

**Village of Mantua
Regular Council Meeting**

November 20, 2012

Mayor Clark called the meeting to order at 7:00 p.m. and led the pledge of Allegiance. Linda asked everyone to remain standing to wish John Vechery a speedy recovery while he is in the hospital and asked that all cell phones be turned off or put to vibrate mode.

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

Others Present: Mayor Linda Clark, Clerk-Treasurer Jenny August, Assistant-Clerk, Susan Skrovan, Village Solicitor Michele Stuck, Police Chief Harry Buchert, Village Administrator Anthony Fiorilli III.

Public: Aaron Snopek, Edie Benner

Motion to excuse Linda Schilling from the meeting made by B. Prescott with a second from P. Janson. All ayes on vote.

Minutes: Motion to approve the regular meeting minutes of October 16, 2012 made by B. Prescott with a second from M. Hura. All ayes on vote.

Motion to approve the special workshop minutes of October 9, 2012 made by B. Prescott with a second from M. Hura. All ayes on vote.

Motion to approve the special meeting minutes of October 25, 2012 made by B. Prescott with a second from M. Hura. All ayes on vote.

Mayors Report: Linda reported that as everyone can see, the repairs to High Street have been completed. The Village will pay \$5,000 for their portion of the repairs and an anonymous donor has agreed to pay the rest of the project. Motion to approve the donation of \$13,849.60 made by B. Prescott with a second from B. Zoller. All ayes on vote.

The Mayor added that Ronyak's donated part of the E. Franklin Street project and would ask Council to approve that donation as well. Motion to approve the donation from Ronyak Bros. Paving of \$2,250 made by B. Prescott with a second from M. Hura. All ayes on vote.

Shalersville Township is hosting a holiday party on Saturday, December 1 at their town hall. She has emailed everyone on Council as well as department heads and committee members. Decorations are up at the Village Hall. Arrangements were made to have some of the seniors from Crestwood help decorate the mini park. The Mayor will be working on the park lodge. The Chamber of Commerce has set Friday, December 7 for Santa to arrive at the mini park. The Mayor announced Sergeant Mike Rowe is collecting toys for tots for the Holidays.

Finance Report: Jenny gave her report as of October 31, 2012. She reminded department heads that no purchase orders would be issued after November 30 unless they are an emergency and approved by the Mayor and the Chair of Finance. There are a couple purchase orders that were issued before Council had an opportunity to approve them being over \$3,000. Jenny felt it better to approve them retroactively, than not at all. Motion to approve P.O. 374 to Ronyak for \$17,015.40, P.O. 402 to Ronyak for \$18,850 and P.O. 403 to Agri-Sludge for \$6,545 made by B. Prescott with a second from G. Seith. All ayes on vote. The financial reports have been copied or e-mailed to Council. The following correspondence has come in.

Correspondence:

- Portage County Health Department sent their quarterly report; it is on file at our office.
- Portage County Regional Planning is looking for people to join Visioning in Portage VIP Program. They sent information asking for each entity to appoint one citizen.
- Ohio Police and Fire Pension Fund will be increasing the "Contribution Rate" for members on a three year scale. Starting July 2013, member's contributions will go from 10% to 10.75%, in July 2014 to 11.5% and finally in July 2015 to 12.25%. At this time, employer contributions will remain the same at 19.5%.
- Nita Hendrix with Local Government Services will be coming out to do a forecast for us after January when we close out our books for the year. Jenny will schedule an appointment. She hopes that by spring if not sooner we can be taken off Fiscal Watch.

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

Bills of Resolution:

Motion to approve the Bills of Resolution with addendum for November made by B. Prescott with a second from M. Hura. 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.

ORDINANCE 2012-46: AN ORDINANCE ENACTING SECTIONS 171.09(f) AND (g) OF THE VILLAGE OF MANTUA CODIFIED ORDINANCE IN ORDER TO ESTABLISH A RESIDENT REGISTRY FOR INCOME TAX PURPOSES. TABLED AT 3rd READING. Motion to take off the table made by B. Prescott with a second from P. Janson. All ayes on vote. Michele said Council amended this last month, however, she found one item when she was putting in the amendments which she felt should be amended. In Section H, it now says, "Companies and Contractors". It might be clearer if it said, "Businesses and Contractors". A business might not be a company; it might be a sole proprietorship. Motion to amend as noted made by B. Prescott with a second from G. Seith. All ayes on vote. Motion to approve as amended made by M. Hura with a second from B. Prescott. All ayes on vote.

