

**REGULAR COUNCIL MEETING  
AGENDA  
NOVEMBER 19th, 2013  
7:00 p.m.**

The meeting was called to order at 7:00pm  
Pledge of Allegiance followed by a moment of silence for Lois Hopkins

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

- ◆ Motion to excuse Giles Seith was made by Ben P and seconded by Bill Z. All voted aye.

Other's Present: Mayor Linda Clark; Clerk-Treasurer, Jenny August; Village Administrator David Akerley; Administrative Services Officer, Kate Rogers; Village Solicitor, Michele Stuck; Lieutenant Ken Justus; Rich Iafelice of CT Consultants

Citizens Present: Ron and Wendi Porter, Kurt and Bonnie Horack, Terry Gray, John Lewins, Edie Benner and Terri Vechery of DMRC.

Approval of minutes from the October 17<sup>th</sup> regular Council Meeting:

- ◆ Motion to amend the discussion under Ordinances 85 and 90 as well as striking a line from the Village Administrator's report was made by Ben P and seconded by Paul J. All voted Aye.
- ◆ Motion to approve the Minutes from the October 17<sup>th</sup> regular Council Meeting as amended was made by Ben P. and seconded by Bill Z. All voted aye.

Mayor's Report:

Dave has hired 2 new full time employees Andrew Lemely and Steve Bohonik

Congressman Joyce has rescheduled his meeting with Mantaline and Compass for Dec 18. Any one interested in attending let me know so let them know who will be attending.

We have submitted our first set of invoices to the EMA and have asked for an extension until spring on the paving and catch basins. We have also submitted for amendments on four 4 catch basins.

Site 1 Glenwood from 500.00 to \$2800.

Site 7 Reservoir from 500.00 to \$2850.

Site 14 E Prospect from 500.00 to \$1800.

Site 15 Main across from McDonalds 500.00 to \$4875.

Completed work is as follows and has been sent for reimbursement

Site 16 E Franklin repair pavement	\$2500.00
Site 18 Main St professional building repair pavement	\$ 305.00
Site 19 4647 High St repair roadway	\$1800.00
Site 26 4735 Woodford repair head wall etc	\$5050.00
Site 30 Village Park and trails	\$1387.45
Total	\$11042.45

We received a letter from the EPA in September about the Bent Tree condos joining the forced sewer main on Route 44. The Mayor asked Council Clark to explain the current situation.

John explained that when the original letter came out Council approved for the mayor to contact the EPA to let them know that there is a forced main available for the condos to tie in. The EPA has taken the stance that the Village is trying to force Bent Tree to tie in to the Village's sewer. The tie in that they were quoted from Portage County Water Resources was \$88,000 plus the cost of their own pump station. John said we could look at bringing their tie-in across to the Ambler lift station. This lift station was built to handle this load. Bent Tree does not have the money to tie in. Replacing their own plant is not feasible. They want to tie in to the Village system. The EPA says that nothing can be done until the Village and the County come to an agreement about how their tie-in will be done. Michele explained the Bent Tree is within the Village's service area which means that the county cannot permit them to tie into the county line unless the Village has refused them service. The EPA letter also said that if the Village and the County don't reach an agreement then the EPA will allow them to continue with the treatment plant they have for another 5 years. During this time Bent Tree could start collecting the funds to tie in. They would like to tie in and it is anticipated that they will be able to have this money within 5 years.

Bill asked how much this would cost per foot to run the sewer line the 1000' to tie into our lift station. Rich said it would cost about \$50 per foot to go cross-country plus the easements. Rich asked why they can't tie into the county line. Michele said that this would be a violation of our service area agreement. Rich disagreed saying that wasn't the intent of the agreement. But Michele and the Mayor met with Jeff Lonzrick the Water Resources Director at the County about the Green's Funeral Home issue which is the same problem and they were all on the same page about how the agreement was interpreted.

Rich said that the tap-in fee and the service area agreement are all negotiable, even though Jeff Lonzrick said they weren't. He said that having them as a county customer still gives us more money. Michele, Paul and Kate all said that the increase in revenue would be very marginal compared to if they were the Village's customer. John said his concern was that someone is going to have to come forward and try to help them get some money.

The Mayor will follow-up and set up a meeting with Jeff Lonzrick, Michele and Rich to try to sort this out and report back to Council.

Citizens:

The following discussion was brought to Council by Terry Gray, Ron and Wendi Porter, and Kurt and Bonnie Horack all of Park Street.

