

PUBLIC HEARING FOR THE 2022 BUDGET

**June 15, 2021
6:15 PM**

Mayor Clark called the meeting to order at 6:15pm

ROLL CALL: Ben Prescott, Tammy Meyer, Heather Paisley, Marty Hura, and Scott Weaver.

Other Village Personnel: Mayor Linda Clark; Clerk- Treasurer, Jenny August; Village Solicitor, Michele Stuck, Police Chief, Joe Urso; and Village Administrator, Maryann Fabian.

Citizens Present:

DISCUSSION:

2022 Budget:

Mayor Clark said that on page 5 she would like to raise Municipal Income Tax Revenues to \$685,000 and on page 6 she would like to increase License tax to \$85,000. Both of these increases are to be more in line with prior years. Council agreed to recommend the amendments to be made at third reading. This will also cause a few changes in the numbers on exhibit A.

There were no other comments from Council or the public.

Adjournment

Heather Paisley moved to adjourn at 6:23 pm with a second from Marty Hura. All ayes on vote.

Mayor Linda Clark

Jenny August, Clerk-Treasurer

REGULAR COUNCIL MEETING
MINUTES
June 15, 2021
6:59 PM

Mayor Clark called the meeting to order at 6:59pm and led the Pledge of Allegiance and asked for a moment of silence for Don Havener, brother of Mayor Clark.

Roll Call: Ben Prescott, Tammy Meyer, Scott Weaver, Heather Paisley, and Marty Hura.

Other Village Personnel: Mayor Linda Clark; Clerk- Treasurer, Jenny August; Village Solicitor, Michele Stuck, Police Chief Joe Urso, Village Administrator Maryann Fabian, and Gene Arters of C.T. Consultants.

Citizens Present: Linda Schilling and Zoom viewers

Nomination of Council President:

Scott Weaver nominated Tammy Meyer to be Council President. Ben Prescott seconded. There were no other nominations. All Council members voted aye. Tammy accepted the position.

Mayors Report: *(as submitted and read by Mayor Clark)*

“Instead of my usual Mayor's report, this month I would like to address a couple of issues which have come up in connection with the Portager's reporting on our proposed income tax increase, and their public records request which we received on June 4th.

First, regarding what is continually being called a “gag order” on council: I have to stress that there is not, and never has been, a “gag order” on members of Council. We do have a policy for employees, approved by Council, which states the following:

All official communications with the news media will be issued by the Mayor or his/her designee. When an employee is contacted by the news media, the media person making the contact shall be referred to the Mayor or his/her designee. The employee shall not offer comment to the media.

In order to promote consistency and avoid ambiguity, I have encouraged the other elected officials of this village to refer media contact to me, in keeping with this policy. However, an elected official could not be reprimanded, disciplined, or suffer other consequences if they choose to make a statement to the media. I'll be the first to acknowledge that the elected officials at this table don't always agree on the important issues facing our village, and so there may very well be times when they feel that their individual viewpoint is important in order for the public to be fully informed. There is no “gag order” or any other mandate preventing this. I hope this has cleared up any misunderstanding on this issue.

Second, the public records request, made by Lyndsey Brennan of the Portager, includes a request for (I am quoting here) “Any and all documentation regarding an investigation of Mayor Linda Clark by the Portage County Prosecutor’s office after January 1, 2019.” This issue also needs clarification.

In January of 2020, former employee Chelsea Gregor made a complaint against me, alleging that I was harassing her. This complaint was submitted to then council president Bob Gaglione, pursuant to Mantua Employee Manual section 8.2, which also states that “all complaints will be investigated”. Because we are a small Village, and it would have been very difficult to have our own personnel conduct an investigation that we could be confident was impartial and unbiased, our Solicitor recommended that we needed to find someone from outside Mantua, who didn't know any

of the parties involved, to conduct the investigation. Ultimately, she reached out to Portage County Prosecutor Vic Viglucci, and asked if he would lend us one of his investigators to conduct this Mantua Village investigation, which he very graciously did. So, although the investigation of Miss Gregor's complaint was conducted by a person otherwise employed by the Portage County Prosecutor's office, they did the investigation under the Village of Mantua's own policies, and as a special investigator on loan to us in an unusual circumstance. Hopefully this resolves any remaining confusion on this subject.

I felt then and still feel this was an incomplete investigation! As, only one side was investigated. The people that the complainant listed. I feel that all the employees of the Village of Mantua and Village Council should have been talked to also.

