

**Village of Mantua
Regular Council Meeting
December 15, 2009**

Mayor Hawkins called the meeting to order at 7:01 p.m. and led the pledge of Allegiance.

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, Rich lafelice with C.T. Consultants.

Public: Pearl Campbell, Lisa Zamecnik, Bob Ress & Cookie Vanek, Scott & Lauren Weaver, Linda Clark, Patsi Gast, Claudette Night, Anita Hanzlik.

Minutes: Motion to approve the meeting minutes of November 17, 2009 made by L. Schilling with a second from J. Rogers. M. Hura abstained, all other ayes on vote.

Mayors Report: Donna received a beautiful award today from Love Insurance. It was for excellent risk management on behalf of our staff. Donna thanked the staff and department heads for their dedication to ensure that safety always comes first.

The Mayor welcomed Brenda Fargo with First Energy Solutions. Through Donna's effort to bring electric cost savings to our citizens, it was suggested to her that she contact Brenda Fargo. Donna discovered not only a potential savings of at least 6% to residents and 4% to our small businesses, the Village would also receive a grant of \$50,000 to be used at their discretion anywhere it is most desperately needed. Brenda plans to present First Energy's proposal later tonight and answer any questions.

Lastly, Donna wanted to wish our Council President, Jim Rogers, all the best. She thanked him for his guiding help early in her career as Mayor when she did not even know what Roberts Rules of Order was or how to apply it to conduct a meeting. Thank you.

Finance Report: Clerk-Treasurer, Jenny August gave the financial report as of 11/30/09.

Jenny informed Council they have another new report in their financial report packet. The auditors asked her to include the Cash Summary report that shows any fund adjustments made to the accounting program. The department heads did a great job with cutting off purchase orders by December 1. All the invoices have been received and will be paid tomorrow. Jenny felt this change will work well to keep appropriations and expenditures in check from year to year. Our office followed proper procedure as well in turning in a late purchase requisition. A bill was received from the auditor's office; permission was requested from the Mayor and Chairman of Finance and given to issue a purchase order so it could be paid. Thanks to Linda Clark's initiative, our office investigated the AT&T bills and negotiated new plans, which will save the Village over \$2,000 per year.

Our checkbook balance at the end of November: \$ 407,957.00

Revenues for November: \$ 158,210.00

Expenses for November including payroll: \$ 120,179.00

The Cash Summary shows adjustments from our financial audit and overseen by the auditor. Reconciliation of the water-sewer receipts and the UAN receipts matched except

for a bulk water sale in the UAN that the service department does not enter into their program. Reconciliation of the Municipal Income Tax receipts and the UAN receipts also matched completely with no exceptions. The November bank reconciliation went well with no adjusting factors. Last of all, Jenny wished everyone a Merry Christmas!

Motion to approve the financial reports: bank statements, fund status, reconciliation, revenue & expenses reports, cash summary report, made by J. Rogers with a second from L. Schilling. All ayes on vote.

Bills of Resolution:

Motion to approve Bills of Resolution with addendum for December omitting the C.T. bills made by L. Schilling with a second from M. Hura. 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:

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. 3rd READING.

Motion to approve made by L. Schilling with a second from B. Prescott. Michele Stuck informed Council that this ordinance has been amended slightly from last month. Marty added that at the request of Ed Trego, the committee added, "Vaults must be top sealed". Call to question. All ayes on vote.

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. 3rd READING. Motion to approve made by L. Schilling with a second from B. Prescott. All ayes on vote.

ORDINANCE 2009-59: AN ORDINANCE AMENDING SECTION 10.02 OF THE VILLAGE OF MANTUA PERSONNEL HANDBOOK AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES. 2nd READING.

ORDINANCE 2009-60: AN ORDINANCE AMENDING ARTICLES IX AND XI OF SECTION 121.03 OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES. 2nd READING.

RESOLUTION 2009-65: A RESOLUTION DESIGNATING JENNY AUGUST, MANTUA VILLAGE CLERK-TREASURER, AS THE APPROPRIATE DESIGNEE TO ATTEND MANDATED TRAININGS RELATING TO THE ADMINISTRATION OF THE VILLAGE'S PUBLIC RECORDS POLICY FOR THE YEARS 2010 AND 2011. 1st READING.

RESOLUTION 2009-66: A RESOLUTION AUTHORIZING THE VILLAGE OF MANTUA TO PURCHASE DIESEL FUEL FOR VILLAGE VEHICLES FROM THE CRESTWOOD BOARD OF EDUCATION, AND DECLARING AN EMERGENCY. 1st READING. Motion to suspend the rules made by J. Rogers with a second from M. Hura. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Prescott. All ayes on vote.

ORDINANCE 2009-67: AN ORDINANCE AMENDING CHAPTER 210, CONCERNING THE DEFINITION OF "BUILDING HEIGHT", OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. 1st READING.

