

REGULAR COUNCIL MEETING
MINUTES
October 20th, 2015
7:00 p.m.

Mayor Clark called the meeting to order at 7pm and 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 Paul Janson-**All Ayes**

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

Citizens Present: Roy Peck, Greg Balbierz, Carole Pollard, Bob Maclearie, Paula Tubalkain, Bob Gaglione, Roberta Zuver and Cecelia Swanson representing Portage County Library.

Approval of Minutes

❖ Motion to accept the minutes from the August 18, 2015 regular Council meeting made by Marty Hura, 2nd by Paul Janson-**All Ayes**

Portage County Library- Roberta Zuver

She said that there is a levy on the ballot in November. It's a 1 mill 5 year levy. Roberta said that the only money they get is from income tax. She said that they are asking for funding to see if they can get back to where they were before funding started running out in 2008. She said that they can do a lot more if they get funding from residents. Roberta said that they would be able to restore hours and staff that were cut and they can get some more books, DVD's, etc. John Clark asked if there would be more cuts if the levy does not pass and Roberta said that they are hoping not to be, said that they really can't cut anymore unless they close a branch.

Scott Rafferty- North Shore Energy

Scott said that he advises us on when and who to buy our electricity and natural gas from. He said that we have two contracts, one for the larger meters, one for the smaller meters. They will expire in 2016, and we are allowed to buy electricity 12 months before they expire. Scott said that there is a lot of opportunity to buy electricity at a lower price for when our current contract ends. We are at the third lowest point in electricity since deregulation started in Ohio in 2009. He said that he feels that now is a good time to lock in our prices. Scott said that the larger meters could get good pricing, but not with the smaller meters. Scott said that on the large meters, the best price is from Gutman Energy at 5.311 cents. He said that we can save 14.5% and \$8,300 per year. On the smaller meters, Scott said that we currently pay 6.29 cents. The best is 6.19 cents which is a 2% reduction. Scott said that he would recommend that the village sign a 24 month contract. Paul asked who Gutman Energy is and Scott said that they have been around for about 83 years. Paul asked who bills us and Scott said that we currently get bills from Ohio Edison and we will continue to get bills from them. Paul said that it looks like Gutmans has the best price for the 2 years but 2 years is a long time. Mayor Clark said that we usually lock in for 2 years. Bill asked if we would be able to get out of the contract if we wanted to, and Scott said no. Scott said that he recommends 24 months because there is not a lot of variance between 12 and 24 months. He said that there is talk about stopping pulling natural gas and petroleum from the ground which would cause the price to increase. John asked what the length of our current contract is and Scott said 24 months. Paul asked if something happens to Gutmans Energy during the contract and Scott said that they would be obligated to keep the price.

Mayor's Report

Mayor Clark said the county started the High Street Bridge replacement in September and barring any more complications, it should be open around December 1st. She said that she and Rich attended the AMATS conference last Friday. She also said that they met the new Director of District 4, Allen Biehl and he spoke about all the road work in progress and pending in the near future and he also spoke about Ohio's Bridge Partnership Program. During the break she said that she and Rich spoke with Christina Wagner from ODOT and she is going to check in to whether the Mats Road Bridge might be eligible for any funding and will be getting back to me.

Mayor Clark said she spoke to Mr. Hammonds early last week from ODNR regarding the trail grant we applied for in February with DMRC and he couldn't give us a 100% answer but we will know for sure any day now. Just to refresh memories she said it was for the trail from the

walking bridge up the south side of Mill St. across 44 to behind McDonalds. She said that it was for a total of \$157,300.00. This is \$114,244.00 grant, In-kind of \$25,000 from property owners and \$18,056.00 from DMRC and that this is a reimbursable grant.

Mayor Clark said that it is with deep regret that she must read Aaron's letter of resignation from planning effective Oct 14, 2015 and his letter of resignation from Historic Landmark Commission is effective Oct 14th 2015 as well.

- ❖ Motion to accept Aaron Snopek resigning from Planning and the Historic Landmarks Committee by Marty Hura, 2nd by Paul Janson-**All Ayes**

Mayor Clark said that she wanted to congratulate the DMRC on the Watershed mini grant that they received from Dominion for \$2,000.00. She said that we have a special event form from Advanced Rehab for Treats and Trails that we received in August. She and Paul discussed it and have spoken with the chief about it.

