

**Village of Mantua
Regular Council Meeting
October 20, 2009**

Mayor Hawkins called the meeting to order at 7:02 p.m. After the pledge of Allegiance, she asked that everyone remain standing for a moment of silence for a number of people who have passed away. Mary Haylett who owned Haylett's Corner Store with her husband Dave, Paul Stamm of Stamm Contracting, Steve Oros, Mantua Township Trustee, Norma Hurd who served as a billing clerk for the Village, Hugh Haines and finally Roberta "Bootsie" Fedor, the grandmother of our own dispatcher, Steven Tayerle. We regret the passing of all these people.

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: Pearl Campbell, Cookie Vanek, Randy & Lauren Weaver, Linda Clark, Patsi Gast, Jerry Zimmerman and others.

Minutes: Motion to approve the meeting minutes of September 15, 2009 made by L. Schilling with a second from J. Rogers. All ayes on vote.

Mayors Report: Donna met with plant manager, Gary Wolny of Eaton Corporation. The plant is staffed with one full-time employee; they have also maintained 24/7 security. Very little remains in the plant except for storage, however, they are still using it for testing of parts. They discussed the property's value and potential. Mr. Wolny plans to put the Mayor in touch with the real estate company to ensure the property is promoted on all state websites. Hopefully, a new business can move in as quickly as possible.

Council asked Donna to look into Ordinance 2009-51 for the electric service. This agreement would give us 7 percent off our generated electric usage. The sewer plant usage is what brought this opportunity to the Village. She was also asked by Council to look into Ordinance 2009-54, regarding the gas usage for the Village. This led to our switching suppliers from Direct Energy to the states administrating agency of First Energy Solutions. There will be no cancellation fee to make this transfer. Their rate is variable; however, it was \$2.00 less per MCF than ours for the same period.

The Mayor attended a function where she had an opportunity to meet and discuss with Congressman Steve LaTourette, opportunities for our Village. As she plans to discuss this further with his chief of staff, she will report to Council and our Planning Commission.

Donna met with Harold Huff, Portage County Director of Water Resources. He expects to have the sanitary sewers for Aurora Meadows up and running by this time next year.

Lastly, because of brainstorming with the citizens' advisory group at one of their meetings recently, Donna was pleased to be able to bring back to our Village Administrator the possible opportunity to purchase diesel fuel through the Crestwood Schools. The details are now being worked out at a potential savings to our Village. She thanked everyone.

Finance Report: Clerk-Treasurer, Jenny August gave the financial report as of 9/30/09. Sue and I will be attending the Local Government Services training next week. There is a

UAN update class she just found out about later this year, which she probably should attend. The CD at Chase Bank that was going to rollover in October has been moved. The rate was dropping from 4.4 to .2 percent. Middlefield Bank offered 2.2 percent. The third quarter employer withholding payments are coming in now.

Our checkbook balance at the end of September: \$ 350,820.00

Revenues for September: \$ 96,961.00

Expenses for September including payroll: \$ 96,288.00

Reconciliation of the water-sewer department receipts and the UAN receipts matched completely with no exceptions. Bank reconciliation went well with no adjusting factors.

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 October omitting the C.T. bills. Linda Schilling asked about the Sam's Club bill. Maybe we can go with only one membership card rather than two. It was agreed to leave the one card in Chief Buchert's name since he would most likely be the one to go and use it. Roger Hawkins questioned item #33 on the addendum list regarding Falkenberg Excavating. He asked why we cannot do this type of work; install a hydrant, in house. Ed said it was a judgment call; it needed to be done and they had other things going on including funerals.

Motion to amend the Bills of Resolution regarding the Sam's Club charge to one membership card to be split between Police and Administration made by B. Prescott with a second from J. Rogers. All ayes on vote.

Motion to approve the Bills of Resolution with addendum for October omitting the C.T. bills as amended made by B. Prescott with a second from L. Schilling. All ayes on vote.

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

Legislation:

RESOLUTION 2009-41: A RESOLUTION DETERMINING WHERE THE REVENUES EARNED FROM THE DISPATCHING CONTRACT WITH THE VILLAGE OF HIRAM WILL BE DISTRIBUTED. 3rd READING. Motion to approve made by L. Schilling with a second from J. Rogers.