Terry was here for the planning meeting when the new building project behind the Drug Store was discussed. He reported that currently any water that comes off of the Mantua Station Drug property runs into his property and that he is concerned the new construction will only exacerbate the problem.

The Horack's own a rental house on Park Street. Kurt said that when the ground is saturated and then there is more rain the water goes straight onto the Gray and Horack properties. The Horack's presented pictures of the water flowing into their property following the July 10<sup>th</sup> storm. The rental house's parking lot gets multiple inches of water with each rainfall. They are concerned about the new catch basin on Woodford which channels the water into the lawns, parking lots and houses of the residents.

All of the residents who spoke are concerned that with a new building and a culvert that more water will be diverted into the already problematic areas. Terry said that on the plans there is a retention pond, which if done correctly should help. John mentioned that the engineer is already concerned with the lack of detail on the plans regarding water management. Rich said that the original drug store was built without drainage taken into account. With this new project the proper design will have an outlet control structure that will actually lessen the total water now draining off of the whole property. He also said that Woodford and Park and several other areas within the Village have poorly designed water management systems to begin. The Mayor said that we will have our people put their heads together and get back to the residents.

#### Financial Reports:

In August, we received a check from the DMRC for additional Engineering services needed for the S.R. 44 Sidewalk project. If you recall, at this time we decided it would be a good idea to officially create the fund so we can deposit the money in the proper place. What I neglected to remember was to ask to have the funds appropriated. This will create a "Then and Now" purchase order for C.T. Consultants, which is the reason you have ordinance 2013-92 and 93.

This was my mistake, and I will take full responsibility for it in the next audit. It was a forgotten step in the paperwork with all of the projects we have going on at once.

Jenny said that October reports were e-mailed and to call if you have any questions. Here is a quick re-cap.

- All funds are in the black.
  - Total Revenues were \$197,776
  - Total Expenses were \$55,985, payroll expenses were \$67,816 (*three pays in October*)
  - There were no adjustments on the Cash Summary report for October.
  - The last page of the revenue status report shows that year to date we have received 78% of our anticipated revenues. We should be about 83% so we are slightly under. This could be due to lack of septage income that we had anticipated, because the sewer fund is really the only fund that is below 83% with the exception of the 2 interest accounts that are too small to be significant in this report.
  - Regarding the appropriation status report, we are at 74%, removing all of the debt appropriations. We should be around 83% here as well, but don't get excited because we will even things up in December when we make our semiannual debt payment.
  - The water & sewer program balanced with the UAN.
  - The Income tax balanced.
  - The bank reconciliation had no adjusting factors.
  - Council approved payments on checks 40562 through 40640.
- ◆ Motion to approve the financial reports was made by Ben P. and seconded by Marty H. All voted aye.

#### Correspondence:

- Correspondence this month included a work authorization request from C.T. Consultants for the Site Plan Review at the Mantua Pharmacy. The request is in the amount of \$500 and since it is above the normal monthly retainer, Council must approve. We will be collecting this money from the builder or applicant.
- ◆ Motion to approve the payment to CT above and beyond their retainer was made by Bill Z. and seconded by Ben P. All voted aye.
- Robinson Memorial Hospital is being converted to a non-profit organization, Robinson Health System, Inc. on January 1, 2014 but will still keep our account open for drug testing. There should not be an impact on our operations.
- The Village also received a Thanksgiving card from the Friends of Rachel an anti-bullying club at Crestwood Middle School.

#### Bills of Resolution and the Addendum to the Bills of Resolution:

Line 75 will be eliminated because it was a duplicate.

- ◆ Motion to amend the Bills of Resolution was made by Bill Z. & seconded by Ben P
- ◆ Motion to approve the Bills of Resolution as amended and the Addendum to the Bills of Resolution was made by Ben P. and seconded by Bill Z.

Legislation:

**ORD. 2013-85** AN ORDINANCE APPROPRIATING FUNDS TO RUN THE VILLAGE OF MANTUA DURING THE FISCAL YEAR ENDING DECEMBER 31, 2014 AND DECLARING AN EMERGENCY. 2nd Reading.

- ◆ Motion to amend fund 4903 from \$1000 to \$5000 made by Ben P., seconded by Bill Z. All voted Aye.

**ORD. 2013-91** AN ORDINANCE AMENDING SECTION 921.03(a)(2) OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES, IN ORDER TO CODIFY THE FEE FOR WATER TAP-IN PERMITS, AND DECLARING AN EMERGENCY. 1st Reading.

