays are the pigtails and Tuesdays and Thursdays are also the senior division. Mayor Clark said that most of the changes are going to take place on the north field. We want to be able to split things up so that both leagues get all the games in that they want and split the practice times up. Mayor Clark asked how long they practice for and they said 2 hours tops. Mayor Clark said that last year, Hotstove put down that they wanted the fields Monday-Friday, but that may not work this year, we just have to wait to see what everyone's schedule is like. She stated that we probably won't change any of the games because they are pretty much set but we will have to work with the practices and the sooner they get everything to us, the sooner we can get to work on getting everything worked out.

Mayor's Report

Mayor Clark said that one can only hope that each morning when we are ready to leave our homes that this cold weather will begin to go away. With this being most of the service departments first year for snow removal, she thinks that after getting over a few hiccups they are doing a fine job of keeping our roads clear. She stated that she thinks that all of our departments are doing an excellent job and she would like to thank them. She also asked that Chief Buchert and Village Administrator Kate Rogers please pass that along to all of the employees.

Mayor Clark stated that she had the pleasure to swear in a new auxiliary officer, Steven Gregg. She would like Chief Buchert and Village Administrator Kate Rogers to get her their 2016 budgets by March 09, 2015. Mary Stark and Brian Rogers from CT Consultants were able to meet the deadline on the Clean Ohio Grant and it is her understanding that if we are approved we might be able to make a few adjustments. Mayor Clark has a copy of the application for anyone who would like to review it.

Mayor Clark stated that applications for CDBG grants will be available soon. She said that she has a couple of ideas to talk about later in the meeting. The Village has received our certification from the Department of Interior for our Certified Local Government under the National Historic Preservation. Jenny notified the commission that we have received it. She spoke with Nathan Bevil from the Ohio Historical Society and let him know that planning is reviewing the legislation for **possible** recommendations to Council in the next few months. Nathan would like to schedule the training class that the commission is required to have and he has expressed that he would ask that as many of Council as possible attend. We talked about waiting until April when hopefully the weather is better since he will be driving from Columbus for the day. Mayor Clark stated that we need to discuss a time when as many people as possible can make it. She thinks that the commission should still hold their regular meeting in March, which she believes is the 28th. She stated that at this time, she is not going to be swearing anyone in.

Mayor Clark said that we should be receiving the final approval from the EPA on the recycling ratification. The Village, under the new plan, will be able to bid for the best price. She received a call from Jack Groselle from Hiram Twp. and we are in the process of setting up a meeting with surrounding communities to talk about setting up our own consortium to get the best deal for our residents. We received a request form from Time Warner. After she and Michele reviewed it, they sent it back with questions. Mayor Clark said that Time Warner hopes to have answers for us in about a week.

Mayor Clark stated that we have an event form from the DMRC for Art on Hill to be held on July 11, 2015 and she would like to ask Council for a motion to approve.

❖ Motion made by Marty Hura, 2nd by Paul Janson-**All Ayes**

Mayor Clark stated that she would like to let Council know that she needs a new computer in her office, and that the computer that she has is a hand me down from the police department from 1996. Mike Zamecnik has had to come in and fix it several times and she thinks that she should get a new one. DAS pricing for it is \$1,420.33.

❖ Motion to allow Mayor Clark to purchase a new computer at that price made by Marty Hura, 2nd by Paul Janson-**All Ayes**

Citizens

Carole Pollard stated that she was told that the Landmarks Commission is a committee of Council and Mayor Clark agreed. She said that it seems that they should be reporting to Council and Council should be telling them their missions and rules. Carol said that she has been losing sleep over the last couple of discussion about the role of the Landmarks Commission. She stated that she found an article in the Record Courier and would like to read an excerpt from it. She said that what the CLG and Landmarks Commission does for the village is make it bigger because we will now be connected to the state and federal governments in ways that we were not before. Carole stated that when she is working on the Landmarks Commission, she is serving the village even though she lives in the township. She understands the mutual concerns about the village telling the township what to do

and the township telling the village what to do. She believes the differences are good. She considers it an honor to be a part of the commission. Carole said that she put a packet together, stated that she listened to the Planning minutes and the minutes from last month Council after executive session and some things were not clear. Carole said that there is a question as to who should be on the committee and Mayor Clark said that it's all still in Planning and that there is no legislation before Council at this time. She said that she has 2 packets that she put together and one of them was all of the letters of interest. She said when they are read, you would see what a marvel the Landmarks Commission is and if you only have time to read one letter, to read Renee Henry's.

