

Regular Meeting of the Mantua Village Council, November 16, 2004

Mayor Hopkins opened the meeting at 7:00PM at Village Hall, and led the Pledge of Allegiance.

ROLL CALL: Marty Hura, Jim Rogers, Wes Hawkins, Pearl Campbell, Linda Schilling, and Carolyn Hummel. All ayes on roll call.

OTHERS PRESENT: Clerk-Treasurer Betsy Woolf, Assistant Clerk Mary Pallone, Police Chief Harry Buchert, Solicitor David Benjamin, Village Administrator Ed Trego, Rich Iafelice with CT Consultants.

APPROVAL OF MINUTES of October 19, 2004. C. Hummel moved to bring to floor. J. Rogers second. All ayes on roll call. A motion by C. Hummel to accept minutes as submitted. Second by J. Rogers. All ayes on roll call.

MAYOR'S REPORT:

Mayor Hopkins attended the SBC meeting at the Park Lodge on November 11th. He also wished everyone a Happy Thanksgiving.

CLERK'S REPORT:

B. Woolf reported the fund status balance, the receipts and expenses for the month of October.

BILLS OF RESOLUTION:

A motion to bring the bills of resolution to the floor was made by C. Hummel and seconded by J. Rogers. All ayes on roll call. J. Rogers made the motion to accept the bills as submitted. Second by C. Hummel. All ayes on roll call.

LEGISLATION:

ORDINANCE 2004-11, AN ORDINANCE ADOPTING CHAPTER 480 OF MANTUA'S ZONING CODE ENACTING AN EXTERIOR MAINTENANCE CODE FOR THE VILLAGE OF MANTUA, WITH AN AMENDMENT AND DECLARING AN EMERGENCY. J. Rogers motion to bring the legislation off the table. Second by C. Hummel. All ayes on roll call. B. Woolf handed out the "Property Maintenance Advisory Board" update to the Ordinance. W. Hawkins had a question about having the Board of Zoning Appeals meet quarterly concerning problems with the maintenance code. Solicitor D. Benjamin cited Section 480.06e, "...within thirty days, unless a longer time is required...". The Mayor asked for comments from the residents. C. Vanek spoke to the zoning inspector in the City of Solon, who told her that in his 22 years the City had taken 2 people to court. Bob Ress stated he felt the government is responsible for the health and well being of its residents. Mr. Tom Aldrich stated that he has never heard how Mantua zoning inspector, Bill Zoller feels about the proposed code, but complimented Mr. Zoller on the job he has done for the Village. He agrees with the proposed maintenance code, but feels the burden is put on the residents to comply. J. Rogers made a motion to approve the amendment. Second by C. Hummel. J. Rogers, aye; C. Hummel, aye; M. Hura, aye; P. Campbell, abstain; W. Hawkins, no; L. Schilling, aye. J. Rogers motion to pass the ordinance on the 3rd and final reading. Motion second by C. Hummel. On roll call, J. Rogers, aye; C. Hummel, aye; M. Hura, aye; P. Campbell, abstain; W. Hawkins, no; L. Schilling, aye.

ORDINANCE 2004-21, AN ORDINANCE AMENDING PRIOR ORDINANCE NO. 2001-49 AND SECTION 165.22 OF MANTUA'S GENERAL EMPLOYMENT PROVISIONS, TO ESTABLISH A POLICY CONCERNING FIREARMS AND OTHER WEAPONS ON MANTUA VILLAGE PROPERTY, AND DECLARING AN EMERGENCY. 3RD READING. M. Hura motion to bring to floor. W. Hawkins second. All ayes on roll call. J. Rogers made a motion to approve. C. Hummel second. All ayes on roll call.

ORDINANCE 2004-26, AN ORDINANCE AUTHORIZING THE VILLAGE MAYOR, CLERK-TREASURER, AND POLICE CHIEF TO PREPARE BID DOCUMENTS AND SOLICIT BIDS FOR A 2004-2005 POLICE VEHICLE, AND DECLARING AN EMERGENCY. 2ND READING. M. Hura made a motion to bring to floor. W. Hawkins second. J. Rogers, aye; C. Hummel, abstain; M. Hura, aye; P. Campbell, aye; W. Hawkins, aye; L. Schilling, aye. M. Hura motion to pass on 2nd reading. J. Rogers second. J. Rogers, aye; C. Hummel, abstain; M. Hura, aye; P. Campbell, aye, W. Hawkins, aye; L. Schilling, aye.

ORDINANCE 2004-29, AN ORDINANCE APPROVING THE CONTRACT BETWEEN THE VILLAGE OF MANTUA AND THE PORTAGE COUNTY PUBLIC DEFENDER COMMISSION FOR THE TIME PERIOD JANUARY 1, 2005 THROUGH DECEMBER 31, 2005 TO PROVIDE INDIGENT DEFENDANTS CHARGED WITH 'JAILABLE OFFENSES' DEFENSE COUNSEL, AUTHORIZING THE MAYOR AND VILLAGE CLERK-TREASURER TO ENTER INTO AN AGREEMENT TO THIS EFFECT AND DECLARING AN EMERGENCY. 2nd READING. C. Hummel motion to bring to floor. Second by J. Rogers. All ayes on roll call. J. Rogers motion to pass on 2nd reading. Second by W. Hawkins. All ayes on roll call.

