

## Village of Mantua Regular Council Meeting

April 17, 2012

Mayor Clark called the meeting to order at 7:00 p.m. and led the pledge of Allegiance. Mayor Clark asked that all cell phones be turned off or put to vibrate mode. Linda asked everyone to remain standing for a long moment of silence for Daisy Wilke, David Hill, Lillian Stutzman, Terry Thomason, Herbert "Speed" Dunkerton, Genola Taylor and Richard Capshaw.

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

**Others Present:** Clerk-Treasurer Jenny August, Assistant-Clerk, Susan Skrovan, Village Solicitor Michele Stuck, Police Chief Harry Buchert, Village Administrator Anthony Fiorilli III, Rich Iafelice with C.T.

**Public:** John Clark, Patsi Gast, Terri Vechery representing the DMRC and Lauren Krupar with the Villager.

**Minutes:** Motion to approve the regular meeting minutes of March 20, 2012 made by L. Schilling with a second from B. Prescott. All ayes on vote.

**Mayors Report:** Mayor Clark gave her monthly report. She has had another busy month. She attended a breakfast meeting at PARTA with Jason Sedegy from AMATS as the guest speaker on grants and fracking. Linda sat with Commissioner Maureen Frederick and took the opportunity to talk with her about the CDBG grant.

She also attended the AMATS meeting and spoke with the head of ODOT about possibly combining the paving of S.R. 44 to Mill Street with the TEP grant for the sidewalks, it sounds promising. Rich Iafelice has sent a letter to ODOT regarding it.

Linda met with Kimberly Bitters from ODNR regarding the floodplain regulations. Ben, Marty, Anthony, John Vechery and Charles English were also present. It was a very informative meeting. We will be addressing some housekeeping issues tonight in order to keep us in compliance.

Marty and she met with Bill Lynne, CEO with Atlantic Water Gardens and Jim Mueller, who is running for State Senate (District 18). They had the opportunity to get to know another business owner who thinks the world of our Village and is interested in helping us move forward.

She attended the second Mayors' meeting for the mutual aide service departments to discuss moving forward on the Service Department's shared services. A website is being set up for all equipment and shelf repair parts on gmail. Anthony and she plan to discuss it further; there are some bugs to be worked out. It was decided to move forward and address issues as they arise. We are working out a written agreement between participating communities that the Mayor plans to bring before Council.

Marty and she met this past Friday with Congressman LaTourette and his assistant, Dino DiSanto and talked about our priority list, paving our streets and possible grants to increase other projects that we have. In addition, the study of a possible sewer project with Crestwood High School as well as places to look for funding for the Mats Road bridge project.

**Finance Report:** As of March 31, 2012. Budgets are in the works, we have a public hearing for the budget just before the May Council meeting at 6:45 p.m. The Mayor would like to have at least one budget workshop before that time if not more. Council can set one up and Jenny will get it into the newspaper.

Cross training with the Administrative office and the Water-Sewer billing program has been going very well. Sue will be going to train with Donna for the next billing cycle and probably a few afternoons to process the daily payments and reports.

The Clerk's office received a request today from Dean Olson on behalf of the Soap Box Derby. They requested the use of the Park Lodge for storage of their derby cars before the race, from Wednesday 6/13 through Friday 6/15. The Derby is Saturday June 16. Jenny felt it would be okay to allow them the use considering we have always allowed the Potato Festival the use of the lodge for the entire week prior to their event. Our office did inform Dean that we would prefer to run it by Council for their review first.

After discussion, the consensus of Council was all in agreement to allow the Soap Box Derby the use of the Park Lodge for storage of vehicles prior to race day.

Michele and she met with Jim Love from Love Insurance Agency representing the Ohio Plan. Jenny did also receive a quotation from the Public Entities Pool Insurance program. At this time, she would recommend to Council that we remain with the Ohio Plan. It is better coverage for less money through Love Insurance. Council asked about the costs. Jenny said it came down quite a bit. The Public Entities Pool was \$19,245 and the Ohio Plan was \$18,833. It was \$26,000 last year. In addition the personal property at the water plant was \$885,000 less coverage than with the Ohio Plan and that is significant.

