

**Village of Mantua
Regular Council Meeting
August 18, 2009**

Mayor Hawkins called the meeting to order at 7:00 p.m. and led the pledge of Allegiance. There was a moment of silence for the passing of Cal Leventry, who was a past Village Service Department employee for 18 years.

Roll Call: Donna Hawkins, Jim Rogers, Linda Schilling, Marty Hura, Ben Prescott, Roger Hawkins, Giles Seith.

Others Present: Clerk-Treasurer Jenny August, Asst. Clerk Susan Skrovan, Village Solicitor Michele Stuck, Police Chief Harry Buchert, Village Administrator Ed Trego, Rich lafelice with C.T. Consultants.

Public: Cindy Toth, Pearl Campbell, John & Linda Clark, Patsi Gast, Randy & Lauren Weaver, Jerry Zimmerman, Joan Sweet, Marie Stehli, Christine Pitsinger, Melissa Lyle, Gregg Reink & Dale Monreal with Crestwood Schools, Don Buchert and others.

Minutes: Motion to approve the meeting minutes of July 21, 2009 made by B. Prescott with a second from L. Schilling. All ayes on vote.

Mayors Report: Mayor Hawkins reported on dispatch service opportunities available to the Village. Hiram Village has contracted with our Village. This means an additional \$30,000 per year. Windham Township has approached our Police Chief to discuss fire dispatch service as well. Finance Committee has given their approval to the Mayor and Chief to do a feasibility study. Donna met with County Commissioner, Maureen Frederick and Grant Administrator, Dan Banks to discuss a recent development with the Aurora Meadows project. The County will not be receiving the job ready stimulus money they had hoped for on this project. However, with support from the USDA and the Ohio EPA it should keep the project on track and on time. Last Friday, the Mayor was honored to swear in Sergeant Bob Reitz as an auxiliary officer, we welcome him back.

Finance Report: Clerk-Treasurer, Jenny August gave the financial report as of 7/31/09. Exhibit "A" given to Council at tonight's meeting belongs with Resolution 2009-42. The auditors are done here with their site work. They will continue off-site and when they are finished, they will call a meeting with Council and the Mayor to discuss their findings and recommendations. One of the members of the audit team, Brian, said our audit seemed standard. Tanya, head auditor, did have some concerns on our sewer fund being very low and said that Council needs to manage the spending. The sewer fund should be our priority. Jenny reports that Sue and she attended a free workshop put on by the State Auditor's office on procedures for reporting stimulus money. At the time we signed up for this, we were anticipating stimulus money for the Police Department. That did not happen but we decided to attend anyway in case something should develop in the future. Lastly, she has received a \$500.00 check yesterday from David Benjamin.

Motion to approve the financial reports: bank statements, fund status, revenue & expenses reports made by L. Schilling with a second from B. Prescott. All ayes on vote.

Bills of Resolution: Motion to approve Bills of Resolution with addendum for August omitting the C.T. bills. Linda had some questions on the bills list. She asked about the \$300.00 check to the Mayor, whether this was for her moving to the upstairs office. Donna said no, that was for marriages she performed last year. Linda asked about the contract with J & M for mowing and the invoice from Green Funeral Home, item #114. Ed said the

mowing is not a set amount but per hour. It is specific to each site per cut. Jenny said they had discussed the cemetery bill at Finance. There had been vandalism to some headstones; this one was too large for our people to set back in place. Motion by J. Rogers with a second from B. Prescott. All ayes on vote.

Motion to approve the C.T. bills made by L. Schilling with a second from J. Rogers. B. Prescott abstained, all other ayes on vote.

Legislation:

RESOLUTION 2009-33: A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK-TREASURER TO ENTER INTO AN AGREEMENT WITH THE VILLAGE OF HIRAM FOR THE PROVISION OF DISPATCHING SERVICES TO THE VILLAGE OF HIRAM, WHICH SERVICES INCLUDE DISPATCHING FOR THE HIRAM POLICE DEPARTMENT AND THE HIRAM FIRE DEPARTMENT, INCLUSIVE OF EMS SERVICE DISPATCHING. 3rd READING. Motion to approve made by L. Schilling with a second from B. Prescott. All ayes on vote.