- ❖ Motion to approve the special event form by Marty Hura, 2nd by John Clark-**All Ayes**

Citizens

Carole Pollard-She said that she went to Heritage Ohio conference and said that it was more valuable for Landmarks Commissions and Village things. She said that she is going to have the proceedings transferred from a flash drive to CDs and will be available.

Roy Peck-He said that he is presuming that we have police officers between 7am-8am and Chief said that they do. Roy asked that they go on Canada road because people are going really fast. Chief said that they were there today and they made several stops.

Financial Reports

Jenny said that there were no negative funds in either month. She also said that we received \$211,747 in revenues in August, and \$110,208 in September and that the big difference is attributed to receiving the semiannual property tax check in August and also the county quarterly sewer usage payment. In August, we spent \$114,480 in operating and payroll expenses. In September we spent \$74,018 in payroll and operating expenses. The big difference between these two months is attributed to sludge hauling, final audit fees, and repairs to the salt shed.

Jenny said that we should be at 75% on revenues and that we did not receive all of the property taxes that we expected, but we did receive rollback tax to kind of make up for it. She said that the 3rd quarter income taxes are due in October, so hopefully we will see a jump because we are under. Also, we are way under on license tax, but hopefully we will get that big check in November from the trucking renewals. Jenny said that in cemetery, we budgeted for \$25K from the Trust but received less than 6K. And the water & sewer revenues are both under, but the scheduled rate increases are in place for the next billing.

Jenny said that overall, the appropriation statuses are holding steady, but Ashlee and she sometimes have to really struggle to pull appropriations together for some of the PO's. She said that she is asking for an increase in appropriations in Sewer Operating because the appropriations were pretty much wiped out when she paid the electric bill last week. According to the County estimates, we have \$20,000 available to appropriate. Jenny said that we have the first reading of the 2016 appropriations and she is thinking that Council would like a workshop. If council agrees, she can schedule it for 6:00 pm November 17th, an hour before next month's Council meeting and that since the Department Heads have already looked these over, she thinks an hour will be enough. The water & sewer and the tax software programs balanced with the UAN and bank.

Jenny said that there were adjustments needed on the bank statement for both months. In August, there was a bank error for .10 cents that was adjusted for September. The September bank Reconciliation had an adjustment of \$470 due to a check bouncing on 9/30 and we were not aware of it until 10/1, so there was an adjusting factor for that.

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

Correspondence

Mayor Clark said that on August 21, she received a letter and a plaque from the Ohio History Connections congratulating Mantua on the designation of Certified Local Government.

Jenny said that the quarterly Portage County Health Department report is on file downstairs if anyone would like to see it. She also said that Mrs. Westenfelder on W. Prospect St. wanted to thank Kate for having such a nice job done on their street. They are very happy with it and apologize for giving us such a hard time about it a few months ago.

Bills of Resolution, Addendum Bills of Resolution

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

Legislation

ORD. 2015-29 AN ORDINANCE RE-DESIGNATING AS PERMANENT TRANSFERS, CERTAIN ADVANCES PREVIOUSLY MADE FROM THE GENERAL FUND TO THE SEWER OPERATING FUND #5201. 2nd Reading.

No discussion

RES. 2015-33 A RESOLUTION ESTABLISHING A NEW FUND 4202 FOR THE VILLAGE OF MANTUA AND DECLARING AN EMERGENCY. 1st Reading.

Mayor Clark said that this is setting up a designated fund for the High Street Paving project.

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

RES. 2015-34 A RESOLUTION AUTHORIZING THE MAYOR TO CONSULT WITH NORTH SHORE ENERGY AND ENTER INTO AGREEMENTS FOR THE SUPPLY OF GENERATED ELECTRICITY TO THE VILLAGE OF MANTUA MUNICIPAL FACILITIES, AND DECLARING AN EMERGENCY. 1st Reading.

John said that listening to Scott, rates are going to be higher at the end of the two years. Giles said that he can't see oil prices getting any lower.

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

ORD. 2015-35 AN ORDINANCE APPROPRIATING FUNDS TO RUN THE VILLAGE OF MANTUA DURING THE FISCAL YEAR ENDING DECEMBER 31, 2016, AND DECLARING AN EMERGENCY. 1st Reading.

No discussion since there is going to be a workshop before the next council meeting.