Motion to stay with Love Insurance Agency made by B. Prescott with a second from L. Schilling. All ayes on vote.

The monthly Financial Reports are in Council packets.

- For the Fund Status report, all funds are in the black.
- For Revenues and Expenses, our revenues exceeded our expenses by about \$64,000. This is a great trend, but in June and December, it is a big hit in the other direction.
- The Cash Summary report shows no adjustments.
- The Water-Sewer program & the Income Tax program totals matched the UAN.
- The bank reconciliation went great.
- Council approved payments on checks 39074 through 39144.

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

**Correspondence:**

- All I have for correspondence to Council is a letter from the Minards regarding wanting their street paved, which you all have a copy.
- Lots and lots of income tax related correspondence.

**Bills of Resolution:**

Motion to approve Bills of Resolution with addendum for April including C.T. made by L. Schilling with a second from M. Hura. B. Prescott abstained, all other ayes on vote.

Motion to approve Bills of Resolution with addendum for April omitting C.T. made by L. Schilling with a second from M. Hura. All ayes on vote.

**Legislation:**

**RESOLUTION 2012-12: A RESOLUTION AMENDING THE SEPTAGE HAULER AGREEMENT TO AFFECT A RATE INCREASE AND DISCHARGE LIMITS AND DECLARING AN EMERGENCY. 1<sup>st</sup> READING.**

The Mayor explained that we charge .04 cents per gallon now on septage. This would increase the rate to .06 cents for all new contracts immediately and for those currently on contract with us as of July 1. It also allows Anthony to have a 10,000-gallon limit. Solicitor, Michele Stuck had the understanding that the .06 cents was effective July 1 for everyone. Linda Schilling thought that was how it was stated in the Service meeting as well. Mayor Clark said yes, that is correct, however, the 10,000-gallon limit is effective immediately. Michele asked Anthony if he was aware that he would need to give all of his current customers a 30-day notice that the rates are going up. Anthony said his office would send them a new contract; they will keep their account number, and include a memo stating the increase. Motion to suspend the rules made by B. Prescott with a second from L. Schilling. All ayes on vote. Motion to approve made by L. Schilling with a second from M. Hura. All ayes on vote.

**ORDINANCE 2012-13: AN ORDINANCE REPEALING ORDINANCE 1994-39, AND DECLARING AN EMERGENCY. 1<sup>st</sup> READING.** Mayor Clark explained that in 2009 we passed an ordinance to bring our floodplain regulations up to date and compliant with ODNR, we failed to repeal the 1994 ordinance at that time. Motion to suspend the rules made by B. Zoller with a second from B. Prescott. All ayes on vote. Motion to approve made by L. Schilling with a second from M. Hura. All ayes on vote.

**ORDINANCE 2012-14: AN ORDINANCE AMENDING CHAPTER 1309 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, AND DECLARING AN EMERGENCY. 1<sup>st</sup> READING.** The Mayor explained that this was another housekeeping issue with ODNR. Motion to suspend the rules made by B. Prescott with a second from L. Schilling. All ayes on vote. Motion to approve made by B. Prescott with a second from L. Schilling. All ayes on vote.

**ORDINANCE 2012-15: AN ORDINANCE ENACTING VILLAGE OF MANTUA CODIFIED ORDINANCE SECTION 955.05(d) RELATING TO FLAT MEMORIAL MARKERS ON GRAVES. 1<sup>st</sup> READING.**