ORDINANCE 2009-68: AN ORDINANCE AMENDING SECTION 502.07 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. 1st READING.

ORDINANCE 2009-69: AN ORDINANCE RENUMBERING CHAPTER 650 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. 1st READING.

RESOLUTION 2009-70: A RESOLUTION AUTHORIZING CERTAIN FUND TRANSFERS BY THE CLERK-TREASURER BETWEEN THE WATER AND SEWER OPERATING FUNDS, RESPECTIVELY, AND THEIR RESPECTIVE DEBT SERVICE RESERVE FUNDS, ALL NECESSARY TO MEET CALENDAR 2010 DEBT SERVICE REQUIREMENTS, AND DECLARING AN EMERGENCY. Motion to suspend the rules made by J. Rogers with a second from R. Hawkins. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Prescott. The Mayor asked if this was all necessary to make the calendar 2010. Jenny said yes, these are going to be the monthly transfers. Last year Council did not approve these until February; this coming year we are going to be ready in January. Call to question. All ayes on vote.

RESOLUTION 2009-71: ADOPTION OF 2010 CALENDAR. 1st READING. Motion to amend to treat as an emergency made by B. Prescott with a second from L. Schilling. All ayes on vote. Motion to suspend made by J. Rogers with a second from B. Prescott. All ayes on vote. Motion to approve made by L. Schilling with a second from R. Hawkins. Jenny said this is to set our meeting calendar for next year. All ayes on vote.

RESOLUTION 2009-72: A RESOLUTION AUTHORIZING THE CLERK TREASURER TO ADVANCE FUNDS FROM THE GENERAL FUND TO THE WATER DEBT SERVICE FUND AND SEWER DEBT FUND AND DECLARING AN EMERGENCY. Motion to suspend the rules made by L. Schilling with a second from M. Hura. All ayes on vote. Motion to approve made by L. Schilling with a second from M. Hura. Jenny explained these funds would be short to pay our debt payment at the end of the year. This allows funds to be advanced from the General Fund to pay the debt. Jenny said she made the amounts generous to be certain we are covered. She will let Council know in January exactly what was advanced. All ayes on vote.

Before reading the next resolution, Mayor Hawkins thanked Ben Prescott, our Finance Chair, for offering it.

RESOLUTION 2009-73: A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF MANTUA TO APPROVE PLANS, DONATE FUNDS, AND OVERSEE WORK REQUIRED TO EXPAND THE MAYOR'S OFFICE ON THE SECOND FLOOR OF THE VILLAGE OF MANTUA GOVERNMENT CENTER. Motion to suspend the rules made by B. Prescott with a second from M. Hura. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Prescott. Linda Schilling asked what the purpose was for this resolution. Mayor Hawkins responded that it was to enlarge her office space. Linda asked where our Zoning Inspector, John Vechery, was going to work. Donna said he would be downstairs and at his home office where he primarily works. The Mayor had a note from John stating he did not have any problem with the move. Donna said John spends the majority of his time downstairs now and would prefer the documents be in the clerk's office. Linda wondered if we ever make the move to bring the service department up here, where would you put Donna Maynard. The Mayor never thought Donna was supposed to come up here in the first place. Patsi Gast asked for a point of order because she had a question for Council. Patsi said John would not always be the zoning inspector, what happens down the road. The Mayor said the office upstairs was never designated on the original plans to be used by the zoning inspector. Michele added that a motion needs to be made to amend this to treat it as an emergency to have it go into effect immediately rather than 30 days.

Motion to amend to treat as an emergency made by B. Prescott with a second from J. Rogers. All ayes on vote. Call to question. L. Schilling voted no, all other ayes on vote.

New Business: Brenda Fargo with First Energy Solutions explained their program on electric service. It is an “opt out aggregation” and must be placed on the ballot for the voters to give permission to their community to look for suppliers. Once approved by the voters, an agreement would be entered into between the supplier and the Village. First Energy Solutions is guaranteeing a minimum of 6% savings for residential customers and 4% savings for small businesses. In addition, the Village would qualify to receive a \$50,000 grant from the company once the voters pass it. This grant money has no strings attached; it could be used for whatever the Village determined to be their greatest need.

Linda Clark said their contract states it is for nine years, what happens after that, does it have to go back on the ballot. Brenda said no, once it passes on the ballot and the Village has been certified, you never have to do that again. The maximum term for “opt out aggregation” in Ohio is three years. First Energy plans to come back to everyone every three years to ask them to stay in the program. Only the Village’s contract is for nine years because it makes it easier for all involved.

