

**REGULAR COUNCIL MEETING  
MINUTES  
March 21<sup>st</sup>, 2017  
7:00 p.m.**

Mayor Clark called the meeting to order at 7:00pm and led the Pledge of Allegiance.

**Roll Call:** John Clark, Paul Janson, Marty Hura, Ben Prescott, Paula Tubalkain and Giles Seith

**Other Village Personnel:** Mayor Linda Clark; Clerk-Treasurer, Jenny August; Village Solicitor, Michele Stuck; Rich Iafelice, Village Engineer; Police Chief Harry Buchert; Village Administrator Bruce Rininger; Administrative Assistant Chelsea Gregor

**Citizens Present:** Bob Gaglione, Hal Stamm, Victor Grimm, Susan Skrovan, Jessica Hopkins, Ida Yarolin, Robert Streets, Jeff Benner, Kelly Maile of the Record Courier, James Cross, Zac Diurso and Stacy Turner of the Villager

**Moment of Silence:** K-9 Police Officer Diablo

**Approval of Minutes:**

- ❖ Motion to accept the minutes from the regular February 21<sup>st</sup> Council meeting made by Ben Prescott, 2<sup>nd</sup> by Marty Hura-**All Ayes**
- ❖ Motion to accept the minutes from the special February 21<sup>st</sup> Public Hearing by Marty Hura, 2<sup>nd</sup> by Ben Prescott- **John Clark, Marty Hura, Ben Prescott- Ayes, Giles Seith, Paula Tubalkain and Paul Janson- Abstained**

**Mayor's Report:**

Michele, Jenny and the Mayor met with First Energy Solutions regarding the electric aggregate for Village residents. The contract is up in May 2018 and the Village can sign up again for a fixed rate. They also met with NOPEC, and they are offering a type of variable fixed rate, twice a year where they either reduce the current rate or increase it. Neither one of them offers the 6% residential, nor 4% commercial discount any longer. NOPEC could possibly offer a type of grant funding and the Mayor will keep Council updated as she gets more information. The Village will need to decide by fall. NOPEC also offers a gas aggregate.

The Census Bureau has sent information for the voluntary decennial census for 2020. Michele and the Mayor feel that Regional Planning should handle this and use the Villages TA hours.

- ❖ Motion to have the Clerk contact Regional Planning by Ben Prescott, 2<sup>nd</sup> by Marty Hura-**All Ayes**

The Mayor had some Special event forms. Mantua Shalersville Youth Ball league has 2 forms, one for picture day on April 23<sup>rd</sup>, 2017 and one for the ball season from April 1<sup>st</sup> thru June 30<sup>th</sup>. The insurance is included. The third event form is from the Soap Box Derby to be held on June 17<sup>th</sup> & 18<sup>th</sup> and the insurance is turned in. The last event form is for Art on the Hill July 8<sup>th</sup>, 2017 and there is no insurance yet.

There will be a vacancy in Parks and Shade Tree as Randy Weaver cannot serve due to job constraints. Liza Zamecnik has approached the Mayor to fill both positions starting in April.

- ❖ Motion to approve Lisa Zamecnik by John Clark, 2<sup>nd</sup> by Marty Hura-**All Ayes**

Mantua Village has been named a 2016 Tree City USA by the Arbor Day Foundation. Mantua achieved Tree City recognition by meeting the program's 4 requirements: a tree board, a tree care ordinance, an annual community forestry budget and Arbor Day Observance and proclamation.

The Mayor checked with Michele and there is nothing stating that we cannot have a memorial garden at the cemetery. Bruce is checking out a location to do so.

- ❖ Motion to approve a Memorial Garden for Village service dogs by Ben Prescott, 2<sup>nd</sup> by Marty Hura-**All Ayes**

It is with great regret that the Mayor informed Council that Chief Buchert has submitted his paper work for retirement to begin on Dec 14, 2017.

- ❖ Motion to accept the Chief's retirement by Ben Prescott, 2<sup>nd</sup> by Marty Hura-**All Ayes**

Michele and Mayor Clark will be working on a posting for the job description for a full time Chief to be put up sometime in May. They will start from within first to see if the Village has any qualified candidates before advertising outside the department. Michele, Paula and the Mayor will conduct the interviews.

**Citizens:** Ida Yarolin stated that she was hoping to get more answers or information regarding her part of the Pioneer Trail tie in. She said that plans for her section were turned in but she has not heard back. Bruce explained that the Village received plans two weeks prior, had met with Rich from CT that day, and that she should be receiving something soon. Paula asked if it was moving along positively. The Mayor said that the changes that Hal had made, which had been discussed that day, are going to be fine to update the plans.