**ORDINANCE 2012-16: AN ORDINANCE ENACTING SECTION 921.01(d) OF THE VILLAGE OF MANTUA CODIFIED ORDINANCE IN ORDER TO PROVIDE FOR INSPECTION OF BACKFLOW PREVENTION DEVICES. 1<sup>st</sup> READING.** Village Administrator, Anthony Fiorilli, explained that our present ordinance on the books does not give us any teeth regarding backflow devices. After conversations with other communities, our own Operator of Record and the Health Department, it was left up to us as to how we would like this to be handled. After serious consideration, it was determined that for a 1 inch or larger connection, we would require a backflow prevention device. The problem that we are going to run into is if we put a backflow device on any service connection in the Village, the residents have a 3-inch service connection. It would then require them to have a backflow. We are requesting a 1-inch or larger. It also gives us a timeframe that requires it to be tested and back in our office by September 15 of every year. There was never a deadline before just that it had to be done.

**ORDINANCE 2012-17: AN ORDINANCE AMENDING SECTION 470.05(A) OF THE ZONING CODE OF THE VILLAGE OF MANTUA, AND DECLARING AN EMERGENCY. 1<sup>st</sup> READING.** Mayor Clark explained this was housekeeping with ODNR. Motion to suspend the rules made by B. Prescott with a second from B. Zoller. All ayes on vote. Motion to approve made by B. Prescott with a second from L. Schilling. All ayes on vote.

**ORDINANCE 2012-18: AN ORDINANCE ENACTING SECTION 500.02(M) OF THE ZONING CODE OF THE VILLAGE OF MANTUA, AND DECLARING AN EMERGENCY. 1<sup>st</sup> READING.** Again, the Mayor explained this is only housekeeping. Motion to suspend the rules made by B. Prescott with a second from B. Zoller. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Zoller. All ayes on vote.

**ORDINANCE 2012-19: AN ORDINANCE ENACTING SECTION 600.03(D) OF THE ZONING CODE OF THE VILLAGE OF MANTUA, AND DECLARING AN EMERGENCY. 1<sup>st</sup> READING.** The Mayor said this is in regard to ODNR and the floodplain. Motion to suspend the rules made by B. Zoller with a second from L. Schilling. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Zoller. All ayes on vote.

**ORDINANCE 2012-20: AN ORDINANCE ENACTING "APPENDIX P" OF THE VILLAGE OF MANTUA EMPLOYEE HANDBOOK RELATING TO THE OHIO STATE AUDITOR'S FRAUD REPORTING SYSTEM, AND DECLARING AN EMERGENCY. 1<sup>st</sup> READING.** Michele asked Harry and Anthony whether they received her email regarding a copy of this as well as a current acknowledgement form for new employees. Yes, they both received it. Motion to suspend the rules made by B. Prescott with a second from L. Schilling. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Zoller. All ayes on vote.

**ORDINANCE 2012-21: AN ORDINANCE APPROVING AND ADOPTING A PERMANENT BUDGET FOR 2013 FOR THE VILLAGE OF MANTUA, AFTER PUBLICATION AND PUBLIC BUDGET HEARING PURSUANT TO OHIO REVISED CODE 5705.30. 1<sup>st</sup> READING.** Council discussed and decided to set up their first budget workshop on Wednesday, May 2 at 6:30 p.m.

**ORDINANCE 2012-22: AN ORDINANCE AMENDING SECTION 951.01(a) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO THE APPOINTMENT OF AN ALTERNATE MEMBER TO THE BOARD OF PARK COMMISSIONERS, AND DECLARING AN EMERGENCY. 1<sup>st</sup> READING.** Michele explained that this one and 2012-23 are basically housekeeping to keep the codified ordinances consistent. Motion to suspend the rules made by B. Zoller with a second from L. Schilling. All ayes on vote. Motion to approve made by L. Schilling with a second from M. Hura. All ayes on vote.

**ORDINANCE 2012-23: AN ORDINANCE AMENDING SECTION 147.03(a) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO THE APPOINTMENT OF AN ALTERNATE MEMBER TO THE SHADE TREE COMMISSION, AND DECLARING AN EMERGENCY. 1<sup>st</sup> READING.** Motion to suspend the rules made by B. Zoller with a second from B. Prescott. All ayes on vote. Motion to approve made by M. Hura with a second from B. Zoller. All ayes on vote.