ORDINANCE 2012-49: AN ORDINANCE ENACTING CHAPTER 159 OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES, ESTABLISHING A HISTORIC LANDMARKS COMMISSION AND HISTORIC PRESERVATION GUIDELINES FOR THE VILLAGE OF MANTUA, OHIO. TABLED AT 3rd READING. Motion to take off the table made by B. Prescott with a second from B. Zoller. All ayes on vote. Michele said there are two minor typographical errors that need to be corrected. Section 159.03 on the 4th line, "it Pleasant" should be "Mantua". Under 159.09, B on the 2nd line where it says, "objects or areas or architectural", the second "or" should be "of". Motion to approve with the two amendments made by M. Hura with a second from B. Prescott. All ayes on vote. Motion to approve made by P. Janson with a second from B. Prescott. All ayes on vote. Mayor Clark said she has received twelve letters of interest to be on the commission and would ask that Council allow Marty, Giles and her to review the applications and pick out six to interview to present to Council. Motion to allow the Mayor to move forward as indicated made by B. Prescott with a second from P. Janson. All ayes on vote.

ORDINANCE 2012-59: (AMENDED) AN ORDINANCE AMENDING SECTION 305.09 AND 305.10 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, RELATING TO PARKING ON VILLAGE STREETS. 3rd READING. Motion to approve made by B. Zoller with a second from B. Prescott. All ayes on vote.

ORDINANCE 2012-60: AN ORDINANCE VACATING THE WESTERN PORTION OF COLLEGE STREET BETWEEN MAIN STREET AND ITS WESTERN TERMINUS. 3rd READING. The Mayor had some discussion on this legislation. Before Council vacates College Street, we have to decide if we want to keep a portion of it and have it surveyed. Michele explained that if we vacate the entire portion of College Street from Main Street to where it ends at its western line, the Village would not only have to get an easement for the existing driveway but also for a corner of the vacated College Street for the area close to the garage doors and parking area. We would be better off to have it surveyed and keep that area before vacating. Paul asked if anyone has determined how much we would need to keep. Michele said that is why we want to have it surveyed; we have received two estimates, which include Mylars and recording costs. Cliff McGuire would be around \$700. The Mayor asked if we should also contact Mr. Collier who has just recently done this.

Michele said we certainly could contact Mr. Collier as well. The Mayor said the other estimate is from C.T. Consultants for approximately \$1,750. Motion by Council to approve the surveying not to exceed \$800 made by B. Prescott with a second from P. Janson. B. Zoller abstained, all other ayes on vote.

The Mayor explained that when Barky and she have talked, he does not have any problem with the Village keeping this upper section. Michele said when we get our new legal description done; we are going to have to significantly amend this ordinance. She would recommend Council table this for now. Motion to table made by B. Prescott with a second from P. Janson. B. Zoller abstained, all other ayes on vote. Mayor Clark asked Council to allow her to contact Barky Zoller to let him know he can move forward with his plans. Motion to allow the Mayor to contact Barky Zoller made by B. Prescott with a second from P. Janson. B. Zoller abstained, all other ayes on vote.

ORDINANCE 2012-69: AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2012 APPROPRIATIONS AND DECLARING AN EMERGENCY. 1st READING. Mayor Clark informed Council that there were some unencumbered funds in Streets and Water which we want to appropriate. Motion to suspend the rules made by B. Prescott with a second from M. Hura. All ayes on vote. Motion to approve made by B. Prescott with a second from M. Hura. All ayes on vote.

ORDINANCE 2012-70: 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. 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 B. Zoller. All ayes on vote.

Departmental Reports: Police Chief, Harry Buchert reported the next Safety meeting will be Thursday November 29 at 6:30 a.m. Both Ken Justus and our K-9 officer, Vader have been State certified for tracking and have made four drug arrests to date and one forfeited vehicle. The Chief has instructed his department that no purchase orders will be issued without his approval first from now until year end. The K-9 vehicle is on the road; we are getting quotes to install the necessary equipment. Harry asked Council to accept all donations from October to today for the K-9 program. Motion to accept all donations made by B. Prescott with a second from P. Janson. All ayes on vote. Harry wished everyone a Happy Thanksgiving. The Mayor, Council and everyone wished Harry a Happy Birthday. His seventeenth anniversary of his 40th birthday!

