

**Village of Mantua
Regular Council Meeting
February 16, 2010**

Mayor Hawkins called the meeting to order at 7:00 p.m. and lead the pledge of Allegiance. There was a moment of silence for the passing of Willy Sweet, Joan Sweet's husband.

Roll Call: Donna Hawkins, Linda Clark, 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: Mayor of Hiram Village Lou Bertrand, Pearl Campbell, Lauren Weaver, Christina Vyhnal, Norm Erickson, Cookie Vanek and Bob Ress.

Minutes: Motion to approve the meeting minutes of January 19, 2010 made by L. Schilling with a second from M. Hura. All ayes on vote. Linda Clark had a correction to the meeting minutes. Motion to reopen the minutes made by B. Prescott with a second from L. Clark. All ayes on vote. Linda Clark wanted to correct the spelling on Aaron Snopek's name, it is correct under "Public" however; it was misspelled under "New Business", as Erin. Motion to approve the minutes as amended made by L. Schilling with a second from B. Prescott. All ayes on vote.

Mayors Report: Donna attended a public official's reception on February 5, hosted by the League of Women Voters. She had the opportunity to meet and discuss Village issues with Senator, Tom Sawyer as well as State Representative, Kathleen Chandler and others. Donna has put in a request to meet again with the Senator.

She also had an opportunity to attend a meeting on February 2 at Hiram College. The meeting was conducted by the president of Hiram College, Mr. Tom Chema, who had served as an officer on a board responsible for delegating grant opportunities to other municipalities through the "EfficientGovNow" grant. Others invited to the meeting included the Mayors of Garrettsville, Windham and Hiram Village along with Commissioner Chuck Keiper, grant writers from Hiram College and the County. The meeting was to discuss concerns we all share with regard to our water and sewer treatment facilities and the responsibility that this places on each of our administrations and our citizens. We addressed the possibility of forming a water and sewer district by first conducting a feasibility study, which the "EfficientGovNow" grant would help pay. Mayor Hawkins has asked the Mayor of Hiram, Lou Bertrand if he could attend and address our Council this evening regarding the project, which he co-sponsored with Hiram College President, Tom Chema.

Mayor Hawkins also has some new developments in reference to Resolution 2010-10, which she will wait on until Council discusses legislation.

Finance Report: Clerk-Treasurer, Jenny August gave the financial report as of 1/31/10. Thanks to the State of Ohio's tax filers list by zip code, we added 164 new people to our tax base. The additional revenue should more than cover the \$145 cost of the list. The actual list was much larger containing all P.O. Box recipients, some of whom reside in the townships as well as retirees, which were already in our data base but inactive due to retirement. The fourth quarter employer withholding payments had to be postmarked by

January 31. Jenny noticed an increase of about \$8,600 or 12% over last quarter. Between this increase and the new taxpayers, our General Fund should start to show more stability.

In an effort to save on paper and copying costs, Jenny asked that Council leave their paperwork from this evenings meeting in front of their seats. She would put those items of legislation, which will be brought up again next month, back into their Council packets. This would save on making new copies of everything. For those members of Council who wish to keep all their legislation, she will assume you will have it next month and will not copy anything that is on second or third reading. Jenny estimates this would save the Village about 160 sheets of paper per month and copying costs.

Our checkbook balance at the end of January: \$ 186,165.00

Revenues for January: \$ 104,022.00

Expenses for January including payroll: \$ 90,821.00

The Cash Summary shows that no adjustments were needed.

Reconciliation of the Water-Sewer department receipts and the UAN receipts matched. Reconciliation of the Municipal Income Tax receipts and the UAN receipts also matched completely with no exceptions. The January bank reconciliation went well with no adjusting factors.

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

Bills of Resolution:

Motion to approve the Bills of Resolution with addendum for February omitting the C.T. bills made by L. Schilling with a second from M. Hura. All ayes on vote.