ORDINANCE 2009-38: AN ORDINANCE AMENDING, ADDING TO, AND OTHERWISE MODIFYING, CHAPTER 131 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, CONCERNING THE POSITION OF MAYOR. 2nd READING.

RESOLUTION 2009-41: A RESOLUTION DETERMINING WHERE THE REVENUES EARNED FROM THE DISPATCHING CONTRACT WITH THE VILLAGE OF HIRAM WILL BE DISTRIBUTED. 1st READING.

RESOLUTION 2009-42: A RESOLUTION AUTHORIZING THE ACCEPTANCE OF EQUIPMENT VALUED AT \$3,312.50 FROM THE PORTAGE COUNTY OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY BY THE VILLAGE OF MANTUA, AND DECLARING AN EMERGENCY. Motion to suspend the rules made by L. Schilling with a second from J. Rogers. All ayes on vote. Motion to approve made by L. Schilling with a second from J. Rogers. Harry said this was mentioned at our last Council meeting that we received this equipment. This is just a follow up to accept it. Ben asked what the NIMS guide was. Harry explained. All ayes on vote.

RESOLUTION 2009-43: A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO REPAY AN ADVANCE MADE TO THE STREET CONSTRUCTION AND MAINTENANCE FUND BY TRANSFERRING \$9,989.51 TO THE GENERAL FUND AND DECLARING AN EMERGENCY. Motion to suspend the rules made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to approve made by J. Rogers with a second from L. Schilling. Ed asked if this would take away the cash in the street fund or is this just adjusting the appropriations. Jenny explained this would move funds back to the General Fund that were advanced in March to pay the C.T. bills. Jenny is still waiting on a check from the State in order to be comfortable moving this money back. Ed said then it would not be moved if we need money to operate the street department? We still need to make payroll but we need to watch our spending. All ayes on vote.

RESOLUTION 2009-44: A RESOLUTION AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2009 APPROPRIATIONS AND DECLARING AN EMERGENCY. Motion to suspend the rules made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Prescott. Jenny explained this is to adjust the appropriations, one in the new \$5.00 surcharge fund, which we never appropriated any money to, and the other is to appropriate funds to do the advance from streets. All ayes on vote.

RESOLUTION 2009-45: 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, AND DECLARING AN EMERGENCY. Motion to suspend the rules made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Prescott. Jenny explained how the process works. We have to show that Council has passed this. There is a deadline to get this back to them and that is why it was put on as an emergency. All ayes on vote.

Before new business, Linda Schilling wanted to ask Rich lafelice if he checked into the waterline at the High School to see where we are going with the loan. Rich replied yes.

New Business:

Two representatives from Crestwood Schools thanked the Mayor, Council, Clerk and department heads for allowing them to speak at this time. They have sent a letter to the Village Administrator wherein they are asking for assistance from the Village. Crestwood Schools are requesting permission to drill a well on their property near the practice field to provide water for that field. This would be for agricultural purposes only, all the other buildings they have are on the Village system. Linda Schilling asked which field this would accommodate. Mr. Reink said it is for the new field by the practice football field. Giles Seith asked whether there was still an old well at the southwest corner by the old football field. Mr. Reink said that is the location of their reservoir now. Linda asked if they were looking for an answer tonight. Ben said we have to review our ordinance that is currently in place. Roger asked why the Village should consider this request since the schools were not willing to grant the Village their request. Mr. Reink said he did not want to get into a debate; we are here to ask for your consideration. Mayor Hawkins asked how long this problem existed. Mr. Reink said this field is maybe three years old; this well would only take care of this one field. The Mayor asked if the School board knows they are here to present this to Council. Mr. Reink said he believes their superintendent is aware they have come here tonight.

At this time, the Mayor introduced officers for the Chamber of Commerce. President Marie Stehli, Vice-President Christine Pitsinger, Treasurer Joan Sweet and Secretary Melissa Lyle. They are here to present Council with a donation. Marie Stehli explained that in the past their donation consisted of flowering baskets, which put stress on the Village's service department to maintain. This year the Chamber has decided to donate banners to help welcome people to the Village and she passed out a sketch of the banners for Council to review. Marty asked when the Village was founded; he knew it had been incorporated in 1898. Harry said he has "established 1898". Marie will correct the banners to say, "Established". Motion to accept a donation of banners from the Chamber of Commerce made by L. Schilling with a second from B. Prescott. All ayes on vote.