RES. 2015-36 A RESOLUTION GRANTING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION TO COMMENCE A PROJECT THAT IS EXPECTED TO BEGIN CONSTRUCTION IN FISCAL YEAR 2016. 1st Reading.

Mayor Clark said that ODOT is asking for legislation because they want to come in and crack seal State Route 44 next year.

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

ORD. 2015-37 AN ORDINANCE TO ENACT CHAPTER 173 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA REGARDING MUNICIPAL INCOME TAX, AND DECLARING AN EMERGENCY. 1st Reading.

Giles asked if this to bring us to what the State of Ohio has done and Jenny said yes. Michele said that this has to pass by December.

RES. 2015-38 A RESOLUTION AUTHORIZING CERTAIN FUND TRANSFERS BY THE CLERK-TREASURER BETWEEN THE WATER AND SEWER OPERATING FUNDS AND THEIR RESPECTIVE DEBT SERVICE RESERVE FUNDS, NECESSARY TO MEET 2016 DEBT SERVICE REQUIREMENTS, AND DECLARING AN EMERGENCY. 1st Reading.

Mayor Clark said that this allows Jenny to make transfers in 2016 so she does not have to ask every time.

RES. 2015-39 ADOPTION OF 2016 CALENDAR, AND DECLARING AN EMERGENCY. 1st Reading.

Jenny said that Kate mentioned that the December meeting in 2016 is on the 20th and its sometimes moved since it's in the middle of the holiday week.

ORD. 2015-40 AN ORDINANCE AUTHORIZING A CONTRACT WITH THE PORTAGE COUNTY PUBLIC DEFENDER FOR DEFENSE OF INDIGENT PERSONS CHARGED WITH CRIMINAL OFFENSES UNDER THE VILLAGE ORDINANCES AND DECLARING AN EMERGENCY. 1st Reading.

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

RES. 2015-41 A RESOLUTION RATIFYING THE ACTIONS OF THE MAYOR AND CLERK-TREASURER IN PREPARING AND SUBMITTING AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM AND TO EXECUTE FURTHER AGREEMENTS AS REQUIRED, AND DECLARING AN EMERGENCY. *1st Reading.*

Mayor Clark said that this is for the paving of High street and replacing the portion of the water line from the middle of the park to the end of Buckeye Pipeline property. Mayor Clark said that this is a \$500,000 grant with a \$150,000 loan with a match of \$166,000 which the Village is going to use \$50,000 of the paving money and Buckeye Pipeline is committed to put in \$116,000 towards the water line. She said the grant was due by last Friday but they are allowing us to give it to them tomorrow.

❖ Motion to suspend the rules made by Marty Hura 2nd by Giles Seith-**All Ayes**

Giles asked if this will make appropriations tight for the next few years and Kate said that it's set up as a 20 year loan and if we need money it can be stretched out further. She said that the Mayors goal is to have it paid off in a much shorter timeframe. Giles asked why pay it off it's a no interest loan and the Mayor said that she and Jenny don't like long term debt. John Clark says that it does free up money later, Giles agreed. Giles said that the department heads are going to feel it and Kate stated that one will, but it's something that they can do.

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

RES. 2015-42 AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2015 APPROPRIATIONS AND DECLARING AN EMERGENCY. *1st Reading*

❖ Motion to suspend the rules made by Marty Hura, 2nd by Giles Seith-**All ayes**

❖ Motion to approve made by Marty Hura, 2nd by Giles Seith-**All Ayes**

Department Heads and Village Engineer

Chief of Police Harry Buchert-Chief said that the next safety meeting is on November 4th at 6pm and there will be a race on Saturday which is the "Treats and Trails".

Village Administrator Kate Rogers-Kate said that the paving repairs are done in the village and the storm sewer on Woodford is complete. She also said that the detour for the bridge will be moved from Canada Rd. to Goodell Rd. Kate also said that the price of salt has gone up this year 1/3. She said that they will salt hills, bridges, curves and intersections. Kate said that it will take more time to get out to do the roads until the bridge is open since they have to go around. She said that there will be two Crestwood school groups decorating the village for Christmas.

Village Engineer from C.T. Consultants-Brian said that we are under contract or have purchased equipment for about 85% of the grant that we have for updating the water/waste water treatment plants. He said that they are hoping to have it done by the end of the year and all of the quotes so far have come in at or under budget.

