

**REGULAR COUNCIL MEETING
MINUTES
MAY 20, 2014**

The meeting was called to order at 7:00pm
Pledge of Allegiance and moment of silence for Ruthie Aldrich

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

Others present: Mayor Linda Clark; Clerk-Treasurer, Jenny August; Administrative Services Officer, Kate Rogers; Village Solicitor, Michele Stuck; Rich Iafelice of CT Consultants; Lieutenant Ken Justus

Citizens present: Stacy Turner representing the Weekly Villager, Jim Oster representing DMRC, Beth Sluka representing the Potato Festival, Dave Sluka, Jen Sobczak, Gary Konieczka

Approval of Minutes

- ❖ Motion to approve the minutes from the April 15th, 2014 budget workshop was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.
- ❖ Motion to approve the minutes from the April 15th, 2014 regular council meeting was made by Councilman Hura and seconded by Councilman Janson. Councilman Prescott and Zoller abstained. All others voted aye.

Solicitor Stuck suggested that we change the motion to go into executive session from “personnel matters” to “personnel employment.”

- ❖ Motion to amend was made by Councilman Prescott and seconded by Councilman Hura. Councilman Seith abstained and all others voted aye.
- ❖ Motion to approve the minutes from the April 29th, 2014 special council meeting as amended was made by Councilman Prescott and seconded by Councilman Hura. Councilman Seith abstained and all others voted aye.

Mayor's Report

The service department is working very hard to get all dead line projects done. We are behind right now due to weather and because every project gets complicated by the age of the infrastructure we are replacing. I'm very proud of the work they are doing.

Marty and I attended the Tree City conference on May 13th in Wadsworth. We brought home information on different types of trees for the Shade Tree Committee to look at once we get to the replanting stage. Also, we brought back information on retention basins and ponds.

Paul and I met with Jason Garey the new zoning inspector. I think it went very well. Paul and I will meet with Jason every month to review what he is getting done. Jason has a lot of catching up to do and has really accomplished a lot in the last 2 weeks.

Marty and I attended River Day at the park on Saturday. We spoke with Chris Craycroft from Portage Parks and Elaine Marsh from Friends of Crooked River. Both expressed how glad they are that we will be reading legislation tonight regarding getting Mats Road Bridge on the registry. They have offered to do letters of support if needed. They also gave me a special events form for the July 12th Headwaters Adventure Race. Chris will supply a copy of the event insurance as soon as she can.

- ❖ Motion to approve the special event form from Portage Parks for the Headwaters Adventure Race was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.

The Mayor read a letter from DMRC stating that the group would like to donate five additional hanging baskets to the Village. They will be paying to have them replanted each year as well.

- ❖ Motion to accept the donation from DMRC of five hanging baskets was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.

DMRC- Jim Oster presented on behalf of DMRC for the Art on the Hill festival. He would like Council's permission to hang a banner across Prospect St. to advertise Art on the Hill. The two building owners on either side of the street where it would be placed have agreed to allow the hardware to be hung on their buildings. Mr. Oster said the banner would probably be hanging for about a total of 4 weeks. The Mayor reported that a zoning permit would be required. Additionally, it would have to be removed within 3 days of the event.

- ❖ Motion to approve the placement of the banner once a zoning permit is obtained was made by Councilman Zoller and seconded by Councilman Prescott. All voted aye.

Mantua Potato Festival – Beth Sluka presented that the committee is exploring the possibility of putting off a fireworks show as a part of the festival. The fireworks would take place on Friday evening following the football game during the Potato Festival weekend. The representative of the fireworks company said that they would use 3” shells maximum. Their first choice of location would be in the service department parking lot. Councilmen Zoller and Seith both said that location would be too close to the Buckeye Pipeline storage facilities. The second choice of location then would be the ball field on the north side of Buchert Park. The Mayor said that parking and the adjacent homes would be possible concerns. Councilman Seith suggested that the site plan be completed for the second site and then presented to Council again. Councilman Zoller said that before Council can approve the event, the Fire Department would first have to approve the exact plan. Chief Buchert asked for references from the firework company.

Citizens – no report

Financial Reports

The April financial reports are in Council’s packets.