Vic Grimm, a Township Trustee, said that the Township has given permission for the tie in to occur in the right of way and that a letter can be provided stating so.

Jeff Benner inquired if any plans were made to pave Mill St. and Bruce said that he is bringing out a paving company to get quotes.

Rich also stated, in regards to Pioneer Trail tie in, that when two properties are connecting into one pipe, it becomes a public entity, which means it must be owned by the Village of Mantua or a public entity.

### **Financial Reports**

Jenny is attending the Local Government Officials conference in April. The ordinance that was just passed relating to employee reimbursements comes into play for her this time. Council may approve a hotel expense exceeding the per diem rate. The per diem rate in Columbus is \$115 per night. The total cost of the hotel where she is staying is \$334.00 for both nights including parking. If she stays at the host hotel, it is \$60 more. It was discussed at Finance and the Finance Committee is recommending approval of this expense to Council.

- ❖ Motion to approve Jenny's hotel room stay by Ben Prescott, 2<sup>nd</sup> by Paul Janson-**All Ayes**

The audit is finished, but Charles Harris & Associates is still finishing up and the Village can plan on a post audit meeting within the next few weeks.

- There were **no negative funds** during February.
- **Cash Summary** report shows no adjustments.
- **Revenues** totaled \$ 144,750- (not including pass through receipts of \$285,963.)
- **We spent** \$131,679 in operating and payroll expenses. (Not including pass through expenses of \$285,963.)
- **Revenue Status-** we collected \$13,071 more than we spent.
- **Appropriation Status-** we should be averaging 17%.
- **The water & sewer and tax software programs balanced** with the UAN and bank.
- There were no adjusting factors on the bank reconciliation.

❖ Motion to approve the Financial Reports made by Ben Prescott, 2<sup>nd</sup> by Paul Janson-**All Ayes**

### **CORRESPONDENCE:**

The Village received a letter from the Ohio Department of Taxation, it will be on file at the Clerk's office. It is letting the Village know that they had received our letter of opposition to the governor's proposal of the municipal income tax for businesses.

The Village has received a letter from Regional Planning and there will not be a CDBG grant this year. It will become a bi-annual grant.

Bruce and the Mayor will be attending a meeting on Thursday at 10am to get more information on it. There will be another meeting on March 29<sup>th</sup> that the Mayor will attend on her own.

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

John asked what the "Bridge Lights" were on the Addendum and Jenny said it was for the walking bridge on the trail.

❖ Motion to accept the Bills of Resolution and Addendum Bills of Resolution by Ben Prescott, 2<sup>nd</sup> by Marty Hura-**All Ayes**

### **Legislation**

**ORD. 2016-63** AN ORDINANCE ENACTING SECTION 400.09.C OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA, CONCERNING PORTABLE OUTDOOR STORAGE UNITS. *3<sup>rd</sup> Reading.*

❖ Motion to un-table by Ben Prescott, 2<sup>nd</sup> by Marty Hura -**All Ayes**

The Mayor informed Council that there was some misunderstanding and so the wording was changed at Planning and is recommending an amendment to Council.

"PODS" do not include accessory structures such as storage sheds which are designed to be permanent and which complement the principal use and buildings that are a part of the premises.

Storage units meeting the above definition which have been in place for at least ten years prior to the first effective date of this Ordinance and will be permitted to remain as pre-existing nonconforming structures subject to the requirements of Chapter 420.

John inquired as to how Council would know what has been up for 10 years. Michele said that would be something that the zoning inspector would have to log and keep on file. Paula wanted time to consider the change and Michele informed Council that there will be a Public Hearing in May before it is officially passed.

- ❖ Motion to amend ORD. 2016-63 by Ben Prescott, 2<sup>nd</sup> by Marty Hura -**All Ayes**
- ❖ Motion to put back on the table by Marty Hura, 2<sup>nd</sup> by Ben Prescott-**All Ayes**

**ORD. 2017-04 AN ORDINANCE ESTABLISHING PAY SCALES AND POSITIONS OF FULL AND PART TIME EMPLOYEES OF THE VILLAGE OF MANTUA, REPEALING PRIOR INCONSISTENT ORDINANCES, AND DECLARING AN EMERGENCY. 1<sup>st</sup>**

*Reading.*

Paula requested that the cap for Village Administrator be set from \$29 to \$27.

