

**Village of Mantua
Regular Council Meeting**

May 21, 2013

Mayor Clark called the meeting to order at 7:00 p.m. and led the pledge of Allegiance and also asked that everyone remain standing for a moment of silence for Pauline May, mother of one of our employees. Linda asked that all cell phones be turned off or put to vibrate mode.

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

Others Present: Mayor Linda Clark; Clerk-Treasurer, Jenny August; Village Solicitor, Michele Stuck; Police Chief, Harry Buchert; Village Administrator, Anthony Fiorilli III.; Village Engineer, Rich Iafelice.

Public: Roy Peck, Lisa Rizzotto, Stacy Turner from the Villager.

Minutes:

Mayor Clark said regarding ordinance 2013-30, we need to add the words "it is" geared to the LMI study, also it says that we had a visit from the EPA and Michele will have a report to them in 30 days and it should say from them in 30 days. Under Planning, it says "she also spoke to Jakes and asked them to change the sign on the railing", and it should say she asked them if the sign was chained to the railing. Then it says she is working on Mantaline's request they still want a directional sign on the corner of Mill, but it should say "she is working on Mantaline's application that was denied, but they were given a directional sign at the corner of Main & Mill. Michele said back to page 3 under 2013-07, it says tabled on 3rd reading. It was not tabled. It should just say third reading. Then, where it says motion to table easement by B. Zoller. Ordinance passed, it should say motion to table passed. Also, in 2013-21 Ratifying is misspelled.

- ❖ Motion to amend the regular meeting minutes of April 16, 2013, by L. Schilling with a second by B. Prescott. All ayes on vote.
- ❖ Motion to approve as amended made by L. Schilling, seconded by B. Prescott. All ayes on vote.
- ❖ Motion to approve the budget workshop minutes of April 23, 2013, by B. Prescott with a second by L. Schilling. G. Seith abstained. All others voted yes.
- ❖ Motion to approve the special Council meeting minutes of April 23, 2013, by B. Prescott with a second by L. Schilling. G. Seith abstained. All others voted yes.

The Mayor said on the last page where it says we called Rich Iafelice, we actually called Brian Rogers.

- ❖ Motion to amend the special Council meeting minutes of May 2, 2013 made by L. Schilling with a second by B. Prescott. All ayes on vote.
- ❖ Motion to approve as amended the special Council meeting minutes of May 2, 2013 made by L. Schilling with a second by M. Hura. All ayes on vote.

Mayors Report:

Mayor Clark reported that she attended the Portage County Regional Planning meeting on May 1st. They discussed asset mapping again and also the Land Bank regarding homes that are abandoned or otherwise pose a safety issue. There is one in the Village that is to be torn down.

Marty and she attended the Tree City Conference in Shaker Heights and found it very informative.

Ben, Paul and she met with the applicants for Zoning Inspector. She would like later to discuss the applicants, and then make a recommendation. She and Chief Buchert met to discuss Auxiliary Officers and a part time Dispatcher. We have hired two Officers, Steve Chapman and Jason Mazzaro, and a Dispatcher, Trisha Peterson. They have all been sworn in.

The Auditor has finished our audit and will be scheduling a post audit review in the next month.

Surveyors from C.T. Consultants are in town getting started on the Sewer project. The pre-construction for Orchard St. was scheduled for May 22, but Barbicas was not able to attend so we are trying to schedule it for next Wednesday.

Lastly, a group of students from Crestwood High School stopped in the Village Hall to thank all of us for supporting the Live and Let Live Friends of Rachael.

Finance Report:

Jenny gave her report as of April 30, 2013. Due to new reporting requirements from OPERS, starting in July, Council will be paid monthly instead of semi-annually. The April financial reports have been copied or e-mailed to all of Council. Here is a Recap; All funds are in the black. Sewer may crash after paying bills tomorrow. Total Revenues were \$237,052. Total Expenses were \$75,814. There were no adjustments on the Cash Summary report. The appropriation status and revenue status reports were included so you can see where we are year to date. Water and Sewer programs matched the UAN. Income Tax is not finished yet. Jenny will update in May. The bank reconciliation had no adjusting factors. Council approved payments on checks 40105 through 40177.

Correspondence:

Jenny said The Ohio Municipal League sent out a bulletin regarding the Bureau of Workers Compensation. It seems that they have invested their money very well and may be giving rebates to municipalities and schools. We might be getting about \$4,000. Jenny will keep Council posted.