Committee Reports:

Police Chief, Harry Buchert said his department is getting ready for the Potato Festival.

Village Administrator, Ed Trego thanked all those for their calls and cards during his absence. He also thanked Mayor Hawkins for the great job she did during this time.

Concerning ODOT and the repairs by Crestwood, He is working with ODOT; it is the Village's responsibility. We had received a work estimate from a State authorized contractor; however, neither ODOT nor we were happy with this estimate. ODOT is trying to find ways to work with us on it. He will keep everyone informed.

Concerning the Crestwood 4" lateral line, Ed referred this to our Village Engineer, Rich lafelice. Ed commented on a recent notice sent out to customers in the northeast quadrant regarding a recent change in EPA regulations. The only way a homeowner could have their own booster pump would be if they have an air gap. They would have to take our water and put it into their own vessel first and then use a booster. It would be very expensive. The EPA has suggested the Village putting in another booster station on Main Street to help the northeast quadrant.

Ed said there has been a lot done already with storm sewers. He questioned taking the money from the sewer funds for storm sewer. ORC only allows this when they are combined together. Ed does not recommend this and would have to see this in writing where it allows this. Our rates were not developed to support storm sewer, only sewer. He asked Michele to review this further. He asked Jenny if the auditor gave any direction as to how to manage spending in our sewer fund. Jenny explained some costs we have already incurred. For example, last month Linda said the EPA stated that for our Class 2 plant we should be spending no less than 20 hours a week. We are spending 50 hours per week, 100 hours per pay period. Ed asked what areas were the auditor concerned.

Jenny suggested Ed call Tanya herself. By not reducing our costs, we may not be able to cover our debt. Ed responded that we have been short the last two years in these funds. The 20 hours to run and maintain a sewer plant, this is a minimum staffing requirement.

He knows nowhere where it specifies those are all the hours needed to run a sewer plant.

Concerning the cemetery trees, some of them must come down because they are dead. The Village, to his knowledge, has received no money from the trust. Ed estimates this cost to be \$3,000 to \$5,000. Roger Hawkins added that they discussed this in Shade Tree Committee. He asked Ed if volunteers could cut some of these trees for firewood provided it was monitored. Ed recommended we plan on cutting and moving them out to an area where people could come in and cut up and take what they need. He also felt there should be a charge, that wood is a valuable commodity. Jenny added she did send a letter out last week to Kevin Poland, trustee for our cemetery trust.

Linda Clark wanted to clarify what Jenny had reported with regard to hours required at the sewer plant. For a Class 2 license, there is a 20-hour minimum requirement, five days a week. Ed added that this is once a new NPDES permit is issued; it is not currently a regulation on the Village. Jenny said we are spending 100 hours per pay period. John Clark added a sewer plant is historically one of the most expensive utilities to maintain.

Rich lafelice reinforced what Ed and John Clark said regarding a wastewater plant. Rich did an analysis on costs to operate, our expenses are not any higher than they were 12-15 years ago before the new plant was built, which is unheard of today.

Rich lafelice passed out information regarding a possible alternative for the waterline. The existing 6" line was put in to provide better pressure to Crestwood. State Route 44 has low pressure, a 4" line. Rich went on to explain the initial plan. In order for the Village to utilize the existing lines, a "pressure regulator" would need to be installed at a cost of approximately \$20,000. Rich would not recommend utilizing any 4" cast iron line. Over time, it becomes greatly diminished. If you wanted to, you would have to replace the line, which then, you would again need to approach the schools since it is part of their line. There are no other options in either scenario than to approach the school board again for an easement. Marty questioned the line; the school extended their line to the booster station, made it a 6" line, and solved their pressure problem. John Clark said young Les Moore would be the one to talk to about this; he helped put that line in at the time.

