

**REGULAR COUNCIL MEETING
MINUTES
DECEMBER 17th, 2013
7:00 p.m.**

The meeting was called to order at 7:00pm

Pledge of Allegiance

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

- Motion to excuse Ben Prescott was made by Bill Z. and seconded by Giles S. 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; Rich Iafelice of CT Consultants

Citizens Present: Jennifer Sobczak, Mr. and Mrs. Wayner, Stacy Turner from the Villager, Lieutenant Ken Justus

Approval of minutes from the November 19th regular Council Meeting:

Solicitor Stuck asked that under the Fire Board report the phrase "Lieutenant Justus gave Michele a draft of the legislation," be changed to "Lieutenant Justus said he would give Michele a draft of the legislation."

- Motion to amend the November minutes was made by Marty H. and seconded by Paul J. Giles S. abstained and all others voted aye.
- Motion to approve the Minutes as amended was made by Marty H. and seconded by Paul J. Giles S. abstained and all others voted aye.

Mayor's Report: Mayor Clark wished everyone a Merry Christmas and Happy New Year.

Citizens:

Mr. and Mrs. Wayner asked about when the extension for the Crestwood sewer project would begin. Mayor Clark said that we would be bidding the project in January. Mrs. Wayner said she needs two working days notice to give to the construction crew at her house. Rich Iafelice said that the EPA permit was delayed which is why the project start was delayed. The project will be bid in January and then will likely begin in March.

Financial Reports:

Clerk-Treasurer August wanted to wish everyone a Merry Christmas and a healthy, prosperous 2014. She contacted AT&T about our telephone bills and was able to renew our contracts with savings overall of more than \$3,000 annually.

She printed out the November financial reports for everyone and they are in the packets, call if you have any questions.

- Motion to approve the financial reports was made by Marty H. and seconded by Giles S. All voted aye.

Correspondence:

- The Village of Hiram is hosting a swearing in ceremony on December 19th at 7:00 p.m. at Koritansky Hall which is right near the main intersection in town. Former State Representative and Current Aurora Mayor-elect Ann Womer-Benjamin will swear in any new or re-elected officials from any community. Refreshments will be served.
- Mantua Township Trustee`s will be hosting a luncheon like they did last year. The luncheon will be held at noon on Christmas Eve in the Mantua Center School building cafeteria. All Village employees and officials are invited. We will be receiving information with more details soon. Last year it was a pot-luck luncheon, so it will likely be the same.

Bills of Resolution, Addendum Bills of Resolution:

- ◆ Motion to approve the Bills of Resolution and Addendum to the Bills of Resolution was made by Bill Z. and seconded by Giles S. All voted aye.

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. 3rd reading.

Clerk-Treasurer August pointed out the list of amendments to the appropriations. These have all been discussed in council or in committee already.

- ◆ Motion to approve the amendments to the 2014 appropriations made by Paul J. and seconded by Giles S. All voted aye.
- ◆ Motion to approve as amended was made by Marty H. and seconded by Paul J. 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. 2nd Reading

Councilman Zoller called Mr. Haylett and he said that he will do whatever is needed to make this work. He said he would be happy to sign an easement for the "Welcome to Mantua" sign. Solicitor Stuck suggested that we not pass this legislation until the easement is in place. Rich

Iafelice suggested that because of the timing of the project the easement should be finalized before January's meeting.

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. 2nd Reading

Mayor Clark reported that we are waiting for Edinburg to work out some issues on their end before we proceed.

RES. 2013-103 A RESOLUTION ESTABLISHING THE DISTRIBUTION OF THE REVENUES EARNED FROM THE DISPATCHING CONTRACT WITH THE TOWNSHIP OF EDINBURG. 2nd Reading

No discussion

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. 2nd Reading

Mr. Sargiovani who owns a rental house on Line Street said that he has no problem with the parking changes but asks that if we proceed with the changes to the parking that we wait until spring. He will need some time to remove a tree in order to make room for his tenants to park. He also asked whether Cemetery Drive is a dedicated street or whether it is just a driveway. Solicitor Stuck suggested that we maintain it like a street.

Solicitor Stuck said that she is concerned that following this ordinance exactly as written would prohibit residents from parking anywhere within the cemetery while they are visiting the cemetery.

Chief Buchert said that as he views it Cemetery Drive is only the entrance driveway and does not include all of the paved parts of the cemetery.

Councilman Seith brought up another concern about Mr. Sargiovani's house which has a Line Street address. Line Street is no longer a through road which makes it hard for safety services to locate.