Finally, I ask Council to have this statement put into the minutes verbatim by motion. Thank you.”

❖ Scott Weaver moved to have the Mayor’s statement put into the minutes verbatim, with a second from Tammy Meyer. All ayes on vote.

Citizens:

Linda Schilling, a resident of Reservoir Drive had a few questions:

1. Regarding the ½% income tax increase, she asked Chief Urso if he checked into how much it would cost to have the county dispatch for us. Chief Urso said we are in a contract with the fire district and must continue dispatching until at least the end of 2022.
2. How much money will we save if the levy does not pass? Chief Urso and Mayor Clark said zero.
3. Can we get Garrettsville to stay with us for dispatching? Chief Urso said that we made a counter offer and their Council opted to go with the county for a three year contract.
4. If the levy passes, and then someday we have to get rid of dispatch what happens to the money? Tammy Meyer said it will stay in the Police Department budget.
5. Are we getting money from Portage County for income tax because of their employees working in the village? Jenny said she would check the RITA website but she was pretty sure that the county pays us income tax.
6. The siren at the reservoir is not working. Chief Urso said the siren is on a piece of property owned by the fire district. Chief Roosa does not intend to restore it.
7. The village has a contract with Jenny with \$6,000 earmarked for doing income tax. Is Rita getting that \$6,000 now or is Jenny still getting that \$6,000? That would decrease her lump sum. Ben said you can’t change her salary during her term. Jenny said she is still getting her full salary. She assumed all of the responsibilities of her assistant that was paid \$20,000 per year. Jenny said it doesn’t say anything in the codified ordinances that \$6,000 of her salary is for income taxes. The \$6,000 increase was given to the previous Clerk-Treasurer a long time ago when she added income tax collections to her job. Jenny asked Michele if it says anywhere in the codified ordinances that \$6,000 of her salary is for taxes. Michele said it does not.

Financial Reports:

Jenny said that we received our annual report from RITA. If you add all of the tax they collected, and then subtract the percentage that we paid them for collecting, we came out almost exactly the same as in 2019 when we did our own collections. Jenny thinks that could be because of loss of employment, or temporary shutdowns such as Mantaline had. This year she thinks we will do much better. The percentage that we paid RITA for tax collections ended up being 2.2%.

Funds are stable. Revenues totaled about \$116,260 (more than half were income taxes) and expenses including payroll came to about \$130,664 which is high because of the Woodford

Excavating payment of \$34,000 for work on West Prospect, and Meyer Design which was for playground fabric that goes under the mulch, and \$7,200 to the county for the voided check. Jenny said we are upside down again this month but hopefully we will make it up later.

For the revenue and appropriation status reports, Jenny said that we are still slightly under on revenues. We should be around 42% on revenues and appropriations but we are not. Revenues are low at 35% and some of that is still license tax. Jenny hopes we get a surge in August of all of the people that delayed getting plates until the July extension ended. Appropriations look good at 39%.

There was one adjustment on the bank reconciliation. It was the voided check we talked about last month. Since the check was issued in 2020 it shows as a fund adjustment. It was for \$7200. Checks 46504 through 46544 were written in May. There were no questions or comments on the Financial reports.

- ❖ Ben Prescott moved to approve the Financial Reports with a 2nd by Scott Weaver. All voted yes.

Correspondence:

Mayor Clark said we have received a lot of checks for the Killed In Action Memorial.

Bills of Resolution, Addendum Bills of Resolution

Jenny said there may be a change in the Wright Express charges as to how they are split in service funds, but the amount will not change. There was no discussion.

- ❖ Motion to the Bills of Resolution and the Addendum Bills of Resolution by Ben Prescott with a 2nd by Scott Weaver. All ayes on vote.

Minutes:

- ❖ Scott Weaver moved to accept the minutes from the May 18, 2021 Budget Workshop, with a second from Heather Paisley. All ayes on roll call.
- ❖ Ben Prescott moved to approve the regular Council meeting minutes of May 18, 2021 with a second from Marty Hura. All voted yes.
- ❖ Motion to approve the May 27, 2021 Special Council meeting minutes by Ben Prescott with a second from Tammy Meyer. All voted yes.

Legislation:

ORD. 2021-24 AN ORDINANCE AMENDING SECTION 331.45 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, RELATING TO DISTRACTED DRIVING, AND DECLARING AN EMERGENCY. 3rd Reading.