Motion to approve the Bills of Resolution with addendum including C.T. bills made by L. Schilling with a second from M. Hura. Linda Schilling had a question on the bills list regarding line items 44, 69 and 136. She wanted to know who orders the stamps. Jenny explained Harry gets his stamps out of his petty cash. When Donna Maynard needs stamps, she gives Jenny her list and Jenny then takes the Visa down to the post office. Linda Schilling said she noticed in January that stamps were purchased five times. Jenny said no, it is just in five places because it is split out. Linda said three were split and two other places were not and in February, there were three. Jenny said she is the one buying the stamps but she only goes once and when she does, she tries to purchase for several months in advance. Linda Clark brought up a question for the department heads. She hopes we are using the school to purchase our supplies as much as possible. Ed Trego commented he had checked the price of paper and got two cases at a cheaper price on sale somewhere else, is that okay. Linda said yes. Linda Clark asked about the Wright Express charge, is that for delivery for the fuel at the school. Jenny said this is for gas. Ed added that it should say "gasoline" rather than "fuel". It makes it look like diesel fuel. Call to question. B. Prescott abstained, all other ayes on vote.

At this time, Mayor Hawkins introduced Lou Bertrand, Mayor of Hiram Village. Mayor Bertrand spoke on our areas greatest asset, the Great Lakes, which hold 1/5 of the world's fresh water. All of us have lost industry and our people are hurting. He is proposing a water and sewer district. One example he gave was Circleville, which you can view details of online. This would be a great addition to our municipalities. Form a water/sewer district with the County. We all would have voting rights. He would ask that everyone here study this, it is a thing of the future. Garrettsville has turned this down because they did not understand

it. Ohio Revised Code chapter 61.19 allows for this and explains the forming of a district. The Mayor of Windham, Mr. Rob Dunham, who is sharp, wrote a letter to Lou Bertrand and he read that letter. We are all in the same boat. The EPA can mandate improvements to our facilities at any time and force compliance through penalties charged per day. When industry looks at us, they look at the utilities available here. Our children leave here to gain employment elsewhere.

Ben Prescott asked Lou Bertrand what the match would be for this grant. Lou said it is an 80/20 grant. However, the more people we get to go in together on this, the less we all pay. The cost of the feasibility study is \$100,000. People from Hiram College and Portage County Grant Administrator, Dan Banks are writing this grant. In-kind contributions can be used as well. Hiram Village's Solicitor would prepared a memorandum of understanding.

Roger Hawkins asked how many would be included in this grant. Lou said six, four entities, the County and College including Mantua Village and Garrettsville. Roger asked if this would include the school systems. Lou said they did not include the schools. Jenny asked if the 20% match on the grant would be split between the six entities. Lou said yes.

Mayor Hawkins added that right now, we have five because Garrettsville turned it down. Jenny asked if that would be split up by population. Lou said it would probably be split evenly. This grant pays for the feasibility study only. Linda Clark asked for clarification. If the communities all say yes and we do the grant, we would spend \$4,000 each to see if we can have this water/sewer district and then maybe decide we cannot do it. We would have spent money we do not have. Lou said it is complicated. Hopefully, we will have industry looking at us. We should be cheaper than Arizona in providing water to its residents and we are not. Council would see the savings. Linda Clark wanted to know what Portage County's position would be since they are already a district. Lou said no they are not, not like this. Mayor Donna Hawkins asked about the possibility of asking the townships to participate. Lou Bertrand said townships are limited by statutory expenses; they do not have home rule. Donna thought they could simply be asked for some funding support. Lou said you might be able to get more from the County because they have access to State and Federal funds. Giles Seith asked how this would all come together when we have townships all around us, if we cannot expand into the townships. Lou said Hiram supplies water now to the township. Giles said we do as well, but it is limited. Lou said everybody has a vote; he would like to unite everyone.

Legislation:

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. TABLED AT 3rd READING.

Motion to take off the table made by L. Schilling with a second from B. Prescott. All ayes on vote. Solicitor, Michele Stuck, explained the reason it was tabled. Harry caught an inconsistency at the last meeting, which has since been amended. Motion to amend the ordinance made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to approve as amended made by L. Schilling with a second from B. Prescott. All ayes on vote.