**Departmental Reports:** Police Chief, Harry Buchert reported the next Safety meeting is Thursday, April 26 at 6:30 a.m. in Council chambers. His department has been busy.

Village Administrator, Anthony Fiorilli III submitted his report to Council. There are some drainage issues between Oak Street, W. Franklin and W. Prospect. Anthony presented a report with diagrams. This would be to replace some catch basins and some 8" pipe underground. From his meeting with the Mayor and one property owner, Mike McCauley, he would propose the Village purchase the two catch basins, one Anthony would install on Franklin and the other one, Mike would install. The Village would purchase the pipe with Mike installing the pipe. The last leg of this project, on W. Prospect, we would take care of ourselves as far as grass seeding and soil. The major problem we have here is that last year when we did do some work up on Oak Street and installed a driveway apron pipe and a ditch line; it helped the water flow coming off High Street down Oak Street and crossing over Franklin and through the yards. However, we are still getting some bypass water during heavy rains. Anthony felt this would be the best solution. He would like to sit down with Michele and go over some of the paperwork regarding a temporary work easement. There are three pieces of property we need to cross through; two of them Anthony has already spoken to and they have no problem with signing off on the temporary easement. The third resident he has not been able to reach. Michele asked Anthony if, ultimately, this is supposed to be a private system.

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Anthony said it would be catching the runoff from our roads that go onto these properties. In order for us to collect the storm water, this is our best option. Michele asked about the catch basin in the bottom left corner of the diagram and where it goes. Anthony said, right now that is a deadhead and it outlets to W. Prospect, that is what we would like to tie into. Michele thought it was a private catch basin. Anthony said no, that belongs to the Village. He does not know why it is so far off the right-of-way. Mike has offered to supply equipment, labor and stone. Mayor Clark understands that Mike plans to put in a curb and a driveway apron with a trough drain. Linda added that this will all be in writing and signed by all three of us with someone notarizing it, no handshakes involved. Bill Zoller asked what we estimate our total cost to be. As Bill looks over the materials list, it adds up to about \$1,900 total. Anthony felt it would be around \$2,000 for all materials; two catch basins with grates, pipe and the different fittings we will need for the transitions. Bill Zoller felt for \$6.00 difference on the grates, we should go with O.K. Brugmann because they are local and they give back to the community. Anthony agreed with Bill.

Motion to go ahead with the project as prescribed with the homeowner to supply the labor, stone and equipment, the Village will supply the pipe, catch basins and grates as stated not to exceed \$2,000 made by B. Zoller with a second from L. Schilling. Marty asked before voting on this, are we going to include the curbing and the drain to be installed at the same time because that was part of what was discussed at the time. Anthony said we could, he did not put that part in there because that was not part of the scheme. The Mayor and he spoke about this and wanted to give a 90-day window on this work to be done. Ben did not think we could include that work since it is on private property. Others agreed. Marty felt we should go ahead, draw it up, and see if he will sign it. All ayes on vote.

Anthony explained the second report he presented was regarding estimates he received from Ronyak Paving for various areas in the Village. His biggest concern is High Street, which has some major failures along the berm both east and west. The rest of the street estimates were prioritized and based on the traffic patterns. These are for pavement repairs only. Mayor Clark added that Anthony got these estimates because we had told our citizens that we would try to do one or two streets per year. Linda thought if we had any extra money, to get with our engineer to see if there was any grant money available and if we were to use a portion of what we would be using to pave our streets and put it into matching funds towards a grant. The Mayor would like Council's approval to discuss this with C.T. Consultants for possible grant opportunities.

Motion to pursue that avenue made by B. Zoller with a second from L. Schilling. All ayes on vote.