Michele said we can tighten up this legislation just a bit more. She would recommend further amendments to add language to subsection 331.45.b “cellular data, or global positioning services”.

- ❖ Motion to amend by adding language to Section 331.45 subsection B of the Codified Ordinances by Ben Prescott to add “cellular data or global positioning services” with a second by Scott Weaver. All ayes on vote.

Linda Schilling said “Does the Police Officer have to see them holding their phones or can they follow them to Derthics hill”? What if you aren’t touching your phone and they follow you out of the village and accuse you of being on your phone but you weren’t? Because I know someone that this happened to and now they won’t come to this village or ever shop here.” Michele said that if the offense happens in the village then they can be stopped out of the village limits. Chief Urso said the infraction would have had to occur in the village but there are a variety of reasons that they may not have been stopped immediately. Tammy and Heather both said the amendments make them feel safer.

- ❖ Motion to approve as amended by Scott Weaver with a second from Ben Prescott. All ayes on vote.

ORD. 2021-25 AN ORDINANCE APPROVING AND ADOPTING A PERMANENT BUDGET FOR 2022 FOR THE VILLAGE OF MANTUA, AFTER PUBLICATION AND PUBLIC BUDGET HEARING PURSUANT TO OHIO REVISED CODE 5705.30. 3rd

Reading.

Tammy Meyer read the proposed amendments that were recommended in the budget hearing prior to Council. In the General Fund revenues, we would increase Municipal Income Tax to \$685,000, and then in Streets revenues we would increase License Tax to \$85,000, and then tidy up the respective number changes in exhibit A.

- ❖ Motion to amend by Ben Prescott with a second from Tammy Meyer. All voted aye.
- ❖ Motion to approve by Ben Prescott with a second from Tammy Meyer. All ayes on vote.

ORD. 2021-26 AN ORDINANCE AMENDING SECTION 121.03, ARTICLE XII, SECTION (1)(a) OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES CONCERNING THE SERVICE COMMITTEE. 2nd Reading.

Mayor Clark said this is just removing some language relating to water and sewer from the Codified Ordinances and adding storm sewer.

ORD. 2021-27 (amended) AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF MANTUA, AT THE GENERAL ELECTION ON NOVEMBER 2, 2021, A PROPOSED TAX ORDINANCE AMENDING SECTION 173.012 OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES, "PURPOSES OF TAX; RATE", SO AS TO INCREASE THE RATE OF TAXATION ON INCOME FROM ONE AND ONE-HALF PER-CENT (1.5%) TO TWO PER-CENT (2%), THE ADDITIONAL ONE-HALF PER-CENT TO BE USED ONLY FOR LAW ENFORCEMENT AND PUBLIC SAFETY PURPOSES. 2nd Reading.

Chief Urso said Garrettsville signed a three year contract with the Sheriff's Office for dispatching. We are not a 911 dispatch center. We are a secondary 911 and residents do call us directly and like it when someone they know answers their call. Also, residents want to continue with 24/7 police coverage. Mayor Clark said if the levy fails, we will have to discuss cuts.

RES. 2021-28 A RESOLUTION REQUESTING AND AUTHORIZING THE PORTAGE COUNTY BOARD OF ELECTIONS TO PLACE UPON THE VILLAGE OF MANTUA BALLOT AT THE GENERAL ELECTION OF NOVEMBER 2, 2021, THE QUESTION OF WHETHER ORDINANCE 2021-27, INCREASING THE VILLAGE OF MANTUA INCOME TAX TO TWO PERCENT (2%), SHALL BE APPROVED IN ACCORDANCE WITH OHIO REVISED CODE SECTION 718.04. 2nd Reading. This is the ballot language for the previous ordinance. Tammy asked how much it costs to put this on the ballot. Jenny said she thinks it is around \$300. Michele said there might not be a fee for the General election ballot.

ORD. 2021-30 AN ORDINANCE AMENDING SECTION 157.02 OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES CONCERNING PERSONAL INFORMATION RECORDS KEPT BY THE VILLAGE OF MANTUA. 1st Reading.

This is also removing some water and sewer language from the Codified Ordinances.

Department Heads and Village Engineer

Police Chief Urso:

Chief Urso they had a Safety meeting June 2nd.

Old business: they discussed covid guidelines and the dispatch contract with Garrettsville.