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

ORDINANCE 2009-68: AN ORDINANCE AMENDING SECTION 502.07 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. 3rd READING. Motion to table made by B. Prescott with a second from L. Schilling. All ayes on vote.

ORDINANCE 2009-69: AN ORDINANCE RENUMBERING CHAPTER 650 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. 3rd READING. Motion to table made by B. Prescott with a second from L. Schilling. All ayes on vote.

RESOLUTION 2010-03: A RESOLUTION DESIGNATING AN ANTICIPATED \$50,000.00 IN GRANT MONEY, WHICH WILL BE RECEIVED FROM FIRST ENERGY SOLUTIONS, INC. UPON THE PASSAGE OF THE ELECTRICITY AGGREGATION BALLOT ISSUE, FOR THE PURPOSES OF LEVERAGING GRANTS FOR RESIDENTIAL ROAD REPAIR AND MEETING ANY MATCHING FUNDS REQUIRED OF THE VILLAGE AS A CONDITION OF OBTAINING SUCH GRANTS. TABLED AT 1st READING. Remains tabled.

ORDINANCE 2010-06: AN ORDINANCE AMENDING SECTION 640.07 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. 2nd READING.

ORDINANCE 2010-07: AN ORDINANCE ADOPTING A REVISED PERMIT FEE LIST FOR ZONING PERMITS AND RELATED SERVICES. 1st READING.

ORDINANCE 2010-08: AN ORDINANCE AMENDING SECTION 440.12(E), CONCERNING SHARED ACCESS DRIVES, OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. 1st READING.

RESOLUTION 2010-09: A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF MANTUA TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH PORTAGE COUNTY, HIRAM COLLEGE, AND THE VILLAGES OF HIRAM, WINDHAM, AND GARRETTSVILLE IN ORDER TO SUBMIT APPLICATION FOR A “EFFICIENTGOVNOW” GRANT, AND DECLARING AN EMERGENCY. Motion to suspend the rules made by R. Hawkins with a second from L. Schilling. R. Hawkins voted yes, all other nays on vote. Motion to suspend the rules failed.

RESOLUTION 2010-10: A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF MANTUA TO EXPLORE THE AVAILABILITY OF, MAKE APPLICATION FOR, AND REQUEST FEDERAL ASSISTANCE FOR THE PLANNING, ENGINEERING AND CONSTRUCTION OF THE SOUTHWEST QUADRANT ROADWAY AND STORMWATER DRAINAGE IMPROVEMENTS FOR THE BENEFIT OF THE VILLAGE, AND TO REPORT THE RESULTS OF SUCH APPLICATION TO THE VILLAGE COUNCIL, AND DECLARING AN EMERGENCY. Motion to suspend the rules made by R. Hawkins with a second from L. Schilling. All ayes on vote. Motion to approve made by R. Hawkins with a second from B. Prescott. Mayor Hawkins explained this opportunity came about as a result of her discussions with Congressman LaTourette’s office on our revitalization concerns for the roadway on State Route 44 and infrastructure repairs and on the Federal highway and transportation bill. She then turned discussion over to Rich lafelice to give some details on the project.

Rich said Council approved several months ago, to authorize the Mayor to look into Federal money. This is an opportunity to apply for that money. The Mayor added that the project is not eligible under the highway bill; however, it is eligible under the appropriations. Rich said it starts with an application to the highway bill, and then we go after the