ORDINANCE 2009-48: AN ORDINANCE AMENDING VILLAGE OF MANTUA CODIFIED ORDINANCE SECTION 921.07 IN ORDER TO PERMIT THE DRILLING OF WELLS FOR IRRIGATION OR AGRICULTURAL PURPOSES BY POLITICAL SUBDIVISIONS OWNING REAL PROPERTY WITHIN THE VILLAGE. 2nd READING.

ORDINANCE 2009-52: AN ORDINANCE APPROPRIATING FUNDS TO RUN THE VILLAGE OF MANTUA DURING THE FISCAL YEAR ENDING DECEMBER 31, 2010. 2nd READING.

Council realized they had not voted on Resolution 2009-41, they moved to approve the resolution, had some discussion, but never voted. Ed was glad it was still open for

discussion and commented that it is wise to have money set aside. However, in the service department, we have been looking at the condition of our pickup truck and wondered if there was a way to set this aside in the General Fund, available if necessary, for other issues. In the last two years, the service department has been given only funds they receive from such things as license tax. In previous years, the General Fund has provided the service department between \$50,000 to \$70,000 annually. Equipment is in poor condition and becoming unsafe to operate. Jenny said the General Fund probably had a lot more money then from income taxes. The General Fund does pay for things like street lighting and insurance. The Mayor called to question. All ayes on vote.

ORDINANCE 2009-55: AN ORDINANCE AUTHORIZING A CONTRACT WITH THE PORTAGE COUNTY PUBLIC DEFENDER FOR DEFENSE OF INDIGENT PERSONS CHARGED WITH CRIMINAL OFFENSES UNDER THE VILLAGE ORDINANCES. 1st READING. Ben stated Council needs to suspend the rules on this ordinance for it to take effect by January 1st. 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 M. Hura. Jenny said the timeline could be a factor, if we were to go three readings and it passed in December, it would be 30 days before becoming effective. We would be going uncovered for a short period. All ayes on vote.

RESOLUTION 2009-56: 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 what this resolution covered. All ayes on vote.

ORDINANCE 2009-57: AN ORDINANCE AMENDING CHAPTER 955 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA IN ORDER TO INCORPORATE THE RULES AND REGULATIONS RELATING TO HILLSIDE CEMETERY. 1st READING.

ORDINANCE 2009-58: AN ORDINANCE AMENDING SECTION 03.06 AND REPEALING 03.06.1 OF THE VILLAGE OF MANTUA PERSONNEL HANDBOOK AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES. 1st READING.

New Business:

Kathleen Cousin, Manager of the Garrettsville Library asked to present information on the upcoming library levy, Issue 6. It is a .5 mil, 10-year levy that is approximately \$1.25 per month per evaluation of \$100,000. With this levy, the Portage County libraries would have a total budget of around 2.2 million. She asked for support from Council. Motion to support the Library Levy, Issue 6 made by J. Rogers with a second from L. Schilling. All ayes on vote. Jenny asked Kathleen about the use of volunteers. Kathleen said because they are part of a union, volunteers can perform only non-union jobs.

At this time, Mayor Hawkins asked Council to approve the appointment of Randy Weaver to the Planning Commission board. Motion to approve the appointment of Randy Weaver to the Planning Commission made by J. Rogers with a second from B. Prescott. All ayes on vote. Mayor Hawkins swore Scott Randy Weaver into the position.

Committee Reports:

Police Chief, Harry Buchert announced Trick or Treat has been set for Saturday, October 31st from 5 – 7 p.m. The chief recently met with Hiram Fire and Police Department, everything is moving forward smoothly. Police officer qualifications for firearms is this weekend. Safety meeting is set for this Thursday at 6:30 a.m. Officer Ken Justus has

received an award from MADD for his outstanding arrest record for OMDI arrests. Our Police Department has been honored with a 2009 Triple A Safety Award. Harry also noted regarding Ordinance 2009-58; there are other areas, which will need to be addressed in our handbook. A committee meeting has been set for Monday, October 26th at 6:30 p.m. to start to go over the handbook. Harry felt with regard to the evaluation process, he felt that quarterly evaluations were excessive, annually would be sufficient.

Village Administrator, Ed Trego reported on the problem on State Route 44 up by Crestwood. ODOT is willing to share the cost of the road repairs up to \$5,000 as long as we use an ODOT certified contractor. The contractors estimate has been \$30,000. Everyone is currently committed on other jobs; Ed would like to see something temporary until spring, something like a couple thousand dollars to get through the winter. Ed asked for Council's view on it and said this project could come out of the State Highway fund. Ed recommended Council cap the project not to exceed \$2,000 for chip-n-seal. Ben felt Ed needs to go ahead and do it; we have \$24,000 in the State Highway fund.