Janice Stamm said that she would like to talk about the property that abuts Canada Road and S.R. 44 that is currently zoned commercial. She said that she knows that the Planning Commission stated that they don't understand why it was changed from rural residential to commercial and would like to change it back. She stated that there is no more economically important decisions that a local government makes for a land owner than zoning. Janice said that in 2007, the Village Council, the Planning Commission and the Zoning inspector, spent many months considering the decision and when it was voted on, it was passed with one no vote. She stated that the ordinance reads that it was done in the interest of health, safety, and welfare of the community. She stated that at the public hearing about the change in zoning there was no objection raised so there was a long, thoughtful process looking at the reasons for the zoning and the decision to change. She said that this came out of a Planning meeting in January, and on March 17th, there is going to be a public hearing and then the final vote. This only allows them 2 months and 4 days on this matter that is very important to them. She said that as owners of the property, they would not have even known that this has come up if it was not for the kindness of 2 council members who told her family. She said that not only has this been a speedy and unexplained process, but that it's not in line with the zoning code. She said that she would like to point out section 640.07 of the code that deals with recommendation of changes coming from the Planning Commission. She said that it refers back to the planning that the village has gone through, not just that we don't understand why it was changed in the past. She said that section 640.08 specifies that a public hearing on the proposal should be scheduled not more than 40 days from the receipt of the recommendation from the Planning Commission. She said that the recommendation arrived to council in the form of an ordinance, no other report, on January 20th and the public hearing is scheduled for well past that 40 day timeframe. She said that this property has 400 feet of frontage on the main highway leading into town and it's not suitable for rural residential and as an owner of the property she has no idea as to why this change is being proposed.

Lynne Stamm stated that she also does not agree with the zoning change. She said that the current commercial zoning is appropriate for the property's location and it also supports the village's comprehensive plan. She said that there was a transportation study cited in the comprehensive plan in 2008 that says on average, there are 7,000 cars per day that go by the property and such high traffic is not right for rural residential. She said that the property fits the description of commercial that is stated in the comprehensive plan. Lynne said that the property is serviced by the village water and sewer and these are essential for commercial zoning. She said that a large part of the property is in the 100 year old flood plain and we are able to build on it. She said that she would also like to note that a portion of the property is not in the flood plain. She said that based on everything that she has stated, the property is suited for commercial use. She said that during the planning process, the village obtained input from a survey of the businesses in the community and they said that the top two reasons for a business to move out of Mantua are cost associated with water and sewer and no space for expansion. She said that the property provides for potential expansion for new or existing businesses and may provide new water and sewer customers. She said that maintaining the current commercial zoning is compatible with issues raised by residents, businesses and those summarized in the comprehensive plan.

Financial Reports

Jenny said that 2014 is closed out, packed up and done! We had a good year financially, despite all of the money spent on one crisis after another that Kate Rogers and the guys at the service department had to contend with. Fortunately, we have a healthy General Fund now. Our 2013-2014 audit is in full swing and so far, so

good. They seem to be moving quickly, hopefully keeping our costs down. Final returns were mailed by the end of January and we are already starting to get some back and she thinks the economy is doing much better.

Jenny said that everyone should have the January financial reports, and to call her if there are any questions. To summarize, all funds are remaining steadily in the black. We received \$113,642 in revenues. We spent \$79,249 in operating and payroll expenses. The water & sewer and the tax software programs balanced with the UAN and bank. There were no adjustments needed on the bank statement.

❖ Motion to approve financial report made by Paul Janson, 2nd by Marty Hura-**All Ayes**

Correspondence

Mayor Clark said that we have received an invitation to have coffee with Superintendent Dave Toth on March 12th from 7am-9am and if anyone would like to go, to let her know. She also said that we received a letter from the commissioners wanting us to fill out a response form that gives two options: yes we want to continue using the Portage County solid waste management district or no we don't wish to use them. She then asked for a motion from council to answer no since we are planning on going with the bidding process.

❖ Motion made by Paul Janson, 2nd by Bill Zoller-**All Ayes**

Mayor Clark said that we have received a letter from the U.S. Department of the Interior letting us know that we were approved as a Certified Local Government.

Bills of Resolution, Addendum Bills of Resolution

Jenny said that we have to amend the Addendum list, as Walmart and Tac Computer need to be removed due to duplication. Bill Zoller asked what the flooring charge was and Mayor Clark said that it was to replace the flooring at the water plant. Bill asked if we are going to get reimbursed from the insurance company. Jenny said we will be reimbursed for all but a \$1,000 deductible. Bill asked if it was for carpet and Mayor Clark said that it was for them to rip out all the tile, repair the floor and put new tile down.