infrastructure in the appropriations bill. Rich had a questionnaire, which he filled out earlier and passed copies to Council. The project is for \$1.25 million, this would be 100% funded. He needs a commitment of support from Council. Linda Clark said she tried calling Dino with LaTourette's office; Dino was not available. She spoke with Laurie and was told there is usually a match, possibly up to 45%. Linda also asked Rich about his comments on local support #10, where he stated we have held numerous public meetings and listened to public complaints and issues regarding this. Linda said we really have not. These people have approached us at Council meetings. They are still waiting for a comprehensive plan. Linda Clark felt the language was misleading. Linda Schilling marked that section as well; she does not remember any public meetings. Rich said the Council meetings are their public meetings. Rich suggested you say it this way in the application to the Congressman; this is how applications are done. Rich said normally it is 80/20 but on this one, we are asking for 100%. Mayor Hawkins confirmed with Rich that the Congressman had asked him to write it this way, correct. Rich said yes. Roger said if it does not come in at 100% match, then it would be dead. Rich said yes. Ben did not think the Village should go with this; we do not have any way to match funds. Roger asked what is there to match. Ben said the pressure is on us to come up with a match, we do not have to worry about it if we turn it down now. Mayor Hawkins felt we should concern ourselves with the citizens and their concerns and problems. We have to try; we owe it to our citizens. Linda Schilling said Rich had stated he was doing this under his retainer. She was against this originally, but now would like to try to get the 100%. Giles would like Rich to guarantee to pay this match if it comes in at a different percentage. Rich would not answer Giles question and felt this was serious. Ben asked where in the application it says if it were not 100%, we would vote it down. Marty said it does not have to because if it is not 100%, we do not have to accept the grant.

Rich said Council needs to understand that the only reason this was brought before them was that the Mayor and he felt it was worth doing. It is 100%, he is well aware of the situation the Village is in financially. Roger asked Michele if there was anything we can put in that would guarantee us that if it were not 100%; we can still vote it down. Michele did not feel that would be an appropriate topic under this resolution. If the grant is granted, then Council could consider a resolution whether to accept the grant. Linda Schilling said if she lived on any of those streets, she would hope that someone on Council would be fighting for her to get something done. Mayor Hawkins has been working on solid relationships with the Congressman's office. Dino told Rich that whatever the Mayor thought was the most important need, to put it down. Ben has been in contact with LaTourette's office and was told there was no such thing as 100%, it was 80/20 or 60/40. Marty stated that he was against it to begin with but now felt we have to try. Linda Clark wondered why this was last minute and whether we could wait a year. The Mayor responded that Linda of all people should know how these citizens feel; she was involved with the citizens' action group. Linda Clark said she could not speak for them. The Mayor and Marty both felt yes you can speak for them, you represent them on Council. Mayor Hawkins, to answer Linda Clark's question, we may have to do it next year as well, we do not know if this is going to be funded. We need to get it on there right away so they know what the real need is. Linda Schilling called to question. B. Prescott voted no, all other ayes on vote.

New Business:

There was no new or other business.

Committee Reports:

Police Chief, Harry Buchert said the next Safety meeting will be February 25 at 6:30 a.m. Harry commended the Service Department on their efforts for snow removal and

maintaining roads. We have a court order to dispose of an impounded vehicle on a DWI arrest. It is an old beat up, rusty 1993 Ford F-150 pickup truck with little or no value. It has been stored at F & S with a storage fee reaching \$4,000. F & S will dispose of it for \$15.00. Harry asked for direction from Council. Motion to allow F & S Automotive to have possession of the truck at a cost of \$15.00 and wipe the slate clean made by L. Schilling with a second from M. Hura. All ayes on vote.

Village Administrator, Ed Trego, said he would keep it brief. Spring will hopefully be here before we know it. The weather has been taking its toll on our equipment. Eventually some hard decisions will have to be made. Linda Schilling asked Ed if there was any way when they plow at corners, they could get rid of the snow. The piles are getting so high; people cannot see to pull out. Harry said part of the problem is from homeowners plowing snow in places where it becomes dangerous. Linda Clark asked about the snow removal at intersections like at 44, who is responsible when people are walking to cross the street and they are stepping into slush and sleet. Ed said that can happen at every intersection. Service tries to be careful when they plow and salt but it is a factor where we live, it is northeast Ohio. Harry said we have volunteers that help clean.