The Mayor said she got something from Doll Lumber saying that they will donate 7 yards of free mulch. Anthony said we already get free mulch from B.Y. Mulch, and he doesn't really have anywhere to put it, and he can't spare a man to go get it. They will discuss it at Service.

Also, Mayor Clark said she got the EPA letter, and everyone got a copy in their mailbox.

- ❖ Motion to accept the financial reports: bank reconciliation, fund status, water/sewer reconciliation, revenue & expenses, cash summary, and correspondence made by L. Schilling with a second from B. Prescott. All ayes on vote.

BILLS OF RESOLUTION:

Mayor Clark explains that at Finance it was discussed. Info Spec says new computer, and it should say that it was split in each department, same with the Visa- Tires for Toro. Also, the repairs at Perfect Choice was the Silverado. The insurance company sent us the check instead of to Perfect Choice. The NAPA bills all say the same invoice number.

- ❖ Motion to approve the Bills of Resolution as stated and the Addendum for May made by L. Schilling, with a seconded by B. Prescott. All Ayes on vote.

LEGISLATION:

RESOLUTION 2012-28: A RESOLUTION REPEALING RESOLUTION 2011-37 AND GRANTING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION TO COMMENCE A PROJECT THAT IS EXPECTED TO BEGIN CONSTRUCTION IN FISCAL YEAR 2014. Tabled at 3rd reading

Mayor Clark reported that she got an e-mail from Ohio Department of Transportation. We would need to amend our legislation.

- ❖ Motion to take off the table so resolution can be discussed made by L. Schilling with a second from B. Prescott. All ayes on vote.

Michele said we would amend section 4 to say "the Village of Mantua agrees to participate in the cost of the sidewalk portion of the project only at 20% of the total", add "construction cost of the sidewalk"; add "plus said design engineering for said sidewalk".

- ❖ Motion to amend made by L. Schilling with a second from B. Prescott. All ayes on vote.
- ❖ Motion to approve made by L. Schilling with a second from B. Prescott. All voted yes.

ORDINANCE 2013-07: AN ORDINANCE VACATING A PORTION OF THE UNIMPROVED PUBLIC RIGHT OF WAY KNOWN AS THE WESTERN PORTION OF COLLEGE STREET IN THE VILLAGE OF MANTUA, OHIO. Tabled on 3rd reading.

- ❖ Motion to take off the table made by L. Schilling with a second from B. Prescott. B. Zoller abstained. All other ayes on vote.

Mayor Clark said that the easements we need are in place and ready for Council approval.

- ❖ Motion to approve made by L. Schilling with a second from B. Prescott. B. Zoller abstained. All other ayes on vote.

ORDINANCE 2013-11 AN ORDINANCE ENACTING SECTION 5.3 (I) OF THE VILLAGE OF MANTUA EMPLOYEE HANDBOOK RELATING TO SERVICE DEPARTMENT EMPLOYEES WORKING SPECIFIED HOLIDAYS. Tabled on 1st reading. Remains tabled.

RESOLUTION 2013-15 A RESOLUTION CREATING CAPITAL PROJECTS FUND 4905 IN ORDER TO ACCUMULATE RESOURCES FOR THE ACQUISITION, CONSTRUCTION OR IMPROVEMENT OF FIXED ASSETS OF THE VILLAGE OF MANTUA AND DECLARING AN EMERGENCY. 3rd Reading.

Michele said we shouldn't pass this until we fill in the blank as to how the money is to be used. It can only be used for fixed assets. Paul suggested that we use the money for street improvements. Linda Schilling agreed. Ben agreed.

- ❖ Motion to amend and add Street Improvements to section 2 made by B. Prescott with a second from M. Hura. All ayes on vote.
- ❖ Motion to approve as amended made by B. Prescott with a second from L. Schilling. All ayes on vote.

ORDINANCE 2013-28 AN ORDINANCE ENACTING SECTION 3.2.B OF THE VILLAGE OF MANTUA EMPLOYEE HANDBOOK RELATING TO MEAL BREAKS, AND DECLARING AN EMERGENCY. 2nd Reading. No discussion.