ORDINANCE 2004-30, AN ORDINANCE REVISING, AMENDING AND/OR ELIMINATING PORTIONS OF SECTION 305.09 OF MANTUA'S CODE OF ORDINANCES TO MODIFY THE PROHIBITED AND RESTRICTED PARKING AREAS ON VILLAGE STREETS AND DECLARING THIS AN EMERGENCY, AS COUNCIL WISHES THIS TO BE IN EFFECT AT THE EARLIEST TIME ALLOWED BY LAW. 2ND READING. C. Hummel made a motion to bring to floor. J. Rogers second. All ayes on roll call. C. Hummel made a motion to pass on 2nd reading. Second by J. Rogers. All ayes on roll call.

ORDINANCE 2004-32, AN ORDINANCE APPROVING AND ADOPTING THE APPROPRIATIONS FOR 2005 FOR THE VILLAGE OF MANTUA, CALLED FOR IN THAT BUDGET, AND DECLARING AN EMERGENCY. 2nd READING. J. Rogers motion to bring to floor. W. Hawkins second. All ayes on roll call. C. Hummel made a motion to pass on 2nd reading. Second by J. Rogers. All ayes on roll call.

ORDINANCE 2004-34, AN ORDINANCE APPROVING THE OLD FIRE STATION PURCHASE AGREEMENT BETWEEN THE VILLAGE OF MANTUA AND THE MANTUA TOWNSHIP TRUSTEES, BOTH GOVERNMENTAL ENTITIES, FOR THE SUM OF ONE HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$145,000.00) UPON THE TERMS OUTLINED IN THE ATTACHED AGREEMENT, DETERMINING THE EXISTENCE OF A REAL AND PRESNET EMERGENCY, AUTHORIZING THE MAYOR, THE VILLAGE CLERK-TREASURER AND THE VILLAGE ADMINISTRATOR TO ENTER INTO AN AGREEMENT TO THIS EFFECT, AND DECLARING AN EMERGENCY. 1st READING. M. Hura made a motion to bring to floor. Second by J. Rogers. All ayes on roll call. Noted in discussion, legislation is strictly for the purchase. J. Rogers would like to see a caveat in the agreement on finding asbestos in building. M. Hura noted it is an existing building structure. No requirements when addition put on building. Village Administrator Ed Trego asked that the Village Administrator be stricken from the agreement, noting his position has nothing to do with the purchase. C. Hummel motion to pass on 1st reading. M. Hura second. All ayes on roll call. C. Hummel motion to suspend rules. Second by W. Hawkins. All ayes on roll call. Motion by C. Hummel on 3rd and final reading. Second by M. Hura. All ayes on roll call.

ORDINANCE 2004-35, AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE ESTABLISHING AND DESCRIBING THE BOUNDARIES OF THE MANTUA VILLAGE COMMUNITY REINVESTMENT AREA IN MANTUA VILLAGE OHIO AND DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVE REVIEW COUNCIL. 1st READING. C. Hummel motion to bring to floor. J. Rogers second. All ayes on roll call. P. Campbell asked for explanation of legislation. Solicitor Benjamin explained under ORC an entity is entitled to designate Village area for tax abatements for the building of commercial, industrial and/or residential structures. He also stated that this would be an economic development tool to be used by the Village. J. Rogers motion to pass on 1st reading. Second by C. Hummel. All ayes on roll call.

ORDINANCE 2004-36, AN ORDINANCE RATIFYING FUND A TRANSFER MADE BY THE VILLAGE CLERK-TREASURER ON OR ABOUT THE CLOSE OF OCTOBER, 2004 AND DECLARING AN

EMERGENCY. 1st READING. C. Hummel motion to bring to floor. M. Hura second. All ayes on roll call. B. Woolf stated that the transfer was needed to pay the escrow for J.D. Williams. C. Hummel made a motion to bring to floor. J. Rogers second. All ayes on roll call. M. Hura motion to suspend rules. W. Hawkins second. All ayes on roll call. C. Hummel made a motion to approve on 3rd and final reading. Second by M. Hura. All ayes on roll call.

P. Campbell asked if Council could obtain copies of all of the committee reports each month. J. Rogers stated that he did not get his committee's report in on time and will do so next month.

Rich Iafelice with CT Consultants had nothing to report.

Village Administrator Ed Trego asked that the Clerk and Assistant Clerk look at the billing amount for Dawnco, Inc. noticing the amount to be in excess of proposal to clean furnaces for the Village. M. Pallone will check the billing to be sure of the correct amount. He would like to see the Village continue with the service agreement currently in place with Ohio Edison for the streetlights. He asked about the insurance for the roof project on the old water building.

Police Chief Buchert handed out the monthly report for the police department. He had nothing else to report.

Assistant Clerk M. Pallone stated that the Park Lodge will not be rented for the first two weeks in January 2005 as it will be painted and cleaned. The Friday night soup supper is still on the schedule, however, and will be January 7th.

Comments from the residents present included concern about some trees in the Village that have been tapped for many years and perhaps are a safety issue. It was noted that some of the trees are on private property and the trees are being tapped without permission from the owners.

M. Hura made a motion for Council to move in to executive session to discuss the contract and possible litigation. Second by C. Hummel. All ayes on roll call. Council moved into executive session at 7:50pm. Council reconvened their regular meeting at 8:07pm. M. Hura made a motion to adjourn. Second by C. Hummel. Council adjourned at 8:08pm.

Mayor Claude E. Hopkins

Clerk-Treasurer Betsy M. Woolf