

**Village of Mantua
Regular Council Meeting
October 17th, 2006**

Mayor Hopkins called the meeting to order at 7:00 p.m. Marty Hura led the Pledge of Allegiance.

Roll Call: Claude Hopkins, Marty Hura, Wesley Hawkins, Ben Prescott, Jim Rogers, Linda Schilling, Giles Seith.

Others Present: Clerk–Treasurer Betsy Woolf, Asst. Clerk Susan Skrovan, Police Chief Harry Buchert, Village Administrator Ed Trego, Rich Iafelice with CT Consultants, Village Solicitor David Benjamin. Les Hopkins, Scott Hollis, several Village residents.

Minutes: Motion by L. Schilling to bring the minutes from the Council meeting of August 15, 2006 to the floor. Seconded by J. Rogers. All ayes on roll call. There was no discussion. Motion to approve as submitted made by L. Schilling and seconded by J. Rogers. All ayes on roll call.

Mayor's Report: Mayor Hopkins announced October 20th at 1:30 p.m. there will be a Golden Spike Ceremony for the Headwaters Trail. The Mayor received a letter from ODNR regarding the funding for the trail leg; our proposal was not selected. They had received 75 applications. Claude met with Betty Mishler regarding her concerns on the exhaust fans running day and night. The Village has installed a timer for the fans to run only during the day. A v-splash guard may also need to be installed along the roof's edge to control run-off. W. Hawkins spoke on Mrs. Mishler's concerns. Even with the timer, the fans still run all day and are affecting her. The Village needs to look into fixing the problem. L. Schilling originally believed her main concern was while sleeping. Wes stated Mrs. Mishler has been to her doctor and there are concerns with the humming and its affect on her. Wes asked whether the exhaust fans could be re-routed. Linda felt they should talk with Mike McCauley since he did the installation. She did check into this and spoke to her husband who is a pipe fitter, he said the Village may be able to re-route the piping through the roof but it will be costly to reinstall. Ed Trego questioned whether some baffling could be installed. Wes asked whose department would handle acquiring cost estimates. It would be Ed's; he is responsible for all the structures once approval is given. Wes would like some estimates done but first check with Mike McCauley and maybe CT.

Bills of Resolution: Motion to bring the bills of resolution to the floor made by L. Schilling with a second from W. Hawkins. All ayes on roll call. There was no discussion. Motion to approve as submitted made by W. Hawkins and seconded by L. Schilling. All ayes on vote.

Legislation:

RESOLUTION 2006-29 A RESOLUTION RATIFYING FUND TRANSFER & ADVANCE MADE BY THE VILLAGE CLERK-TREASURER ON OR ABOUT THE CLOSE OF AUGUST 2006 AND DECLARING AN EMERGENCY.

Motion to bring to the floor made by M. Hura with a second from J. Rogers. All ayes on roll call. B. Woolf explained the fund transfer was done to pay the rest of the bills for the new building. The advances were put in the general fund because it was getting low. The income tax is coming in this month; all monies will be put back. B. Prescott asked whether the board would want a stipulation put in there to allow for it provided the monies are put back. Betsy said she had to do the same thing last year. E. Trego questioned advances with regard to the bulletins received from the State Auditor's office. Advances can be moved to other funds provided the other funds serve the same purpose as the original fund. Cemetery is not funded from within the general fund, is that correct. Betsy stated yes, the cemetery funds do come out of the

general fund. Ed stated items such as enterprise funds or Permissive tax the ORC is very clear on how those funds are to be used. Motion to pass made by W. Hawkins with a second from M. Hura. All ayes on vote.