Rich Iafelice, Engineer with C.T. Consultants explained the OPWC pre-application, which is due in the next week. Decisions on this grant will be made in June for work in 2013. He is anticipating another meeting with ODOT regarding the sidewalk proposal and the bridgework grant. In addition, the grant application has been submitted for the mini park. The Mayor asked Rich if he has come up with an estimated cost. Rich said no, however, with regard to the school project, if we can meet with the school board maybe the same night as the budget workshop of May 2, we could discuss it with them. Council agreed; Jenny will advertise for it. The Mayor will contact the school board.

#### **Committee Reports:**

**Shade Tree:** Linda Schilling reported they have planned a 50-word essay from third grade students. They did pick a winner; Linda will let Marty know who that winner is so he can announce it at the ceremony and an article for the paper. Linda will try to contact Christine Pitsinger from the Community Journal to be at the presentation to take a picture. All the essays will be posted at Middlefield Bank. Mayor Clark let everyone know that Middlefield Bank donated a \$25.00 bank for the winner and McDonalds donated coupons.

Marty and Don Buchert purchased saplings for all the students to take home and plant. Patsi Gast lined up a guest speaker, Mr. Bob Stehli, to give a tree presentation on April 27. Linda Schilling added it would be at 9 a.m.

**Finance:** Paul Janson reported a lot going on; we are saving as best we can. Their meetings are the Monday before Council at 6:30 p.m.

**Parks:** Marty Hura had nothing to report.

**BZA:** Mayor Clark had nothing to report.

**Cemetery:** The Mayor said the board would be presenting a list of repairs/improvements.

**Planning:** Mayor Clark asked regarding all of the ODNR legislation tonight, she would like a motion from Council to approve the updated zoning application permit which includes triggers in it for when someone wants to build within a floodplain area. This way the Zoning Inspector would know, by the way the resident has answered the questions, if they are building in a floodplain. There is also a FEMA Floodplain certificate and an elevation certificate that have to be filled out and a Floodplain Manager's handbook.

Motion to approve made by B. Prescott with a second from L. Schilling. All ayes on vote.

**Service:** Bill Zoller reported things are coming along well including their first fire hydrant rebuild today. The drum found along the trail has been tested and they have received a verbal confirmation that it is not hazardous. They are looking into its removal. Linda Schilling asked if the pumps on Reservoir started working again. Anthony said yes, he was able to get them to reset. Anthony explained when they were flushing hydrants; pumps #1 and #3 were working at the time. As soon as pump #3 kicked off, there was enough volume of water being discharged with the flushing, that pump #4 kicked in. Pump #4 usually does not run with #1, #2 or #3 so when it did, it shut them both down.

**Safety:** Giles Seith reported the Fire Board is working to collect money from their soft billing program. Some of their trucks need major repair. With regard to the Safety meeting, Giles felt the Police Department did an excellent job keeping off the news.

**New or Other Business:** The Mayor presented Council with two special event forms. The Soap Box Derby on Saturday June 16, 7 a.m. to dark and the Mantua Yacht Club slated for Sunday July 29 from either 2 – 4 p.m. or 3 – 5 p.m. She wanted to know who would be responsible to hold these forms. Michele said under Chapter 7, the Police enforce the regulations under our codified ordinances. Harry said they would handle it.

Motion to accept both applications made by B. Prescott with a second from L. Schilling. All ayes on vote. Harry asked if any issues arise, should they be turned over to committee or Council. Council members felt the Safety Committee would be best.

**Public:** Terri Vechery representing the DMRC announced their spring cleanup in the Village would be Saturday May 12. The first music in the mini park is set the same Saturday as Art on the Hill, July 14. The Chief said they would need to fill out a form.

Mayor Clark reminded everyone the deadline for Mantua Matters is April 26.

Motion to go into executive session at 8:10 p.m. for personnel compensation & imminent litigation made by L. Schilling with a second from B. Prescott. All ayes on vote.

Motion to reconvene into regular session at 8:29 p.m. made by M. Hura with a second from B. Prescott. All ayes on vote.

Motion to adjourn the meeting at 8:30 p.m. made by M. Hura with a second from B. Prescott. All ayes on vote.