Village Administrator, Anthony Fiorilli III thanked the Police Department for their assistance with traffic control during the High Street project. The wreaths are slated to go up this Friday along S.R. 44 with help from Brugmanns and their equipment. The Mayor and He spoke with some people this Saturday from a fracking company to sell them bulk water and possibly have some repairs done to our plant.

There is no one present tonight from C.T. Consultants.

Committee Reports:

Shade Tree: Linda Schilling is absent.

Finance: Paul Janson reported things are tight and they are only getting worse by year-end.

Parks: Marty Hura saw some work being done back by the fences; proceeding on schedule. Mayor Clark wanted to add for Parks that they are working on signage. They have a sample sign on the scouts sign at the south end of town. The cost is \$695.00 for one sign. DMRC has committed \$1,000 towards the signs. Anthony said the actual size of that sign is 9.2' across x 5' tall at the top of the arch. The Mayor asked for Council approval on the signs. Bill and Paul wondered if anyone checked the size of the sign with our Zoning Inspector, John Vechery; they seem too big. Bill felt before we proceed we need to check with John. The Mayor thought we were exempt from regulations if the Village is putting up the sign.

Michele said we do need to follow our own zoning regulations. Motion to approve the signs contingent on the approval from our Zoning Inspector made by B. Prescott with a second from M. Hura. All ayes on vote.

Planning: Mayor Clark reported they received a letter of resignation from Aaron Snopek. She would like Council and herself to ask him to reconsider. Living in a small Village, often all that we have on these "plates" overlap at some point. They would not want to lose someone like Aaron with his knowledge, dedication and integrity. Paul said then we disapprove his resignation. Council agreed they did not wish to accept it. After more discussion Aaron withdrew his letter and said he really appreciated all the kind comments. Council and the Mayor were eager to tear up his letter.

Cemetery: Mayor Clark had nothing to report.

BZA: Mayor Clark had nothing to report.

Service: Bill Zoller reported that things were going well. The street projects look nice; we just need to watch closely what we spend. Anthony asked to interject regarding the oil reservoir stainless steel tank on the Sterling. There had been a question about it at the Service meeting. The cheapest place to have it fabricated was from Butch's Welding in town for \$300.00. The manufacturer's price was \$675.00.

Safety/Fire Board: Giles Seith reported for the Fire Board that a sand and gravel company in Shalersville asked to have a portion of Beck Road vacated which was not a good idea in the eyes of the fireboard, the fire chief and township trustees.

New or Other Business: Jenny wanted to bring before Council what she had found out with regard to the refinancing of our bonds. She spoke with the same person the Fire Department dealt with and she said since we do not own them; it would be difficult to reduce the interest charged. Middlefield Bank owns the bonds. The woman is checking further into it just to be certain. We would probably have to pay off the bonds and then refinance them elsewhere.

Bill asked Anthony about seasonal snowplow help. He currently has two backup plow drivers if needed, Jeff Davis and Mike May. Jeff was a past employee and he knows the routes well. Bill asked about a night shift to help eliminate some of the overtime. Anthony said he did not discuss that with his staff. He said you cannot get anyone good to work because we are below the average rate for a plow driver with a CDL. Bill felt it would be worth putting an ad in to see what we get. Anthony said his first year, he put one employee on the midnight shift; however, it always seemed like we still needed people on the weekend causing overtime. Jenny added that Council would have to approve a rehire for J.D. since he was taken off as an employee. Motion to approve hiring Jeff Davis as a seasonal employee but not to exceed \$11.00 per hour made by B. Prescott with a second from P. Janson. All ayes on vote.

Citizens: Aaron Snopek again wanted to thank everyone. He is excited about the interest in the Landmark Commission and the applications the Mayor has received.

Motion to go into Executive Session for imminent litigation and appointment of employees at 7:49 p.m. made by B. Prescott with a second from M. Hura. All ayes on vote. Village Administrator, Anthony Fiorilli III was invited into executive session.

Motion to come out of Executive Session and back into Regular Session at 8:20 p.m. made by M. Hura with a second from B. Zoller. All ayes on vote.

Motion to approve the expenditure of \$200.00 to file a civil complaint against AKE Labs for the money they owe us made by B. Prescott with a second from M. Hura. All ayes on vote.

Motion to adjourn the meeting at 8:20 p.m. made by B. Prescott with a second from M. Hura. All ayes on vote.