RESOLUTION 2006-30 A RESOLUTION RATIFYING FUND ADVANCE MADE BY THE VILLAGE CLERK-TREASURER ON OR ABOUT THE CLOSE OF SEPTEMBER 2006 AND DECLARING AN EMERGENCY. Motion to bring to the floor made by L. Schilling with a second from W Hawkins. All ayes on vote. B. Woolf explained how the Auditor states it can be moved if you need it as long as you put it back. Betsy checks with the Auditor every time she has to go something like this. E. Trego questioned the appropriation for Street Capital Improvement. Money was to be put in every year, approximately \$65,000, there has not been anything put in for many years. This has not allowed for needed repairs and maintenance. Ed felt language should be in place stipulating when money is advanced and when and how it must be put back. W. Hawkins asked whether there needs to be more language on this before the board can vote. B. Woolf said it could be amended and then voted on. Motion to amend to read, "Monies will be returned by the date of November 1, 2006", made by B. Prescott with a second from W. Hawkins. All ayes on vote. Motion to pass with amendments made by L. Schilling with a second from M. Hura. All ayes on vote.

RESOLUTION 2006-31 A RESOLUTION AUTHORIZING THE MAYOR, CLERK-TREASURER AND VILLAGE ADMINITRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OPWC STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT(S) AND TO FURTHER AUTHORIZE THEM TO EXECUTE ALL NECESSARY DOCUMENTS NECESSARY AND APPROPRIATE TO OBTAIN THIS FINANCIAL ASSISTANCE. Motion to bring to the floor made by L. Schilling with a second from J. Rogers. All ayes on vote. Claude, is this the resolution authorizing the Village to appropriate Issue II for the Franklin Street project. Rich lafelice said yes. Motion to pass made by M. Hura with a second from J. Rogers. Majority of aye votes, G. Seith abstained.

ORDINANCE 2006-32 AN ORDINANCE AMENDING SECTION 351.99 OF THE MANTUA CODE OF ORDINANCES INCREASING THE FINES FOR ILLEGAL PARKING, AND DECLARING AN EMERGENCY, AS COUNCIL DESIRES TO INCREASE THE FINES TO FURTHER DISCOURAGE ILLEGAL PARKING. 1ST READING. Motion to bring to the floor made by W. Hawkins with a second from L. Schilling. All ayes on vote. Wes asked how big of a problem do we have with parking and why are we increasing the fees. Chief Buchert stated violators are simply paying the \$5.00 fine and parking there all day. Giles asked whether the violators were merchants. Harry said some are merchants, some are tenants. Jim commented that some other communities charge a \$250.00 fine for handicap parking violations. He felt ours is too low. David Benjamin explained to the board the "emergency" language on the Resolutions and Ordinances. It is simply to expedite the regulation once it has gone through all three readings. Instead of a 30-day waiting period, it is automatic. The public still has 90 days from the first reading to remark before it becomes active. Linda felt the fines are still too low. Wes asked if we could have a tier for fines for habitual abusers. Harry said that would be difficult to keep track of. Motion to pass on first reading by W. Hawkins with a second from J. Rogers. All ayes on vote.

RESOLUTION 2006-33 A RESOLUTION FOR THE STATE OF OHIO AND THE OHIO DEPARTMENT OF TRANSPORTATION TO RESTORE FUNDING TO THE OHIO'S PUBLIC TRANSPORTATION SYSTEMS. Motion to bring to the floor made by L. Schilling with a second from J. Rogers. All ayes on vote. Claude explained this is a declaration of support for Parta. Wes asked how it is funded. The State pays for it. Motion to pass on first reading by J. Rogers with a second from L. Schilling. All ayes on vote.

RESOLUTION 2006-34 A RESOLUTION AUTHORIZING THE VILLAGE

ADMINISTRATOR TO PREPARE AND ISSUE BID SPECIFICATIONS AND TAKE BIDS ON THE PURCHASE OF A TRUCK. Motion to bring to the floor made by L. Schilling with a second from B. Prescott. All ayes on vote. Wes commented that this was brought up and discussed at the finance committee meeting. Ed commented this is the best time of year for purchasing a used truck. The Village's one large truck is in its 21st year. It needs some work done on the chassis estimated at \$9,000. Wes felt it better to look at this good used truck instead of repairing the old one. Ed said the cost of a comparable new truck would run \$100,000-120,000. This one is in the range of \$45,000. Motion to pass made by W. Hawkins with a second from G. Seith. All ayes on vote.