Rich Iafelice with C.T. Consultants said there is no written report tonight. They have applied and got extensions on the Glacial Esker trail and Franklin/Regan storm sewer projects just as a reminder for Council. The Federal application on replacing water and sewer lines along S.R. 44, they tried but were unsuccessful. This can be reapplied for under the stimulus money. There are four projects that will not be reapplied for at this time. If another stimulus comes through, C.T. may then try again.

Jenny asked Rich what the \$1,699.96 purchase requisition for the Glacial Esker project covered. Rich said it was the balance of the original \$3,000 from 2007. Marty said Council originally changed C.T.'s ability to use the previous open-end purchase order; this is trying to reinstate the balance of that purchase order. It cannot go beyond this year. Rich said this is your local share. Motion to approve the C.T. Consultants purchase requisition of \$1,699.96 made by M. Hura with a second from L. Schilling. B. Prescott abstained, all other ayes on vote. The Mayor asked Rich to clarify what LaTourette had proposed regarding the highway bill and transportation bill.

Rich said the suggestion from LaTourette's office was to put one project in as the highest priority project as opposed to putting one in each bill.

Service: Linda reported the Service meetings are the first Tuesday of every month at 7:00 p.m. Signs will be addressed after the snow is gone. Ed's evaluations are in his file. Jenny said she only has one evaluation for Ed in the file at her office. Mayor Hawkins will get Jenny what she has. The May clean-up will be the same as last year located at the service garage. Ed said it would be limited; more details in the latest edition of Mantua Matters. Linda reminded Council that in March, they would need to discuss the contract for C.T. Consultants. She complimented Ed and his department on the roads.

Parks: Marty said the parks are under 18 inches of snow, they cannot be found.

Linda Schilling asked when Council should talk about proposals for trash pickup. Do we want to go into executive session? This would be to have one trash company in the Village and would have to be put on the ballot. Michele wondered how Council plans to do this; would they be taking proposals and then put it on the ballot. Linda said we would have to let people know about it. Michele said we could pass it as a non-emergency resolution accepting a bid and then voters could challenge it with a referendum.

Planning: Mayor Donna Hawkins announced the meeting is the 3rd Wednesday of each month at 7:00 p.m. The Mayor is chairperson. Last month they discussed the floodplain with regard to building and engineering services. This was addressed this evening in Ordinance 2010-07. They also discussed the Mantua Village civic sign, which Jason Sage is undertaking as his Eagle Scout project, zoning questions from the last BZA hearing and various exterior maintenance code concerns. They are still in need of a BZA board member so anyone interested can see Donna.

Finance: Ben said nothing has changed. We are still broke. The next Finance meeting will be the Thursday before Council at 6:30 p.m. Ben asked Ed to keep up the good work.

BZA: Roger reported they held a hearing last Friday on a variance request. A decision will be made in 30 days. He also thanked Ed for his departments' good work.

Safety: Giles did not make the last Safety meeting but commended Ed on a good job on the roads.

Public: Lauren Weaver thanked Ed for personally shoveling the end of her driveway.

Bob Ress also wanted to thank Ed and his department for their hard work during our recent snowstorms.

Mayor Hawkins asked if there was anything else that may properly come before Council.

Linda Clark wanted to see if Ed could get her some updated estimates to repair the jet truck. Ed said he would be happy to share what he has now but until they get it started, he cannot take it anywhere to get estimates. She also had a chance to take a tour of our water and wastewater plants and was enlightened by the way it works. There is needed maintenance including one pump that is going through 8,500 gallons of water per day. This wastes electricity and water. There is an electrical problem as well with some broken conduit. She felt that other Council members should take a tour of our plants. Mayor Hawkins commented to Linda Clark that she had just recently found out what her husband, John, does for a living. Linda said he works for Portage County at their wastewater treatment plant in Streetsboro as a supervisor.

Motion to adjourn the meeting at 8:44 p.m. made by B. Prescott with a second from L. Schilling. All ayes on vote.

Mayor Donna Hawkins

Clerk-Treasurer Jenny August