❖ Motion to approve the Bills of Resolution and Addendum Bills of Resolution as amended was made by Marty Hura, 2nd by Paul Janson-**All Ayes**

Legislation

ORD. 2015-01 AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF MANTUA BY CHANGING AN AREA OF PROPERTY FROM THE C-1 COMMERCIAL ZONING CLASSIFICATION TO THE R-R RURAL RESIDENTIAL CLASSIFICATION. *2nd Reading.*

Paul Janson stated that he has serious concerns about this. He thinks that even though we already have a public hearing scheduled, he would like to cancel the meeting and then table it so we have more time to talk about it and then send it through service and finance and then back to council again.

❖ Motion to table it by Paul Janson, 2nd by John Clark-**All Ayes**

Paul asked if we had to put an ad in the paper about canceling the meeting. Mayor Clark said that Jenny would have to send letters out to everyone that we sent letters to, and put it in the paper. Bill Zoller stated that it should have not gone this far and Paul Janson said that it's tabled and we have a lot of discussion to come about it.

RES. 2015-04 A RESOLUTION ESTABLISHING SPECIAL REVENUE FUND 2041 FOR THE ACCOUNTING OF FUNDS RECEIVED AS A RESULT OF THE ROAD LEVY, AND DECLARING AN EMERGENCY. *1st Reading.*

Jenny said that she thought that the money we are going to collect from the street levy was going to go into a capital fund but the county Auditor said that we need to set up a special revenue fund. She said that it has to be approved tonight because we should be getting money in March. We need to have the funds set up before then and she has to go through the state as well.

❖ Motion to suspend the rules by John Clark, 2nd by Paul Janson-**All Ayes**

❖ Motion to approve made by Marty Hura, 2nd by Paul Janson-**All Ayes**

Department Heads and Village Engineer

Chief of Police Harry Buchert

Safety meeting will be March 4th at 6pm.

Village Administrator – Kate Rogers

Kate said that we have may have noticed that the cemetery is temporarily closed which is because it's all icy. The only truck that will fit up there was having trouble and they decided on not spending the money to salt there. She said that once there is enough of a thaw that everything starts to melt, they can then plow. Kate said that the rail road tie wall behind the police station has rotted out and fallen down, and needs to be replaced. It was recommended that a poured concrete wall be done that is 12 inches thick and 12 inches above grade. She would like permission to create a PO for \$3,700 for the replacement of the wall which would come from the Village Hall fund. Bill Zoller said that there is a catch basin back there and it keeps catching everything and no one cleans it on a regular basis. He asked if they would be able to pour a catch basin when pouring the wall, that it floods the house next door. Kate said that they will take a look into doing that and it may not be part of the \$3,700 but if it's under \$3,000 she should be able to do it.

❖ Motion by Paul Janson, 2nd by Marty Hura-**All ayes**

Kate said that she is working with Craig Ferrell of Arcadis on Matts Rd. bridge which is now inspected and on ODOTS registry, which means we should be able to start looking for funding for it. She said that the code for it is PORNANTU0021. She said that we got the mowing bids for the cemetery and the village and what she passed out is showing the bid for at least the cemetery. She said that Bobby Giel will be the lowest, but has not gotten anything to her in writing. He told her verbally that it will be the same as last year and that she needs to confirm it before it is completely finalized. Mayor Clark said that he had called this evening, and said that he would have it to Kate in writing within the week. Kate asked if he confirmed that it would be the same as last year and Mayor Clark said yes. Kate stated that they talked in service about bringing Bobby back to be our contractor and would like to invite him to the next service meeting to give him some ideas of our expectations and some things that we would like to improve on next year. Kate said that we are able to ask for funds from the cemetery trust, \$5000 for mowing.

Kate said that she wants to talk about getting a Mini excavator, and would like for 30% of the cost to come out of the cemetery trust. It would be used about 30% of the time in the Cemetery. She said that every time we need to do a tight burial, we have to rent a mini excavator from Stamms at \$185/hour. Kate said that we usually have to rent it for up to 8 hours which does get expensive. She said that we can use our backhoe if it's an exterior grave but it's still pretty tight. A mini excavator will be helpful to dig ditches, storm sewers and other infrastructure work as we are coming into the road levy work. Kate said that it will be really helpful with all projects that we are using the backhoe for that it's not really suited for. She said that our backhoe is an older machine, it does its job but would like to keep it going for the really heavy work so a mini would help us keep it good for a long time to come. Stated that she has gotten quotes and the one that she and Dave would like to go with is quoted through the STS program (which is the state discount program) at about \$70,000 and it's an all in machine, the bid that they have is for \$50,803. She passed out a sheet that breaks down where she would like the funds to come from. She knows that finance has talked about this already and she would be happy to answer any questions or change any of where the funds come from. Michele asked if the money from the cemetery is from the trust of approved money and Kate stated that it is. Michele said that she does not think that we can reallocate that money because the courts specifically approved uses for that money and what we