Committees

John Clark for Service- The Service Committee is in discussion with the high school about special recognition signs that would go in front of the school. They are trying to finalize a location for the signs and once that is determined, a sign holder will be designed. John said that he and Paul are going to fix the Christmas wreaths and they will be ready to put up by the end of the month. He said that they did discuss about talking to the county about the water and sewer plants. He said that he saw in the engineer's report that they are also going to get involved with the village again. Mayor Clark said that once they are done talking to CT, she, Michele and Kate are going to talk about how they are going to approach this with possibly 3 property owners on Pioneer trail. Once they do that, they will get back with Council to see what they want presented, if they want to present something to the county.

Marty Hura for Parks and Shade Tree- Marty said that the meeting is tomorrow and we will have a rep from DMRC to talk about possible grants that they can apply for. Marty asked Ashlee if there was anything for Shade Tree and she said that Norm Ericson is supposed to come and talk about taking down the tree next to the flag pole.

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

Mayor Clark said that they are still working on subdivision regulations in Planning and they also talked about signs but tabled that for right now. She said that there might be some legislation coming to council next month once planning reviews everything. Mayor Clark said that there was nothing for Cemetery and Kate said that they are doing their final pouring of footers on Thursday.

Ben Prescott for Finance and Portage County Regional Planning- not in attendance

Bill Zoller for Fire Board- Bill said that the utility truck is in the process of being built and should be delivered by the end of the year.

Giles for Safety- Nothing

New or Other Business

Mayor Clark told Council that they have in their packets the forms that the Landmarks Commission wants Council to approve to use as their guide. Renee Henry said that they were based on ones that they got from Aurora. She said that inventory page would be used by the Landmarks Commission for their documentation. She said that the request for landmark listing is what the property owner will fill out. She said that they would like it to be on the website if it's approved. Mayor Clark said that this just applies to the outside of the house and stays with the home forever, even if it's sold. Bill asked if someone buys a home, are they able to opt out of it and Renee said that they are not able to. Bill said that he thinks that the person who owns the home should be able to opt out at any time. Mayor Clark said that this is how the legislation that Council approved was written and that Council could go back and change it if they wanted to. Renee said that commercial property owners could get tax breaks, but not residential owners. Paul asked why some things on page 3 talk about the interior of the home if this is just for the exterior of the home. Mayor Clark said that the 3rd page is supposed to be more informational for people years down the line. Paul said that everything that is designated as interior should be marked as for informational purposes and Renee said that she can do that. Mayor Clark said to take the forms back, make some changes and then bring it back for Council to approve.

Mayor Clark said that the village has been in the sound off about the recycling and comparing us to the City of Kent. She asked if the village would like to respond or leave it. Giles said that we should not respond to unsigned things.

Marty said that he thinks we should look at the legislation on trucks on the side streets. He said that he was down by the water plant and a cement truck came up Orchard, turned onto Line St., and then turned onto Regan. He said that they went up and crossed Maple and up Franklin. Mayor Clark said that she did find out that they did have work to do on Franklin St. so they would be allowed on the streets.

John Clark said that he wanted to talk to Bill about the article that was in the paper last night about the man who lives more than 5 miles away from the fire department. He said that it almost leads you to believe that it's the Mantua-Shalersville Fire Departments fault that he lives more than 5 miles from them and for his insurance rates going up. Bill said that the person has been to their Fire Board meetings with the same thing and they don't understand why his rate is so much higher than others. He said that their ISO rating is bringing rates down in most cases, unless there is a problem with something that he does at his property, he does not know.

Giles brought up the oil leak that was mentioned in the sound off. Kate said that she had a meeting with Buckeye Pipeline and the EPA and they are working on getting it taken care of. She said that for the next 6 months, they are going to have a portable station there actively treating the water and then after that 6 months, the EPA tasked Buckeye to find a permanent solution.

Mayor Clark said that Rich Iafelice gave her a quote to do a rate study for the water and sewer rates. She said that Rich gave her quote for \$7900 but he said that they can reduce it to \$4000 but Brian was in a meeting with Rich and he thought he said that he had mis-spoke. She said that she will bring it to Council next month once its figured out.

Executive Session

Not needed

Adjournment

❖ Motion to adjourn at 8:39pm made by Marty Hura, 2nd by Paul Janson-**All Ayes**