- ◆ Motion to suspend rules made by Ben P. & seconded by Bill Z. All voted aye.
- ◆ Motion to approve the ordinance made by Ben P. and seconded by Bill Z. All voted aye.

**ORD. 2013-92** AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2013 APPROPRIATIONS AND DECLARING AN EMERGENCY. 1st Reading.

- ◆ Motion to suspend rules made by Ben P. & seconded by Bill Z. All voted aye.
- ◆ Motion to approve the ordinance made by Ben P. and seconded by Bill Z. All voted aye.

**RES. 2013-93** A RESOLUTION AUTHORIZING THE CLERK TREASURER OF THE VILLAGE OF MANTUA TO CREATE A THEN AND NOW PURCHASE ORDER TO PAY C.T. CONSULTANTS AND DECLARING AN EMERGENCY. 1st Reading

- ◆ Motion to amend the resolution by adding the purchase order number of 365 was made by Ben P. and seconded by Bill Z. All voted aye.
- ◆ Motion to suspend the rules made by Ben P. and seconded by Marty H. All voted aye.
- ◆ Motion to approve the ordinance made by Ben P. and seconded by Marty H. All voted aye.

**ORD. 2013-94** AN ORDINANCE ACCEPTING AN EASEMENT FOR SANITARY SEWER PURPOSES FROM MARK GONCZY AND DECLARING AN EMERGENCY. 1st Reading

- ◆ Motion to suspend the rules made by Ben P. and seconded by Paul J. All voted aye.
- ◆ Motion to approve the ordinance made by Ben P. and seconded by Paul J. All voted aye.

**ORD. 2013-95** AN ORDINANCE ACCEPTING AN EASEMENT FOR SANITARY SEWER PURPOSES FROM JUDITH ANN GONCZY AND DECLARING AN EMERGENCY. 1st Reading

- ◆ Motion to suspend the rules made by Ben P. and seconded by Paul J. All voted aye.
- ◆ Motion to approve the ordinance made by Ben P. and seconded by Paul J. All voted aye.

**ORD. 2013-96** AN ORDINANCE ACCEPTING AN EASEMENT FOR SANITARY SEWER PURPOSES FROM THE CRESTWOOD LOCAL SCHOOL DISTRICT BOARD OF EDUCATION AND DECLARING AN EMERGENCY. 1st Reading

- ◆ Motion to suspend the rules made by Ben P. and seconded by Paul J. All voted aye.
- ◆ Motion to approve the ordinance made by Ben P. and seconded by Paul J. All voted aye.

**ORD. 2013-97** AN ORDINANCE ACCEPTING AN EASEMENT FOR SANITARY SEWER PURPOSES FROM MATTHEW BENNER AND LORRIE LEE BERKEY BENNER AND DECLARING AN EMERGENCY. 1st Reading

- ◆ Motion to suspend the rules made by Ben P. and seconded by Paul J. All voted aye.
- ◆ Motion to approve the ordinance made by Ben P. and seconded by Paul J. All voted aye.

**ORD. 2013-98** AN ORDINANCE ACCEPTING AN EASEMENT FOR SANITARY SEWER PURPOSES FROM KENNETH WAYNER AND BETH WAYNER AND DECLARING AN EMERGENCY. 1st Reading

- ◆ Motion to suspend the rules made by Ben P. and seconded by Paul J. All voted aye.
- ◆ Motion to approve the ordinance made by Ben P. and seconded by Marty H. All voted aye.

**RES. 2013-99** 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 2014 DEBT SERVICE REQUIREMENTS. 1st Reading

- ◆ Motion to suspend the rules made by Ben P. and seconded by Bill Z. All voted aye.
- ◆ Motion to approve the ordinance made by Ben P. and seconded by Bill Z. All voted aye.

**ORD. 2013-100** AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN LANDS OWNED BY THE VILLAGE TO THE OHIO DEPARTMENT OF TRANSPORTATION IN RELATION TO PROJECT NUMBER 82913, AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY INSTRUMENTS, AND DECLARING AN EMERGENCY. 1st Reading

Michele explained that this ordinance is in relation to the triangle of land to the north of Canada Road on Route 44. In doing the research for the upcoming highway project it came up that the "Welcome to Mantua" sign is at least partially on Jim and Debbie Haylett's land. The sign is on the Haylett's property and there is no current easement. We may want to talk to Mr. Haylett about the possibility about getting an easement before passing this ordinance. Bill Z. offered to speak with Jim Haylett.