Ed also noted that Bob Ress, Randy Weaver, one member from Council, Roger Hawkins and himself would be working as an ad-hoc committee for storm sewer management.

Rich Iafelice with C.T. Consultants reported that 6 or 7 months ago, Hall Stamm wanted some property developed. He is ready to go and wants to meet with Rich. This would be up to Council for approval and added that his retainer would cover a meeting with everyone. He leaves it to Council's discretion.

Planning: Jim said the Planning Commission meeting would be tomorrow at 7:00 p.m.

Service: Linda announced the Service meetings are the first Tuesday of each month at 7:00 p.m. The Potato Festival committee will go ahead and fix the Euclid Beach benches. They wish to place them in the mini park because they can be bolted down and secure. The ones that are there now can be moved to different locations around Main Street.

Parks: Marty reported the Glacial-Esker Trail is moving ahead very slowly.

Finance: Ben reported we have been over finance. We are broke.

BZA: Roger had nothing to report for the BZA or Shade Tree.

Safety: Giles reported the evaluation for Ed Trego is done. After some more discussion, it will be released to the public.

Public:

Tiffany Olsen has lived here for 12 years. She felt her water bill has gone higher than anyone else's in the Village. She receives approximately an \$800.00 bill every quarter for two people and a hair salon. She has a shut off notice for \$1,200 owed for a 6-month period. Ben asked has anyone dug up her corner to see whether there is a problem. Ed said his department has looked at the situation; there is nothing external happening there. She has had a toilet running constantly at times. Tiffany said the toilet is fixed and she has been waiting for a new meter to be installed. She has had five years of this problem since the water main break. Michele Stuck asked Tiffany if she have been trying to make payment arrangements. Tiffany said she has not made any payment arrangements because she feels it is wrong and needs to be resolved. Donna asked Tiffany if she would contact Ed on payment arrangements. Tiffany said she would rather contact someone else. Donna Hawkins said she could contact her or the clerk or even Donna Maynard if she was comfortable with that. Ed would ask the solicitor whether this was appropriate and proper,

he has been charged to do the job and is trying to do that job. Tiffany said she would be willing to speak with Donna Maynard but has just been so frustrated with that whole department. The Mayor told her to start there and the door will be opened.

Cookie Vanek said that about five years ago, the Village was looking at contracting with one garbage company, J & J Refuse, to pick up everyone in the Village. Has any more thought gone into this possibility? Council members felt this would be a ballot issue.

Patsi Gast representing the Mantua Village Community Action Group asked to present a few questions to Council.

1. Their group had presented a petition in March on the storm sewers, where is the comprehensive plan at this point? Ed said the draft would be presented at the next Service meeting.
2. What is the status of the Village Administrator's evaluation? Mayor Hawkins stated it is done; it just needs to be signed. Donna did say that Ed went over expectations in his points.
3. What are the costs associated with the County maintaining our water and sewer plant. Ben said the County wanted a commitment first before they would provide the Village with a cost comparison or analysis.

Linda Clark asked what the status was on the Northeast Quadrant project. Mayor Hawkins said it is still open. Rich lafelice said he would check when the deadline was to use the grant before it would be lost. Jenny asked if we would be better off to turn the grant down or lose it. Rich stated it would be better for the Village to do something on the record to notify the State that under the circumstances the grant could not be utilized.

Linda Clark asked about some surveying going on at State Route 44 and Glenwood. Ed said the surveyor is working to try to tie into Ambler Lane on a Township project.

Linda also asked about a report from the Downtown Mantua Revitalization Committee. Jim said there has been no activity.

Linda asked about a report from the Mantua-Shalersville Fire Department. Marty said they are still trying to reconcile with the auditors.

Linda's last concern was over barking dogs in the Village and what if anything can be done. Harry suggested she contact the dog warden.

Lauren Weaver asked does the Service Department review the water bills to keep them in check with normal uses. Ed said yes.

Motion to go into executive session on eminent litigation at 8:12 p.m. made by L. Schilling with a second from R. Hawkins. All ayes on vote.

Motion to return to regular session at 8:33 p.m. made by J. Rogers with a second from B. Prescott. All ayes on vote.

Motion to adjourn the meeting at 8:34 p.m. made by L. Schilling with a second from B. Prescott. All ayes on vote.

Mayor Donna Hawkins

Clerk-Treasurer Jenny August