RESOLUTION 2006-35 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Motion to bring to the floor made by W. Hawkins with a second from J. Rogers. All ayes on vote. Betsy explained it as housekeeping; something that comes about every year out of the budget from the County Auditor. Motion to pass made by W. Hawkins with a second from B. Prescott. All ayes on vote.

RESOLUTION 2006-36 A RESOLUTION DIRECTING AND APPROVING VILLAGE SOLICITOR DAVID M. BENJAMIN TO CONDUCT THE VILLAGE'S DEFENSE IN A LAWSUIT BROUGHT AGAINST IT BY FORMER EMPLOYEE JAMES CLEMENS AS PORTAGE COUNTY COMMON PLEAS COURT CASE NO. 2006 CV 00975, AT A FIXED PRICE OF TEN THOUSAND DOLLARS (\$10,000.00) FOR ALL ACTIVITY INVOLVED, AND TO TAKE ALL OTHER STEPS HE DEEMS APPROPRIATE.

Motion to bring to the floor made by L. Schilling with a second from M. Hura. Harry stated there will need to be an amendment made on this resolution; it should state "employee" not "former employee". This would direct David Benjamin to handle the lawsuit between the Village and Mr. Clemens and establishes a fixed price. Wes asked what he is suing for in the lawsuit. He is suing for a minimum of \$25,000 and reinstatement to his former position and former hours. Motion to amend the resolution to remove "former" made by J. Rogers with a second from L. Schilling. All ayes on vote. Motion to pass with amendment made by L. Schilling with a second from M. Hura. All ayes on vote.

Motion to accept all committee reports by L. Schilling with a second from B. Prescott. All ayes on vote.

Citizens: Scott Hollis asked about Parta, he tried contacting them and was told Mantua was not on their route. Several council members replied that Parta does come to Mantua, however, a person does need to schedule with them a few days in advance. Scott's concern was with the several days' notification. He was told he would need to go to his village council. Claude said he could contact Parta. Another resident asked how much money the Village sends to Parta. Claude replied the Village does not send any money to them.

Chief Harry Buchert had nothing to bring up tonight.

Ed Trego, Village Administrator, thanked council regarding the truck bid and thanked CT. Ed would like a draft workshop set up on finance. Wes checked his calendar and said Wednesdays and Thursdays are good for him. Ed also commented on the Street Capital Improvement funding which used to have 15% deferred to it for improvements. He thought it had been pulled for only one year for other capital. We need to put that back.

In addition, Ed spoke regarding the cemetery trust; this is another issue that needs to be addressed. For all items requested, they need to be presented soon enough so they can

get through the trust.

Rich lafelice with CT Consultants commented the Village's infrastructure is in need of repair. He would like to get together for a workshop. Water and Sewer especially needs addressing. Other communities have a storm water utility; many have road levies as well.

Jim Rogers mentioned there is a Chamber of Commerce meeting, Wednesday, October 18th at the Mantua Civic Center, 7:00 p.m. John Grossman will speak on revitalizing downtown.

Marty Hura commented that Brian Rogers, Ed Trego and himself met and walked the trail. There were some citizens as well that offered their assistance.

Betsy Woolf commented, financially, the general fund is always hurting and on top of that, we will lose 23% of our income tax with Eaton Corporation leaving.

Giles Seith commented on Eaton Corp. and the fact that they are relocating to Mexico. We as citizens need to be the squeaky wheels to our constituents. It is an election year. We also need to look for someone to come and fill the building as soon as possible. Ed said if Cy Thompson's office is still open, we should get with them and see what the Village can look at for economic development. Claude will talk with Roy Weber and Kathleen Chandler.

Scott Hollis asked what was happening with the old police station. Claude responded that we plan to go in and inventory everything and put it up for auction. It was appraised to sell.

Motion to go into executive session at 7:59 p.m. on possible litigation made by W. Hawkins with a second by G. Seith. All ayes on vote.

Motion to reconvene the meeting at 8:14 p.m. made by M. Hura with a second by W. Hawkins. All ayes on vote.

Motion to adjourn the meeting at 8:14 p.m. made by B. Prescott with a second by M. Hura. All ayes on vote.

Mayor Claude E. Hopkins

Clerk-Treasurer Betsy M. Woolf