**RES. 2013-101** A RESOLUTION ACCEPTING THE QUOTE OF KIMBLE RECYCLING & DISPOSAL, INC. FOR THE EXCLUSIVE PROVISION OF RESIDENTIAL REFUSE COLLECTION SERVICES WITHIN THE VILLAGE, AND COMMERCIAL REFUSE COLLECTION SERVICES ON AN OPT-IN BASIS, FOR THE YEARS 2014 THROUGH 2016 AND DECLARING AN EMERGENCY. 1st Reading

We are finishing our last year of the current contract and need to enter into a new contract for the next three years. Several people commented that they are happy with the service Kimble has provided over the last three years.

- ◆ Motion to suspend the rules made by Ben P. and seconded by Marty H. All voted aye.

- ◆ Motion to approve the ordinance made by Ben P. and seconded by Marty H. All voted aye.

**RES. 2013-102** A RESOLUTION AUTHORIZING AN AGREEMENT FOR THE PROVISION OF DISPATCHING SERVICES TO THE EDINBURG TOWNSHIP FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT, AND DECLARING AN EMERGENCY. 1st Reading

Edinburgh Township has contacted us to ask us to dispatch for them. Ken Justus explained that there will be a meeting on Thursday night for Edinburgh residents to ask any questions they may have.

**RES. 2013-103** A RESOLUTION ESTABLISHING THE DISTRIBUTION OF THE REVENUES EARNED FROM THE DISPATCHING CONTRACT WITH THE TOWNSHIP OF EDINBURG. 1st Reading

More will be known after the meeting on Thursday night.

**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. 1st Reading

**ORD. 2013-105** 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 Ben P. and seconded by Marty H. All voted aye.
- ◆ Motion to approve the ordinance made by Ben P. and seconded by Marty H. All voted aye.

**ORD. 2013-106** AN ORDINANCE AMENDING SECTION 941.14(l) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, RELATING TO WATER CONSUMED BUT NOT ENTERING THE VILLAGE SANITARY SEWERAGE SYSTEM. 1<sup>st</sup> Reading.

Michele started by explaining that finance recommended repealing 3 sections of this ordinance but leave provisions to allow industrial and commercial properties to have exceptions.

Michele proposes only amending (l) at this time. Rich does not agree with allowing commercial and industrial to have an exception.

Motion to amend the language in section (l) to say commercial and industrial was made by Ben P. and seconded by John C. Ben voted yes, Bill voted no, John voted yes, Paul voted no, Marty voted yes. The amendment failed.

**ORD. 2013-107** 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.

Michele, Jenny and the Mayor met with Scott Raferty of North Shore Energy Consultants, LLC to talk about energy contracts. This firm shops around and advises about the best energy rates for the coming years. He said that electricity prices will be skyrocketing over the next several years. The energy companies are not quoting far in advance, therefore it is advisable to lock into a contract ASAP.

Paul asked if we had consulted with anyone else. Michele explained that this consulting firm had shopped 22 electricity firms and they brought us the 5 best quotes.

- ◆ Motion to suspend rules made by Ben P. & seconded by Marty H. All voted aye.
- ◆ Motion to approve made by Ben P. and seconded by Marty H. All voted aye.

Department Heads and Village Engineer:

- Police Lieutenant Ken Justus –
  - December 10<sup>th</sup> in the evening is a special community program called “Hidden in Plain Sight” to share information about teen drug use.
  - Phillip Hamilton was hired on as an auxiliary officer.
  - Meeting Thursday night with Edinburgh to answer any questions about the dispatching.
  - Trick or Treat was uneventful and wet.
- Village Administrator Dave Akerley
  - Dave handed out a quote from Ohio Drilling Company to do some repair work on well #1 at the water plant. Alex will be coming out on Thursday to finish up the work and to talk to us about the repairs. The total cost will be \$17,300.
  - High Service Pump #3 at the water plant needs some repair to get it back online. It has not been working since 2012.
  - The #1 pump also needs a re-build kit.
  - Thoma came out for several issues including high service pump #2 at the water treatment plant. The waste water plant pump #1 was fried and so we took pieces out of another pump. Two pumps are running there now.
  - We are meeting with Mr. Lombardi on Friday to talk to him about the cemetery wish list.
  - The fire hydrants finally arrived today.
- ◆ Motion to approve the expenditure of \$17,300 to repair the water pump #1 made by Ben P. and seconded by Marty H. All voted aye.
- Village Engineer from C.T. Consultants:
  - Stage three plans for the sidewalk project have been submitted to ODOT.
  - The Mayor mentioned that she has received some concerns about the closing of the bridge for 80 days. ODOT has explained that because the bridge is so narrow they cannot close it one lane at a time.
  - The easements for Crestwood Sewer Project are finally complete the payments need to be made and then recorded with the county.
  - The last piece is to get the Ohio EPA permit together.
  - They reviewed the waste water treatment plant operation and reported that with some investment we could upgrade the pre-treatment process to accept extra inputs from septage haulers.
  - The initial site plan for the medical building was severely deficient and needs to be addressed.