- ❖ To summarize, we received \$236,382 in revenues (lots of tax money), and we spent \$116,263 in operating and payroll expenses.
- ❖ Jenny compared tax revenues as of the first quarter, 2013 and 2014, and we have received about \$10K less than we did during the first quarter of last year.

Jenny asked Council to accept a donation to the Park in the amount of \$100 from Dave Pifer in memory of his sister Ruthie Aldrich.

- ❖ Motion to accept the donation to the park was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.

We have also received donations to the Cemetery in the amount of \$1,290 in memory of Ruthie Aldrich. Jenny asked that Council also accept these donations. Cookie Vanek has hand written thank you letters to everyone that donated to the cemetery so far.

- ❖ Motion to accept donations to the cemetery in the amount of \$1,290 in memory of Ruthie Aldrich was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.
- ❖ Motion to approve the financial reports was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.

Correspondence

The American Legion will be holding a flag burning on June 21st, at 11am at Buchert Park.

Mantua Village Council members have been invited to attend the dedication of the new veteran’s memorial at the Mantua Center Town Hall on Memorial Day.

The Mayor received an e-mail from First Energy asking if we would like to accept kits containing 18 CFL light bulbs and two power strips for each of our 11 accounts.

Karen Spisak called and wanted Jenny to pass on to Council that we have a fantastic employee here named Kate. Karen has been calling for three years to get a sign at the corner of Glenwood and Main St, and Kate is the one that finally followed up and made it happen.

Ohio Municipal League sent a spreadsheet showing which municipalities had tax levies on the ballot and which ones passed and failed. It is downstairs if anyone wants to take a look. Jenny reported that she saw one in particular that renews in 15 years, but most are 5-year levies. The ones specifically designated to street and culvert repairs all passed.

Bills of Resolution, Addendum Bills of Resolution

Jenny reported that on page 4, numbers 150 and 151 can be removed from the bills of resolution because CT submitted these to OPWC to be paid.

- ❖ Motion to remove lines 150 and 151 from the list was made by Councilman Hura and Councilman Prescott. All voted aye.

- ❖ Motion to approve the Bills of Resolution and Addendum Bills of Resolution as amended was made by Councilman Prescott and seconded by Councilman Zoller. All voted aye.

Legislation

ORD. 2013-104 AN ORDINANCE AMENDING SECTIONS 305.09(a) AND 305.10(a) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, RELATING TO PARKING ON CEMETERY DRIVE.

Tabled on 2nd Reading.

The Chief asked that we take this ordinance off of the table and vote it down. The safety committee is currently working on re-writing the entire section of code.

- ❖ Motion to take ORD. 2013-104 off the table was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.
- ❖ Motion to approve ORD. 2013-104 was made by Councilman Prescott and seconded by Councilman Janson. All voted no.

ORD. 2014-10 AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF MANTUA TO ENTER INTO AN AGREEMENT WITH THE DISTRICT COMMISSIONERS OF THE PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT FOR THE COLLECTION OF RECYCLABLES FROM MANTUA VILLAGE AND DECLARING AN EMERGENCY. *3rd Reading.*

The Mayor reported that we received an e-mail from Mr. Steiner of Portage County Solid Waste Management District. He reported that the EPA has until June 30th to make a decision about municipal recycling. Mr. Steiner said that the Portage County Commissioners would wait to send out the bills for next year's service until the EPA has reached a decision.

- ❖ Motion to table Ordinance 2014-10 was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.

ORD. 2014-11 (*amended*) AN ORDINANCE SETTING FORTH CONDITIONS FOR THE USE OF THE FORMER BOY SCOUT BUILDING AT BUCHERT PARK AND DECLARING AN EMERGENCY. *3rd Reading.*

The Mayor reported that a member of the Parks Board suggested that the Soap Box Derby committee be required to make a list of the repairs that are needed to the building and show that they have the funds to complete the projects. The Council members decided that they would not make this requirement of the Soap Box Derby. The contract already states that the occupants must pay for the cost of maintenance of the building.

- ❖ Motion to approve ORD. 2014-11 was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.