Planning: Jim said the Planning Commission meeting has been moved back a week because of the Chamber of Commerce picnic at Camp Hi. It will be on Wednesday August 26 at 7:00 p.m. Reporting for the Downtown Mantua Revitalization Committee, they have held two meetings since the last Council meeting. The "Art on the Hill" event had a net return of \$4,500 to \$5,000. The race netted \$2,500, both were very successful and plans are to continue these events in the future.

Service: Linda announced the Service meetings are the first Tuesday of each month at 7:00 p.m. She confirmed with Ed to meet on Monday @ 9:00 a.m. with Lauren Weaver to look at storm sewer problems. Ed was okay with that schedule. Linda also asked that when our service department plans to spray on the trail, would they please post it for the residents. Ed said the last spray was performed by the Park District and they did post signs, he said they will be getting signs in to post when necessary as well.

Parks: Marty reported that progress has been made; we have a permit for the Glacial Esker Trail observation decks. We were not able to get the permit fee waived from the County. The Parks Committee had an organizational meeting with the boy scouts. The information has been turned over to them. We have a citizen donating a piece of equipment with a driver once the trail is marked out. Ed said you also want to notify OUPS, there are some 2" gas lines going back by the Stamm property. Ed had concerns about building over the overflow for the river.

Marty also reported as representative for the Mantua-Shalersville Fire District by saying they officially swore in Joe Stoneberg as Fire Chief at their last meeting. Joe expressed that he did not feel he required a raise for that position.

Marty was reminded by Diane that Mantua Matters articles must be in by next Wednesday. She would like to have it printed and out before the Potato Festival.

Finance: Ben said everything for finance has been talked about.

BZA: Roger had nothing to report for the BZA. The Shade Tree committee is just getting going, volunteers would be welcome, please come out. Safety: Giles said the Chief covered everything. He did add regarding the siren tower, they are working to get it secured. The Village used to have two warning sirens.

Linda Schilling wanted to clarify a few things regarding the Potato Festival but asked that it be put in the minutes verbatim.

Motion to put the following statement regarding the Potato Festival in the minutes verbatim made by L. Schilling with a second from M. Hura. All ayes on vote.

"The Potato Festival pays for everything that they do down at the Potato Festival. They pay for our security whether Harry has to hire more people we pay them. Everything is paid out of the Potato Festival fund; nothing comes out of the Village money. Not your electric, each pole down there has a meter on it. They come in, they turn them on, they shut them off. The meters are read, we get the bills. Not one penny comes through Mantua at all. And, what everyone needs to know if they don't know it already, the building down there is not a storage building, which was said at Service. It is not a storage building; it used to be the old pump house, which supplied Mantua with water. What I need to let you know is that since we leased it for 20 years for \$20.00, the old Council gave it to us for 20 years for \$20.00; I have a copy of the lease. We have put into that building, with no costs to this Village, over \$30,000 already. That is Mantua's building. We are doing nothing to it but fixing it. We had to take the roof down from the get go because apparently years ago there was a fire there, which nobody knows when the actual fire was. So they had to replace everything, they took

it down; they put gutters on it, windows. Anyone is welcome to go inside and look at that building. We added new doors to make it look like it used to look, when it flooded really bad down there. Everything that we have done is for this Village. The water supply that we use down there, I don't know how we can meter it. Because that was also brought up at Finance. I don't know how we can meter the water, we have talked about it before. Ed said that he did not know how we could meter the water because there is all kinds of things all the way through that park that everybody uses. So, I just want to get this off so that it is not brought up every year. Mantua pays for absolutely nothing."

Linda said she was done and asked if anyone had any questions. Roger said there seems to be a large amount of water; he did see the food vendors get charged \$300.00 for the space, some \$250.00 and \$200.00. Linda Schilling said it is \$300.00 for food vendors, there is no extra charge for water; they follow the Ohio Festival Association. Roger said the Finance Committee was under the assumption that water was paid for and was concerned that the Village would have to provide the same for any other organization that wanted to come down and use the facilities. Water is a big issue today; see if we can start metering it. Ed replied that metering would be cost prohibitive. He asked Linda to make sure there are backflows from each vendor using water to protect our system."