LGIF grant application:

Nicole Bent from the State came to speak about the LGIF grant application with the Mayor along with Edie Benner, Terri Vechery, Linda Ehlert and Rich.

Rich initially said that the extra help on the grant application would be able to be covered under his retainer. After learning more about what was required it would take 30 hours from his staff and 10 hours from Rich which would cost \$2000. He is willing to ask for only \$500 now and then only receive the balance if we are successful in getting the grant.

There is also a match of 10% which can be in kind if it is project related. This may be able to include the water projects that we have already done this year. Edie also added that the in kind projects could go back three years.

Rich said that because this grant is economic development driven we need to direct the funding towards Main Street first and then fill in other spots as money allows. Rich also says that this grant happens on a quarterly cycle so that we don't necessarily have to apply in this round. Resolutions and cooperative agreements between all partners must be executed and sent with this application. Rich said that CT could have its part done by the deadline of December 9<sup>th</sup>.

Eddie said that we could still apply this quarter without a special council meeting. All of the narrative needs to be completed by December 9<sup>th</sup> but that we could send in the passed resolutions after the council approves it.

- ◆ Motion to authorize the \$500 for CT to finish the grant application was made by Ben P. and seconded by Paul J. All voted aye.

#### Committees-

- John Clark for Shade Tree – Shade tree meeting will be tomorrow at 7:30pm. There are two new members that are willing to join both Parks and Shade Tree; Randy Weaver and Wes Hawkins.
- ◆ Motion to approve the two new members to the Parks and Shade Tree committees was made by Ben P. and seconded by Marty H. All voted aye.
- Paul Janson for Finance – We are doing well and keeping a tight handle on everything. All reports are on file.
- Marty Hura for Parks – Dave and Marty looked at all of the projects that need to be done to the lodge. Parks Board Meeting at 7pm tomorrow.

Monica Groves will be decorating the mini-park as well as several downtown businesses on December 1<sup>st</sup>. Kate will check with Monica to see if she would be willing to include the businesses on Prospect and Barky Mart as they have not yet been approached.

- Mayor Clark for Planning – We are in the midst of a site plan review for the medical building.
- Mayor Clark for Cemetery – the Cemetery improvement list will be shared with Mr. Lombardi on Friday. The Mayor went through this list briefly. Michele added that we should get quotes for the mowing and tree work. Dave also wants to ask him about the possibility of getting a mini-excavator to dig graves. The Village could possibly pay for part of this and then use it for our own projects in town.
- Mayor Clark for Board of Zoning Appeals – Nothing to report
- Bill Zoller for Service Committee – Service Department is doing a good job and making progress. The cemetery is looking the best it has ever looked.

The mayor brought up the idea of hiring a cemetery sexton. She said that we already have legislation approved to have a sexton. She reported that she has been approached by someone who might be interested in the job. Kate mentioned that if we hire a sexton it is important that this person would be in charge of getting a handle on our records. There are incomplete records which are located in many places that need to be combined and completed. Ben also said that we need to get a new survey done for the cemetery which would include putting the records in order. Bill thought we should continue this discussion about a sexton at the next service meeting.

- Giles Seith for Safety – The Village is moving in the right direction. We have quality people and we are well covered.
- Marty H. for Fire Board – Nothing to report.



Lieutenant Ken Justus mentioned that we need to bring up legislation for alarm billing and said he would give Michele a draft of this legislation.

Ken also reported on behalf of the fire department that they are currently working on updating their department rating with ISO. The last time the station was rated was in 1994. Significant improvements have been made since that time so the department is currently actively working on updating this rating. Anywhere that there are fire hydrants the fire department is rated a class 6 and in the township they are rated a class 9. Within the next 42 days the fire department will be doing some more hydrant testing to help with this rating. Residents should be noticing a drop in their fire insurance rates as a result of this update.

- ◆ Motion to adjourn made by Ben P. and seconded by Marty H. All voted aye.

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Mayor Linda Clark

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Admin. Services Officer, Kate Rogers