He asked if the address could be changed to Prospect Street. Chief Buchert added that technically Line Street no longer exists where this house is located. It was officially closed off to become part of the trail. The Chief said he is not sure if Council took any official action to close off Line Street back in the 80s when it was changed.

Councilman Seith said there is also one more house on Franklin Street that has a Prospect Street address even though there is no access to Prospect. These situations can make it tough for safety services to locate a house efficiently.

Chief Buchert asked that this ordinance be tabled in order to look into some of the issues brought up at the meeting.

- ◆ Motion to table this ordinance made by Paul J. and seconded by Giles S. All voted aye.

ORD. 2013-106 AN ORDINANCE AMENDING SECTION 941.14 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, RELATING TO WATER CONSUMED BUT NOT ENTERING THE VILLAGE SANITARY SEWERAGE SYSTEM. 2nd Reading.

- ◆ Motion to strike 941.14 (g) made by Marty H. and seconded by Paul J. All voted aye.

Solicitor Stuck suggested we change the language of section (l) from “. . . such person, firm or corporation” to “commercial or industrial customer.”

- ◆ Motion to amend Paul J. and seconded by Marty H. All voted aye.

ORD. 2013-108 ADOPTION OF 2014 CALENDAR, AND DECLARING AN EMERGENCY. 1st Reading.

Clerk-Treasurer August pointed out that while the dates are correct, the years all still say 2013. She also asked whether since we have changed most of the other meetings to 6pm if we should change these meetings as well. Councilman Janson recommended that for the sake of the residents we keep it at 7pm.

- ◆ Motion to amend all of the 2013s to 2014 was made by Marty H. and seconded by Giles S. All voted aye.
- ◆ Motion to approve made by Marty H. and seconded by Giles S. All voted aye.

ORD. 2013-109 AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2013 APPROPRIATIONS AND DECLARING AN EMERGENCY. 1st Reading.

This is to reduce the remaining appropriations in the storm sewer fund to a zero balance as a result of the closing of this fund. The change comes at the recommendation of the Portage County Auditor.

- ◆ Motion to suspend rules made by Bill Z. and seconded by Giles S. All voted aye.
- ◆ Motion to approve made by Marty H. and seconded by Paul J. All voted aye.

RES. 2013-110 A RESOLUTION AUTHORIZING THE CLERK-TREASURER OF THE VILLAGE OF MANTUA TO REDUCE THE AMOUNT OF THE SCHEDULED MONTHLY TRANSFER FROM FUND 5201 TO FUND 5702, AND DECLARING AN EMERGENCY. 1st Reading.

This transfer is reduced because we received a check from Portage County to make up part of the needed transfer amount.

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

RES. 2013-111 A RESOLUTION AUTHORIZING A COOPERATIVE AGREEMENT BETWEEN THE VILLAGE OF MANTUA AND THE DOWNTOWN MANTUA REVITALIZATION CORPORATION, AND DECLARING AN EMERGENCY. 1st Reading.

This relates to the LGIF grant that we are applying for in order to video map our water and sewer infrastructure.

- ◆ Motion to suspend the rules made by Bill Z. and seconded by Marty H. All voted aye.
- ◆ Motion to approve made by Bill Z. and seconded by Marty H. All voted aye.

Department Heads and Village Engineer:

Chief of Police Harry Buchert – Copies of the monthly police report went out today. Chief Buchert said he would work with Mr. Sargiovani to get the parking issue at this house resolved. He also presented a 2014 purchase request for \$6388 for the computer software for the police department. He asked for council's approval for this purchase.

- ◆ Motion to approve this purchase was made by Paul J and seconded by Marty H. All voted aye.

He also explained that he has an open requisition with Independence Communications for the radio system to get transferred to a repeater system for \$2997. He anticipates the work to get done this week. He asked council for permission to get Clerk-Treasurer August to pay the bill out of 2013 appropriations.

- ◆ Motion to approve Giles S. and seconded by Marty H. All voted aye.

Village Administrator Dave Akerley – The hydrant is in at the south end of town. We are picking up a sewer lid and replacing a catch basin which will complete the project. The City of Ravenna sent a vac-truck to help clean out the sewer line at the far south end of town. We have a small leak on Woodford but were unable to isolate the valve to repair it. It will not be an easy repair because of the water lines being so hard to locate and shut off. The same problems will be likely when we start working on the hydrant fixes.

Rapid electric is going to put in an H-frame for the lift station for the Lodge. That will be up and running before the end of the year.

A technician from Thoma is coming out tomorrow to re-calibrate the meters at the waste water treatment plant and he will also be looking at high service pump number three at the water plant.