Giles asked what the Potato Festival does for Mantua. It does a lot. We do not have a lot to bring people to this Village. We do have some new things to help promote Mantua but the Potato Festival pays big dividends.

Public:

Becky Doherty, Village Solicitor for Lakemore and a past prosecutor, is a candidate for municipal judge. She is running as an independent and will be at the Potato Festival. Her booth will not be using any water. She is running for the seat that Judge John Plough currently holds, he is not running. There are three others running for this seat. Three are running for Judge Watson's seat as well.

John Clark spoke regarding the trees in the cemetery. What are the terms of the trust fund and why is Kevin Poland the trustee? Michele replied he is the trustee of our cemetery fund. Mayor Hawkins added that she and others have been looking into this situation but are frustrated by it. Marty felt if we delete most of the list and just address the critical part, we could get some of those funds released. Patsi Gast asked who appointed him. Marty replied he is court appointed.

Jerry Zimmerman asked about the status of his driveway's storm sewer issue. Ed said the solicitor had to do a little more research. Ed has not walked it as others have but he believes it to be a private line on private property. Michele said she thought Ed was going to probe the area. Ed said the next step is to excavate. Jerry himself originally dug this area up, now he has had 40 plus people looking at it. It does not do anything so why dig it up. The Mayor asked Jerry what he wants to see done. Ed said it does not function at all; he looked at it before his medical leave. It serves no purpose to the public. Ben said to just fill it in and be done with it.

Patsi Gast spoke for the Mantua Village Community Action Counsel. At their last meeting, there were some questions brought up for Council.

1. What is the plan of action regarding the storm sewers; there has been talk about them since March but no action. Linda Schilling said they are planning a meeting on Monday. Jenny spoke on the \$5.00 surcharge and possibly using part of this to improve the storm sewers. We would have to amend the original ordinance. Michele is looking into that.

2. What is the status of Mr. Trego's evaluation? Linda Schilling said they will be turned into her by September 1.
3. Regarding the trails, there is a large deposit of asphalt by Mennonite Road, is this a violation of the EPA? Ben said it is not listed as a hazardous waste in Ohio; he contacted the EPA about asphalt. Marty added the material was deposited at the West end to bring it up to the roadway by the guardrail. However, the Glacial Esker trail is first now; it has a deadline on it. We are going to be using that asphalt material.

Linda Clark asked Ed what the estimate was from the ODOT contractor. Ed said it was around \$30,000. Regarding the bills of resolution, Linda asked about payroll costs in parks. Ed replied wages for the parks includes the trails and mini plaza. We also have a responsibility to inspect the property to make sure everything is being done. She asked whether there was a breakdown she could see. Ed told her to come on down to his office.

Linda Clark asked what the timeframe is for a public records request. Michele said there is no timeframe, it is a reasonable amount of time and there are factors to consider. Jenny added that Dawn is here tonight, she is going to have a public records seminar on November 18 at the fire station. Dawn added the seminar will be from noon to 3:15 p.m. and is open to the public. Marty asked to get some information on the seminar for the next Mantua Matters edition. Linda said she made two requests for public records; one on June 10, which she waited five days to get an answer that the information could not be found. The second was on July 8 and she is still waiting for an answer from the Service Department. Linda was told her request was put in their mailbox but she has not received a response. Linda talked with Jenny today and asked her to re-submit her request. Ed said the first time he saw the request from July 8 was this afternoon. Jenny said it was when Ed was on medical leave, she put a copy of it in their mailbox a day or two after it was received. It was a two-part request, which she was able to provide the first part of it.

Lastly, Linda asked what is Donna Maynard's job title and job description. Ed said her job description is on record at the Mayor's office; Ed has a copy of it. Her job title is Village Administrator's assistant and billing clerk. Linda asked Ed to convey that information to her, when she was asked, Donna Maynard said she does not have one, she would like to see one. According to her, she is the water and sewer-billing clerk.

Motion to adjourn the meeting at 8:55 p.m. made by J. Rogers with a second from B. Prescott. All ayes on vote.

Mayor Donna Hawkins

Clerk-Treasurer Jenny August