Michele asked Brenda, from her perspective, if there were any differences between their plan and NOPEC. Brenda said the discount is the same; however, one big difference is that if you go on your own, you have your autonomy. You maintain your own certification and decide your own future as opposed to being one of many. The other difference is NOPEC took the program and decided to take the funding in house requiring the communities apply for it. They are mandating that it be used for energy efficiency. The only other way to get it would be to show financial hardship. Brenda did not know what rules would need to be followed to do that. Michele asked if we would be provided model legislation. Brenda said absolutely, the deadline is February 18 to get this on the ballot for May, which is the next election. Michele said Brenda did indicate since she spoke with our Mayor that she would guarantee us the \$50,000. However, the proposal does not say that, it says \$30.00 per customer enrolled in the program, estimated at \$50,000. Brenda said it would be in the agreement when we sign it. She would propose the Village submit a letter of intent to get the ball rolling, which would spell it out. She does not want the Village to enter into a master agreement until it passes on the ballot.

Committee Reports: Police Chief, Harry Buchert thanked Jim Rogers for his assistance and service; wished him the best and everyone a Merry Christmas and safe New Year.

Mayor Hawkins reported Ed could not be present; he had an emergency at the sewer plant.

Rich Iafelice with C.T. Consultants said they are helping the Village to get the extension from ODNR.

Planning: Jim said the Planning Commission meeting would be tomorrow at 7:00 p.m. He had nothing new from the Downtown Mantua Revitalization Committee. Jim thanked everyone for eight wonderful years and said there is no “I” in Mantua, it is a team effort.

Service: Linda wished Jim good luck. She announced the Service meetings are the first Tuesday of each month at 7:00 p.m. There was discussion at Finance on some metal fixtures at the cemetery. Linda said she could get an estimate to sandblast two planters and two benches from the same place she is having the Euclid Beach benches done. The Mayor said yes. Linda reported she has received her fourth estimate from trash hauling companies so far, there are two more coming. She wished everyone a Merry Christmas.

Parks: Marty said the trail has been cut in; work will get started on the observation decks and signage. He thanked Jim for all his dedication to Mantua and wished him a very quiet new year and a Merry Christmas to everyone and prosperous New Year.

Finance: Ben reported finance has not changed. He wished Jim luck. Ben also announced the finance meetings would move to Thursdays before Council at 6:30 p.m.

BZA: Roger had nothing to report for BZA or Shade Tree. He thanked Jim for his help.

Safety: Giles reported there would not be a Safety meeting in December. He thanked Jim for his mentoring over the years and the tremendous work he has done for the Village.

Marty wanted to add a notice from Diane; Mantua Matter dates have changed to better coincide with the events in Mantua Village.

Public: Lauren Weaver representing the Mantua Village Community Action Group asked to present questions to Council.

1. Did Council receive their group's paperwork of a timeline on the storm sewer plan and if so, does anyone have any comments. Jenny said she put the paperwork in everyone's mailbox. Mayor Hawkins said she had just received a report from Ed dated October 29 which she would be happy to share with Lauren.
2. Regarding Resolution 2009-63, the action group had asked that a committee be formed to explore alternative funding sources for grant money; they were told this would not be possible so how is this resolution possible. Who authorized the Mayor to explore earmarked monies for various projects that benefit the Village and the Downtown Mantua Revitalization Committee? Michele stated the resolution has nothing to do with downtown revitalization.
3. Who is prioritizing what grant monies are explored and why is Resolution 2009-63 being given higher priority? Ben said regarding earmarked money, this allows the Mayor to explore through LaTourette's office any earmarked money to do repairs to infrastructure on Main Street, a state route. Lauren asked who prioritizes which project goes first. Harry said we apply for whatever grant we can get at the time.
4. When is the next Village Administrator's evaluation occurring? Linda said the evaluation has already happened and she turned it over to the Mayor. Donna said she has not yet gone over it with Ed.
5. Why were citizen volunteers not contacted regarding forming a plan? The Mayor asked if she were talking about the ad hoc committee. Lauren said this would be volunteers to help on the storm sewer plan. The Mayor felt there are two separate thoughts here. The ad hoc committee has yet to meet but plans to meet in order to address the problem. Roger Hawkins will lead this with Randy Weaver, Bob Ress and Ed all being a part. Linda added she will be part of it as well. The citizen volunteers will then come into help. There has been no need for volunteers yet.

Anita Hanzlik asked about an earlier question on the grant money, which no one gave Lauren an answer. Who priorities what grant money we apply for? Donna responded that some money can only be used for specific items. We have failing infrastructure that needs replaced. It is based on whatever opportunity comes before us at the time.

Cookie Vanek wanted to thank Jim for his coordinating the farmer's market. He was always professional.

Linda Clark reminded everyone the Mantua Village Community Action Group would not hold a meeting in December due to the holidays. They will resume meetings in January.

Motion to go into executive session on eminent litigation and property acquisition at 8:01 p.m. made by R. Hawkins with a second from B. Prescott. All ayes on vote.

Motion to reconvene into regular session at 8:13 p.m. made by J. Rogers with a second from L. Schilling. All ayes on vote.

Motion to ask for an extension for the waterline project at the northeast quadrant made by B. Prescott with a second from L. Schilling. All ayes on vote.

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

Mayor Donna Hawkins

Clerk-Treasurer Jenny August