- ❖ Motion to set the high cap for Village Administrator at \$27 until such a time that the Village Council addresses the Sewer/Water issue by Paula Tubalkain, 2<sup>nd</sup> by Giles Seith- **Paula and Giles voted Aye. Marty Hura, John Clark, Paul Janson, Ben Prescott-voted No.**
- ❖ Motion to suspend the rules by Ben Prescott, 2<sup>nd</sup> by Paul Janson-**Ayes, Ben Prescott, Paul Janson, Marty Hura- Aye, Paula Tubalkain, Giles Seith, John Clark, -No**

**ORD. 2017-05 AN ORDINANCE AMENDING AND RENUMBERING CHAPTER 450 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO SIGN REGULATIONS. 2<sup>nd</sup> Reading.**

This had been sent back to Planning for review and is what Planning is recommending.

Exhibit B -Vehicles used as signage: Parking of advertising vehicles prohibited. No person shall park and place any vehicle or trailer on a public right of way or private property so as to be visible from a public right of way, which is attached thereto or located thereon any sign or advertising device for the purpose of providing advertisement to a business or activity located on the same or other property. This section is not meant to prohibit normal parking, nor vehicular signage such as a sign attached to a bus nor a sign lettered on a business motor vehicle unless the vehicle is parked and placed to be visible from the public right of way so as to provide additional signage for the business. PODS Ordinance 2016-63

Jessica Hopkins inquired if her vehicle, which has her Realty business promoted on it, will be prohibited and Michele said that it would not since it would be under work hours and not specifically located in order to gain attention. Michele said that common sense will be needed when enforcing this ordinance. There will be a Public Hearing in May.

Exhibit C- The special recognition signs will be 16” x 20” inches or 18” x 24” inches.

- ❖ Motion to make amendment of 2017-05 of what the Mayor read regarding parking of advertised vehicles prohibited and of section 450.15 B by Ben Prescott, 2<sup>nd</sup> by Marty Hura- **Ayes**

**ORD. 2017-07** A AN ORDINANCE AMENDING SECTION 610.02 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO SITE PLAN REVIEW. *2<sup>nd</sup> Reading.*

This will be at the May Public Hearing.

**ORD. 2017-09** AN ORDINANCE AMENDING SECTION 941.17(n) (4) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, RELATING TO INSTALLATION OF WATER METERS AND RELATED EQUIPMENT. *2<sup>nd</sup> Reading.*

**No Discussion**

**RES. 2017-10** A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK-TREASURER TO EXECUTE A LOAN AGREEMENT AND PROMISSORY NOTE WITH THE MIDDLEFIELD BANKING COMPANY IN THE AMOUNT OF \$371,810.39 FOR THE PURPOSE OF RETIRING THE BONDS ISSUED FOR THE IMPROVEMENTS TO THE VILLAGE GOVERNMENT CENTER, AND DECLARING AN EMERGENCY. *1<sup>st</sup> Reading*

This means the Village will be re-writing the loan and will be saving \$60,000.

- ❖ Motion to suspend the rules made by John Clark, 2<sup>nd</sup> by Marty Hura -**All Ayes**
- ❖ Motion to approve by John Clark, 2<sup>nd</sup> by Marty Hura-**All Ayes**

**RES. 2017-11** A RESOLUTION RATIFYING THE MAYOR'S APPLICATION FOR GRANT FUNDING THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION'S MUNICIPAL BRIDGE PROGRAM FOR REPLACEMENT OF THE MATS ROAD BRIDGE, AUTHORIZING HER TO EXECUTE FURTHER AGREEMENTS AS REQUIRED, AND DECLARING AN EMERGENCY. *1<sup>st</sup> Reading.*

Paula thinks it is a good move and she hopes that the Village follows through with it.

- ❖ Motion to suspend the rules made by Paul Janson, 2<sup>nd</sup> by Marty Hura -**All Ayes**
- ❖ Motion to approve by Ben Prescott, 2<sup>nd</sup> by Marty Hura-**All Ayes**

**ORD. 2017-12** AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2017 APPROPRIATIONS AND DECLARING AN EMERGENCY. *1<sup>st</sup> Reading.*

The Delia Thompson Trust sent the Village \$31,590 towards buying the mini excavator. It was put into the cemetery fund and Jenny said it just needs to be appropriated.

- ❖ Motion to suspend the rules made by Paul Janson, 2<sup>nd</sup> by John Clark -**All Ayes**
- ❖ Motion to approve by Ben Prescott, 2<sup>nd</sup> by Marty Hura-**All Ayes**

**ORD. 2017-13** AN ORDINANCE NAMING MICHELE STUCK, ATTORNEY AT LAW, AS SOLICITOR FOR THE VILLAGE OF MANTUA AND FIXING HER COMPENSATION FOR THE PERIOD OF MAY 1, 2017 TO APRIL 30, 2019, AND DECLARING AN EMERGENCY. *1<sup>st</sup> Reading.*