ORD. 2014-23 AN ORDINANCE APPROVING AND ADOPTING A PERMANENT BUDGET FOR 2015 FOR THE VILLAGE OF MANTUA, AFTER PUBLICATION AND PUBLIC BUDGET HEARING PURSUANT TO OHIO REVISED CODE 5705.30. *2nd Reading.*

No discussion. Next month there will be a public hearing before the June 17th Council meeting to finalize the budget.

ORD. 2014-25 (*amended*) AN ORDINANCE AMENDING SECTION 941.17(n) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, RELATING TO INSTALLATION OF WATER METERS AND RELATED EQUIPMENT, AND DECLARING AN EMERGENCY. *3rd Reading.*

Mayor Clark directed Council to look at the changes suggested by the service committee.

- ❖ Motion to approve the amendments to ORD. 2014-11 was made by Councilman Prescott and seconded by Councilman Clark. All voted aye.
- ❖ Motion to approve ORD. 2014-11 was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.

RES. 2014-28 A RESOLUTION GRANTING CONSENT TO THE OHIO DIRECTOR OF TRANSPORTATION TO COMPLETE PROJECT ID # 97103, BRIDGE INSPECTION PROGRAM SERVICES, AND DECLARING AN EMERGENCY. *1st Reading.*

The Mayor reported that this legislation allows Kate to proceed with coordinating with ODOT to get the Mats Road Bridge listed onto the state inventory of bridges.

- ❖ Motion to suspend the rules was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.
- ❖ Motion to approve ORD. 2014-28 was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.

ORD. 2014-29 AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2014 APPROPRIATIONS AND DECLARING AN EMERGENCY. *1st Reading.*

The Mayor reported that the police vehicle repair appropriations line had run out of money because of some large repairs to the K-9 Unit car as well as the chief's car. The \$5000 requested will come from the General Fund and go to the police vehicle repair fund.

- ❖ Motion to suspend the rules was made by Councilman Zoller and seconded by Councilman Prescott. All voted aye.
- ❖ Motion to approve ORD. 2014-29 was made by Councilman Zoller and seconded by Councilman Prescott. All voted aye.

RES. 2014-30 A RESOLUTION SUBMITTING TO THE ELECTORS OF THE VILLAGE OF MANTUA THE QUESTION OF AN ADDITIONAL FIVE (5) YEAR 3.85 MILL TAX LEVY FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES WITHIN THE VILLAGE, PURSUANT TO OHIO REVISED CODE SECTIONS 5705.19(G) AND 5705.191, AND DECLARING AN EMERGENCY. *1st Reading.*

Councilman Clark asked about how much this would cost the property owners. Clerk-Treasurer August reported that the average home valuation in the Village is \$100,000 and that it would cost the average home roughly \$12/month.

Rich asked about whether drainage should be included. Solicitor Stuck explained that in the type of levy we will be applying for there are strict rules about what can be included. She said that these need to be single purpose levies and the associated drainage would be a separate purpose. In order to address drainage and underlying water and sanitary sewer lines we would need to pursue other funding such as an OPWC grant.

ORD. 2014-31 AN ORDINANCE ENACTING SECTIONS 509.08(f) AND (g) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, RELATING TO NOISE FROM OUTDOOR HOUSEHOLD EQUIPMENT, AND DECLARING AN EMERGENCY. *1st Reading.*

The Chief reported that this ordinance relates to a neighborhood issue in which a resident is running a piece of equipment outside of her home during all hours of the day and night. The ordinance would give the police department the authority to try to get the situation resolved with the resident. Councilman Seith is concerned about emergency situations that would necessitate running a generator for an extended period. The Chief reported that the ordinance still gives room for the police department to use its discretion in certain situations. He said that they have received many complaints from neighbors related to the noise.

- ❖ Motion to suspend the rules was made by Councilman Zoller and seconded by Councilman Hura. Councilmen Prescott and Seith voted no. All others voted aye. The motion goes down.

Department Heads and Village Engineer-

Chief of Police Harry Buchert – Last Friday the police department participated in a DUI stop with ODOT. The hope is to do five more stops in 2014. The Memorial Day Parade is at 9:30 on May 26th. Crestwood's last day of school is June 6th. The Soap Box Derby will be June 14th with a rain date of June 15th. The Chief thanked Council for the additional funding for the police vehicles.