have to do is report back to the court that we have excess and ask for their approval to use it this way. Michele said that Kate would need to write a small paragraph about what she would like to do with the funds and a copy of the estimates for the mowing. Kate said that she will write up a paragraph and she has all the estimates available. Kate said that if it comes down to finding \$4,200, it should be something that we can do. John Clark said that one of the sticking points could be the need for new trucks. Kate said that they did do some looking into that. She stated that last year, they spent about \$5,800 on the freightliner, \$2,221.61 on the sterling. She talked to Dave about what he feels is the life left on these trucks and he said that for the freightliner, we are going to need a new salt spreader by next year and he suggested that if we sandblast the bed and the chassis, that the truck will last us several more years. She said that Dave thinks that the sterling will need some body work and at some point, we will need to replace the actual plows and that's an expense, but for now, Butch's welding has been able to do some high quality work for us. She stated that they are asking for about \$35,000-\$40,000 that cannot be used for trucks. She said that it's different money, especially if the trust is agreeable. John Clark asked what would happen if they are not agreeable and Kate said we would have to come back to a different discussion.

❖ Motion to approach the Trust made by Paul Janson, 2nd by Bill Zoller-**All ayes**

Village Engineer from C.T. Consultants

Rich Iafelice stated that he has been getting busy with some village things. He has been working with the Mayor and Planning Commission about new subdivision regulations. He said that he told Mayor Clark that he would undertake, review and add comments under the retainer. They have some authorized work already, working on vacation plot and survey on 2nd St. and working on improving the water and sewer plants. The village has already been awarded a state grant for most of what is about \$200,000 worth of improvements, most of them at the water plant. He said that they would like to get the prep work done so they are prepared to do more work when the grant is received, usually in July. Brian Rogers and Mary Jo Stark were able to submit the application for the Clean Ohio grant. The application was submitted with the option to alter routes. He said that he owes Mayor Clark and Kate a small authorization to work with the road levy, to get some engineering advice.

Mayor Clark said that she has two authorizations from C.T., one for 2nd St. for the quote of \$1,250 for them to do all of it for us and they will take care of the legal and survey aspects. The other one is for the water and waste water treatment plant, authorization is for \$21,500.

❖ Motion to approve the authorizations made by Paul Janson, 2nd by Marty Hura-**All ayes**

Committees

John Clark for Service and Shade Tree

John said that there is nothing for Shade Tree right now. As far as Service, we are in preliminary talks with the county about taking over the water and waste water plant. He would like Council to think about any must haves or suggestions that they might have. He asked that they write the ideas down and put them in his mailbox downstairs so we can possibly start moving forward with this discussion a little bit more.

Marty Hura for Parks

Marty said that there is nothing for Parks

Mayor Clark for Planning, Cemetery, and Board of Zoning Appeals

Mayor Clark said that planning is working on Subdivision regulations and the Landmark Commission. Nothing for Cemetery or BZA.

Ben Prescott for Finance and Portage County Regional Planning

Was not present to give report

Bill Zoller for Fire Board

Bill said that the bids for the Tahoe are lower than they wanted so they are going to rebid it again on govdeals. They hope to replace the vehicle mid-summer, possibly with a pick up truck.

Giles Seith for Safety

Giles said that the Chief pretty much covered everything, nothing has been going on except the new auxiliary officer.

Executive Session

- ❖ Motion to go into executive session for appointment of personnel and personnel compensation at 8:06 by John Clark, seconded by Paul Janson- **All ayes.**
- ❖ Motion to come out at 8:52 made by Marty Hura, 2nd by Paul Janson-**All Ayes**

New or Other Business

Clerk-Treasurer pay scale

Mayor Clark said that it's going to be moved back to finance.

CDBG Community Development Block Grant

Mayor Clark said that we don't need to talk about it because we already know we are going to apply for the mini park so we can't apply for it to do the tuck pointing here at the village hall. John Clark asked if there are grants available to do that and Mayor Clark said that if we proceed with the Certified Local Government and since this is a historical building then yes but we have to get that procedure all going.

Anything else that can properly come before Council

Mayor Clark said that she was told that she can have access and read only in the UAN. She said that she called Jim Armeni and he had not heard anything about it and that he would check with the director of the UAN. According to the director, she can request access from the Clerk, allowing the mayor, Council and any department heads are able to have read only access to the UAN. Chief asked how we would go about doing that. Jenny stated she would have to do it and that he would have to install the program onto his computer and she would put him in as a read only user. Chief Buchert asked Jenny if she shut her computer off at night and she replied yes.

Adjournment

Motion to adjourn at 8:55 pm-**All ayes**

Mayor Linda Clark

Assistant Clerk-Treasurer Ashlee Hawkins