- ❖ Motion to suspend the rules made by Paula Tubalkain, 2<sup>nd</sup> by Marty Hura -**All Ayes**
- ❖ Motion to approve by Ben Prescott, 2<sup>nd</sup> by Marty Hura-**All Ayes**

**ORD. 2017-14** AN ORDINANCE MODIFYING THE SWIMMING POOL SEWER CHARGE REDUCTION QUESTIONNAIRE AND AGREEMENT, AND DECLARING AN EMERGENCY. *1<sup>st</sup> Reading.*

- ❖ Motion to suspend the rules made by John Clark, 2<sup>nd</sup> by Marty Hura -**All Ayes**
- ❖ Motion to approve by Paul Janson, 2<sup>nd</sup> by Marty Hura-**All Ayes**

**ORD. 2017-15** AN ORDINANCE APPROVING AND ADOPTING A PERMANENT BUDGET FOR 2018 FOR THE VILLAGE OF MANTUA, AFTER PUBLICATION AND PUBLIC BUDGET HEARING PURSUANT TO OHIO REVISED CODE 5705.30. *1<sup>st</sup> Reading.*

Ben didn't think that there needed to be a special workshop to go over the budget, and Jenny said that she and the Chief came to a happy agreement. There will be a hearing on May 5<sup>th</sup>.

### **Department Heads and Village Engineer**

#### **Police Chief Buchert:**

There will be services for Diablo Sunday March 26<sup>th</sup> at 3pm at Crestwood High School. The Chief has received several donations toward the K-9 unit.

- ❖ Motion to accept the donation for the K-9 Program by Ben Prescott, 2<sup>nd</sup> by Paula Tubalkain-**All Ayes**

The Chief wanted to thank everybody for their prayers and support during this time. The Mayor added that Facebook has been flooded with support for the Police Department. The next Safety meeting is April 5<sup>th</sup> at 6pm.

#### **Village Administrator:**

All the materials have been collected for the Little Free Library and have been dropped off at Crestwood Middle School to be built. Redgate Sawmill in Ravenna donated the lumber.

- ❖ Motion to accept the donation from Redgate Sawmill by John Clark, 2<sup>nd</sup> by Ben Prescott-**All Ayes**

The door hanger program has been working well to collect past due amounts from water and sewer residents, as well as collecting meter readings.

Bruce ordered "Road Closed" and "High Water" signs for Canada Rd.

Bruce is going to get pricing from Todd Lamb for paving around town.

The Service crew has been doing basic repairs on equipment.

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

Rich has been in communication with Compass Packaging about options with their deck at the Chilling Stations, which is violation of the flood hazard ordinance.

Work on the waterline with Buckeye Pipeline on E. High St. is still suspended with some complications. There may be a meeting in early April to discuss things further.

The proposal for the 3<sup>rd</sup> ballfield is being tabled.

The Mayor said she had given plans to Eric Hummel for the Mill St. project, which he reviewed with Edie and Jeff Benner without any issues. They just wanted to know where to relocate the Advanced Rehab sign. Rich said that they can work around the sign.

## **Committees**

### **John Clark for Service and Fire Board:**

Service has been covered. The Fire board has installed new incident recording and inspection software at the fire house. The Fire board has approved the purchase of 6 sets of body armor for first responders. The Med #2 was being fixed and will need to recertify the COT system. Once that is all finished it will be back in service.

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

Parks and Shade Tree will have their meeting tomorrow. Essays were picked up from the school for Shade Tree.

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

Bob stated that they had gone over the Zoning inspectors report. They are still waiting on the rewrite from CT on the subdivisions, talked about signage, the proposed amendment for Council and the pods.

The cemetery trust agreed to pay for the other half of the mini excavator so that the Village did not need to take out a loan.

There is a BZA Hearing on April 6<sup>th</sup> at 7pm.

### **Ben Prescott for Portage County Regional Planning:**

Ben said they had a quick meeting and he has nothing to report.

### **Paula Tubalkain for Finance:**

Paula reviewed the budget during Finance and identified two areas which have been checked over by Jenny and revisions have been made. Finance has started talking about the water and sewer fees.

### **Giles for Safety:**

Giles was not at the Safety meeting, but Ben said that the Chief went over it.

## **New and Other Business**

### **Anything else that may properly come before Council**

Sue Skrovan said that she was honored to be there and happy to see so many familiar faces on Council. She inquired about ORD 2017-13 and what the Solicitors pay would be. The Mayor stated that it will be \$29,500.

## **Adjournment**

- ❖ Motion to adjourn at 8:02pm made by Ben Prescott, 2<sup>nd</sup> by Marty Hura-**All Ayes**

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Mayor Linda Clark

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Administrative Assistant Chelsea Gregor