New Business. We are looking for a person to replace Matt Rosolowski on the interview panel for the Sergeant position. We hired a new dispatcher and we had one leave. We discussed having extra patrol at the park to help control vandalism and also for the Soap Box Derby this Saturday. Mayor Clark said the Rib Burn-off is also this Saturday. Chief is planning to try to have an extra Officer on the road.

Village Administrator's Report:

Village Administrator Maryann Fabian said the report is in the Council packet. There were no questions.

Heather asked where we got the pressure washer tote. Maryann said it was free from Sal Chemical, and Benjamin Trucking delivered it for free. Marty Hura asked if we are replacing the light on the time capsule. Maryann said yes, with an LED light.

Maryann asked Council for a motion to grant river access to Northeast Ohio Regional Sewer District to take samples of micro invertebrae that live on the bottom of the river. Ben Prescott moved and Scott Weaver seconded the motion. All ayes on vote.

Gene Arters from C.T. Consultants:

Gene said the Buchert Park Trail phase 3 is waiting for the ODNR contract. OPWC Round 36 for West Franklin dead end to Elm Street has been submitted. The Dollar General is almost complete. West Prospect Phase 2 is almost completed. The vet clinic is still on hold. Tammy asked if the Dollar General changed their color scheme. Gene said it is gray now, but they might paint when it is done.

Mayor Clark said we applied for the OPWC Round 35 funding for Main Street to Glenwood and Grand Elm and the grant was denied because of low scores. We are still eligible for the loan. Now that Portage County has taken over has this project gone away? It was \$247,000 to change the 4" waterlines to 6". Gene will talk to Rich about it.

Committees

Scott Weaver for Service, and Planning:

Service- The Service Committee discussed finishing up Buchert Park phase 2. We are waiting on paperwork for phase 3. We talked about crack sealing. Canada Road is done.

Planning- We are still talking about chickens in the village. Three letters were sent out. We are going to be talking more about food trucks in the village, and sidewalks. We should have a list put together in July. Linda Schilling asked if residents have to pay for half of the cost of repairing the sidewalk. Scott said the owner pays the whole cost. We are going to try to work with a local contractor. Linda Schilling asked about tree roots tearing up sidewalks. Does the village pay half the cost for having the tree removed? Mayor Clark said the tree removal is 50/50 shared between the village and homeowner. Heather asked if the village gets quotes to get everything done at once. Mayor Clark said yes.

Heather Paisley for Safety:

Heather said the Chief covered everything.

Marty Hura for Safety, Parks and Shade Tree:

Parks: Marty said Maryann covered parks, but he wanted to ask about the barrels behind Mantaline. Maryann said they are taking care of a tree today or tomorrow and then the barrels we be removed.

Shade Tree: Looking at replanting trees.

Mayor Clark for Cemetery & Board of Zoning Appeals:

Cemetery- Cookie told her about a limb on the mausoleum, and it has been taken care of. We have raised enough funds for the KIA memorial. We have ordered the memorial. Dave Akerley is getting ready to do spring footers.

Board of Zoning Appeals- There is one hearing Wednesday the 23rd of June at 6:30.

Tammy Meyer for Finance-

Tammy said we have already talked about Finance. The Finance Committee talked about Jenny's job. We discussed if Jenny still needs to work full time, if she will retire at the end of the year, if we would make her position part time, and if there would be medical coverage for the position. Tammy said we asked Jenny for a list of duties so they can work on a job description, and also for comparable jobs and salaries for around this area.

PCR- Ben said they are still working on new regulations for subdivisions.

New and Other Business-

Scott Weaver said regarding the siren at the reservoir, do we really need it, and could we use Cares Act money to replace it. Chief Urso said he has to talk to Fire Chief Roosa. Chief Roosa has talked about removing it. Heather Paisley would like to see it replaced. Michele said it is the property of Mantua Shalersville Fire District. Linda Schilling said the neighbors want it fixed. Chief Urso suggested that they go to a Fire Board meeting.

Linda Schilling asked if the cost of a grave includes a vault. It does not.

Anything else that may properly come before Council-

Mayor Clark said she and Maryann are going to be meeting to discuss a new front end loader. Dean Stebbins looked at the one we have and said it is not worth fixing. There should be information by the next Service meeting.

Adjournment

❖ Ben Prescott moved to adjourn at 8:02 with a second from Marty Hura. All eyes on vote.

Mayor Linda Clark

Jenny August, Clerk-Treasurer