ORDINANCE 2013-33 AN ORDINANCE ACCEPTING TEMPORARY AND PERMANENT EASEMENTS FOR DRIVEWAY PURPOSES FROM RALPH W. ZOLLER II AND DECLARING AN EMERGENCY. 1st Reading.

Michele said the easements are ready to be filed.

- ❖ Motion to suspend the rules made by L. Schilling with a second from B. Prescott. B. Zoller abstained. All other ayes on vote.
- ❖ Motion to approve made by M. Hura with a second from L. Schilling. B. Zoller abstained. All other ayes on vote.

RESOLUTION 2013-37 AN ORDINANCE ACCEPTING THE DONATION BY THE STAMM CONTRACTING COMPANY OF PORTAGE COUNTY PERMANENT PARCEL NUMBER 24-040-20-00-012-000. 1st Reading.

Giles asked where this is. Michele said it is at the corner of what used to be Furon Road and Matts Rd. It is only four thousands of an acre. When Furon road was vacated there was an orphaned parcel of land that belonged to Stamm's, and when we bought all of the land around it, it was left. Now they are donating it to us.

- ❖ Motion to suspend made by L. Schilling with a second from B. Prescott. All ayes on vote.
- ❖ Motion to approve made by M. Hura with a second from L. Schilling. All ayes on vote.

RESOLUTION 2013-38 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR THE IMPLEMENTATION OF THE MOVING OHIO FORWARD GRANT PROGRAM, AND DECLARING AN EMERGENCY. 1st Reading.

Solicitor Stuck explained that the administration of the program has changed, and the Memorandum of Understanding has changed and will need to be reapproved.

- ❖ Motion to suspend rules made by B. Zoller, seconded by B. Prescott. All ayes on vote.
- ❖ Motion to approve made by M. Hura, with a second from B. Prescott. All ayes on vote

RESOLUTION 2013-39 A RESOLUTION AUTHORIZING CERTAIN ACTIONS RELATING TO THE PROPERTY LOCATED AT 4615 ORCHARD STREET IN THE VILLAGE OF MANTUA, AND DECLARING AN EMERGENCY. 1st Reading.

Solicitor Michele Stuck explained that passing this resolution will allow us to get a search warrant. This is one thing we need to do, along with a public hearing, title search and other necessary steps that we need to take to get the grant. Giles asked about the costs involved. Michele said \$175 for the title search and the rest of the money comes from the grant.

- ❖ Motion to suspend rules made by B. Zoller, seconded by B. Prescott. All ayes on vote.
- ❖ Motion to approve made by B. Zoller, with a second from P. Janson. All ayes on vote

RESOLUTION 2013-40 AN ORDINANCE APPROVING AND ADOPTING A PERMANENT BUDGET FOR 2014 FOR THE VILLAGE OF MANTUA, AFTER PUBLICATION AND PUBLIC BUDGET HEARING PURSUANT TO OHIO REVISED CODE 5705.30. 1st Reading. No discussion.

RESOLUTION 2013-41 AN ORDINANCE AMENDING APPENDIX A OF ORDINANCE 2010-24, THE "VILLAGE OF MANTUA, PORTAGE COUNTY, OHIO EMPLOYEE HANDBOOK", RELATING TO BENEFITS. 1st Reading.

Michele explained that first there is a typ-o. That the "A" should be a "B", and this handbook change is because the contribution rate for Ohio Police and Fire is increasing.

- ❖ Motion to amend the A to B by L. Schilling, seconded by B. Prescott. All ayes on vote.
- ❖ Motion to suspend rules made by L. Schilling, seconded by B. Prescott. All ayes on vote.
- ❖ Motion to approve made by L. Shilling, seconded by B. Prescott. All ayes on vote

RESOLUTION 2013-42 A RESOLUTION AUTHORIZING CERTAIN FUND TRANSFERS BY THE CLERK-TREASURER BETWEEN THE PARK AND CEMETERY TRUST FUNDS AND THEIR RESPECTIVE IMPROVEMENT AND OPERATING FUNDS, NECESSARY TO KEEP ACCURATE ACCOUNTING RECORDS, AND DECLARING AN EMERGENCY. 1st Reading.

Jenny explained the Auditor's request on how interest should be processed in this legislation.

- ❖ Motion to suspend rules made by L. Schilling, seconded by B. Prescott. All ayes on vote
- ❖ Motion to approve made by L. Shilling, with a second from B. Prescott. All ayes on vote.