Solicitor Stuck asked about a second or larger plate to cover the hole on Woodford. Dave explained that we don't even own one plate. The one we keep using is borrowed from Stamm Contracting. We are looking at prices to get our own road plate.

Rich Iafelice from C.T. Consultants – The LGIF application was a lot of work. The scope went beyond what was originally expected. As we go forward he said that everyone needs to plan for more time in order to get these grants done properly. The grants go through a self-rating system. Rich feels that we were at 65 out of 80 on the scale. The program rep was helpful as he was putting together the information. Decisions are announced in February.

The Crestwood sewer project will be advertised on December 27th. Bids will open on the 16th of January, 2014. The award will be on January 21st. He brought two sets of plans to get to Bill Andexler as well as to Dave for the project.

The last round for OPWC grant funding will be in May of 2014. He reported that valve replacements score very high. He works with another community that was awarded a grant for 20 valves and they were able to get 67% funding.

Councilman Seith asked Rich whether he had any sway with ODOT that could help us to shorten the required time that Route 44 would be closed next year for the bridge replacement. Rich said that he had no particular influence he could give in regards to the closure time.

Committees:

John Clark for Shade Tree - The committee met last month with its new members. There was a resident request to look at a tree on the corner of Franklin and Elm Street. The committee will be making its recommendations at tomorrow's meeting. There will be a speaker tomorrow night who was one of the committee's original members. He will be speaking to the original intent of the group.

- ◆ Arbor Day Proclamation – Mayor Clark asked that we accept the Arbor Day Proclamation.
- ◆ Motion to accept the Arbor Day Proclamation made by Giles S. and seconded by Bill Z. All voted aye.

Paul Janson for Finance – the financial reports are on file and we continue to run a tight ship.

Marty Hura for Parks – Parks met last month and swore in two new members. Today we walked through the old Boy Scout building to inspect it. There is some interest from the Soap Box Derby to use the building. We will set up a meeting to discuss this with the Derby Committee.

The Mayor reported that at the Nov. 22nd DMRC meeting she was given an article about an ODNR grant for trails. She said that they are interested in having the park trails paved between Peck and Mennonite. They are also looking at a Clean Ohio trail grant. Both grants are due in February.

Mayor Clark said that we would need some expensive easements for work on the trailhead. Councilman Hura said that we have 100' right of way at the trailheads. He said that the parks committee would discuss the information that DMRC dropped off.

Mayor Clark for Planning – Mantua Station Drug has submitted plans for a second medical building. CT is currently conducting a site-plan review.

Mayor Clark for Cemetery – The Cemetery Board submitted their wish-list for the cemetery. Mayor Clark, Mr. Akerley and Ms. Rogers met with Mr. Lombardi to share the list. He had a few questions and additionally wanted to get some quotes for the larger projects

Mayor Clark for Board of Zoning Appeals – The pharmacy has submitted the application for the variance to the zoning inspector. The zoning inspector has been unavailable but the Mayor is trying to contact him to get a meeting set up. There is a 30-day window to address the application so the group will need to meet soon.

Bill Zoller for Service Committee – Councilman Zoller reported that Dave and the service department are doing a great job.

Giles Seith for Safety – Nothing to Report

Giles Seith for Fire Board - The fire station is getting a new heart monitor which is top of the line technology. Everyone should go and see it when it is up and ready to use.

New or Other Business:

- Moratorium on Chapter 913 – This chapter deals with sidewalks. The service committee has been working on legislation to determine who is responsible for the maintenance of sidewalks as well as tree-lawns and driveway aprons. The service committee will continue to work on this chapter of the Codified Ordinances and will bring legislation to Council when it is ready.

Anything else that may properly come before Council:

Executive Session if needed – Paperwork needs to go home for Dave's evaluation.

Dave would like to thank Jennifer Sobczak for all of the work she does keeping Village Hall looking nice.

- ◆ Motion to go into executive session for possible litigation as well as possible employee compensation made by John C. and seconded by Paul J. All voted aye.

- ◆ Motion to come out of executive session made by Paul J. and seconded by Bill Z. All voted aye.
- ◆ Motion to send Tammy Wheeler's claim to the insurance company made by Paul J. and seconded by Giles S. All voted aye.

There was a discussion about voting order and whether we would like to see that change in the new session of Council beginning in 2014. The concern is that if we always vote in the same order some members may be swayed by the way others vote.

- ◆ Motion to adjourn made by Marty H. and seconded by Bill Z. All voted aye.

Mayor Linda Clark

Admin. Services Officer, Kate Rogers