Village Administrator's Report– The Mayor reported that the culvert on Main St. has been replaced as a part of the EMA storm repair money. Perrin completed the catch basins that were on their list. We have also completed two more of the eight remaining basins. The big EMA projects left to be completed include the patching and sealing of Regan St. and Canada Rd. We contacted Lakeside Gravel to borrow our old roller for use on the upcoming street projects. Lakeside said they would donate the roller back to the Village with the stipulation that if we want to get rid of it again that it go back to them.

- ❖ Motion to accept the donation of a roller from Lakeside Gravel was made by Councilman Janson and seconded by Councilman Prescott. All voted aye.

Kate reported that Steve and Andrew, our two service workers, have recently completed their probationary periods. Dave will be working on their evaluations in the near future.

Councilman Zoller asked about the status of the fire hydrant repair. The Mayor reported that all of the hydrants to be replaced were completed but that there were still several on the list that needed repairs. Kate said that while we still had many more hours of in-kind labor and equipment to fulfill, the grant funding to make the repairs was nearly gone. Service will discuss the funding issue at their June meeting.

Village Engineer from C.T. Consultants – Rich presented a list of the proposed repairs that was compiled by our water and wastewater operators. The list is prioritized by the urgency of the needed repairs. Council decided to focus on a grant for the water plant. They would like to apply for \$200,000 that is 80% grant and 20% interest-free loan.

We should hear by June 1st on both the Safe Routes to Schools grant as well as the LGIF grant.

Rich met tonight with Edie Benner of DMRC to talk about the cost and logistics of putting in light poles and landscape vegetation at the south end of town as a part of the sidewalk project. Councilman Clark suggested that the vegetation plan is not needed because landscape vegetation will not be accepted by the business owners.

Committees-

- Councilman John Clark for Service – We walked a proposed path for extending our sanitary sewer line from Ambler Lane to the Bentree Condominiums. CT will be getting us an estimate of the cost. Service also discussed a street improvement plan for 2014.
- Councilman John Clark for Shade Tree – The Arbor Day celebration went well at the school.
- Councilman Marty Hura for Parks – The merry-go-round has been delivered and will be installed as time allows.
- Mayor Clark for Planning – The committee went over all of the open violations with the new zoning inspector. He has been busy following up on the existing issues as well as new applications.
- Mayor Clark for Cemetery – The service department has been working to get the cemetery looking good for Memorial Day.
- Mayor Clark for Board of Zoning Appeals – There is a hearing on May 29th at 7pm for a property on the corner of Reservoir and High Street.
- Councilman Ben Prescott for Finance – No report
- Councilman Ben Prescott for Portage County Regional Planning – No report
- Councilman Bill Zoller for Fire Board – A new squad has been ordered and will be delivered in June. Lieutenant Justus reported that the department now has a new ISO rating. The department was rated a 6/9 and now they are rated a class 4. This rating should have an impact on decreasing local insurance rates.
- Councilman Giles Seith for Safety – No report

New or Other Business-

Solicitor Stuck reported that the Delia Thompson Cemetery Trust hearing was postponed because of concerns over a few of the items on our wish list. One of the main concerns was over the funding for the cemetery sexton. The Mayor said that perhaps the request for the sexton could be removed for this year until the position description was more finalized.

- ❖ Motion to remove the cemetery sexton position from the wish list was made by Councilman Prescott and seconded by Councilman Clark. All voted aye.

Anything else that may properly come before Council

The Soap Box Derby will be painting High Street on June 8th.

Executive Session

- ❖ Motion to go into executive session for personnel employment and imminent litigation was made by Councilman Prescott and seconded by Councilman Hura. All voted aye.
- ❖ Motion to go come out of executive session was made by Councilman Hura and seconded by Councilman Prescott. All voted aye.

Adjournment

- ❖ Motion to adjourn at 9:33pm was made by Councilman Hura and seconded by Councilman Prescott. All voted aye.

Mayor Linda Clark

Admin Services Officer Kate Rogers