ORDINANCE 2013-43 AN ORDINANCE AMENDING SECTION 121.03, ARTICLE V, SECTION 1 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO THE ORDER OF BUSINESS FOR COUNCIL MEETINGS, AND DECLARING AN EMERGENCY. 1st Reading.

Mayor Clark said this is to change the Council meeting agenda so that the citizens have an opportunity to speak before legislation, and also so they don't have to stay for the whole meeting if they just have a quick comment. She suggested putting "Public Comment" after the Mayor's report and before the financial reports.

- ❖ Motion to suspend rules made by L. Shilling, seconded by B. Prescott. All ayes on vote.
- ❖ Motion to approve made by L. Shilling, with a second from B. Prescott. All ayes on vote.

DEPARTMENTAL REPORTS:

Police Chief, Harry Buchert reported that June 6th is the last day of school. The Memorial Day parade will be Monday, May 27th at 9:30. The school Superintendent has agreed to the increase of the cost of the School Resource Officer to \$20 an hour. The next Safety Meeting is on June 6th, 2013 at 6:30 a.m.

Village Administrator, Anthony Fiorilli III, reported that he met with Ronyak. He will bring the information to Service Committee. He had a complaint from a resident that says she got dirty water due to the water line repair on Main St. She is putting her payment in escrow until she is credited the four bathtubs it took her to clear her water. He calculated with the help of Google, that that amount totals \$3.46.

- ❖ Motion to give water credit of \$3.46 and waive late fees by B. Prescott, seconded by L. Schilling. Ben- Yes, Bill- Yes, Giles- No, Linda- Yes, Paul- No, Marty- Yes. Motion carries.

Anthony explained that she has a filter system. It should be changed every three months. It has not been changed regularly. The village changed it for her two weeks ago. Ben asked why her water is so bad. Anthony said she is the last house on the line, and there is no loop. She has old galvanized pipes that are likely full of built up minerals. Mayor Clark asked if we can check it out to make sure there is no leak in our lines? Anthony said there have been no complaints about loss of pressure since the Lutheran Church was repaired 2 years ago.

C.T. Consultant Engineer, Rich Iafelice, said that he has amended the funding application, which will be considered in July. It appears favorable. Crestwood Schools project is coordinated. There may be a need for soil borings. This is out to bid. He will ask for authorization to advertise at the June Council meeting. Paul asked if the easements need to be done first. Rich said yes. Orchard St. pre-construction meeting was delayed until next Wednesday.

COMMITTEE REPORTS:

Shade Tree: Linda Schilling had nothing to report.

Finance: Paul Janson said the sewer operating fund is in trouble and we need to work on it.

Parks: Marty Hura said that we are waiting to hear about the grant for the merry-go-round.

Planning: Mayor Clark reported that she has three top candidates for Zoning Inspector and she hopes a decision will be made tonight as to whom the new Zoning Inspector will be.

Cemetery: Mayor Clark reported that the plantings are all done. The Veteran's flags are all up thanks to Claude Hopkins and Norm Erickson. The Mayor asked Anthony if the ingots will be in place at the Cemetery before Memorial Day. Anthony said no.

BZA: Nothing at this time.

Service: Nothing at this time

Safety/Fire Board: Giles Seith reported that the new tanker has been ordered. The other one was 25 years old. It should arrive around the first of the year.

New or Other Business:

Citizens:

Executive Session:

- ❖ Motion to go into executive session on Personnel employment at 7:55 p.m. made by L. Schilling and seconded by B. Prescott. All ayes on vote.
- ❖ Motion to resume the regular Council meeting at 8:56 by B. Prescott, seconded by M. Hura. All ayes on roll call.

At this time, Mayor Clark asked Anthony if he would like offer his resignation as Village Administrator of the Village of Mantua. Anthony said he will.

- ❖ Motion to accept Anthony's resignation by B. Prescott, seconded by M. Hura. All ayes on vote.
- ❖ Motion to approve Steve Chapman as the Zoning Inspector for Mantua Village by B. Prescott, seconded by M. Hura. All ayes on vote.
- ❖ Motion to adjourn the meeting at 8:58p.m., made by B.Prescott, with a second from M. Hura. All ayes on vote.

Mayor Linda Clark

Clerk-Treasurer Jenny August