

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

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

**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, Brian Rogers with C.T. Consultants.

**Public:** Pearl Campbell, Norm Erickson, Lauren Weaver, Rick Hawksley-running for State Rep. 68th District, John Clark, Phil & Jason Sage, Bob Ress, Charlie English.

**Minutes:** Motion to approve the meeting minutes of February 16, 2010 made by L. Schilling with a second from B Prescott. All ayes on vote.

**Mayors Report:** Donna had the honor of being asked to give the address at an Eagle Scout ceremony held March 7 at St. Joes. Broc Benner and Cody Cleary received the highest rank a Scout can acquire, that of an Eagle Scout. Broc Benner completed the observation deck overlooking the Cuyahoga River at Buchert Park headwaters trail leg and Cody Cleary completed a handicapped accessible observation platform overlooking the scenic Glacial Esker pond. These are some of the finest projects ever completed by an Eagle Scout candidate. Donna felt truly fortunate to have been a part of such a worthy endeavor; these projects will have benefits to our citizens as well as surrounding communities.

Donna wanted to notify Council that she has received the Master Agreement from First Energy to provide services to our Village as an aggregate group. She asked Michele Stuck to review it as our solicitor and give Donna the okay to sign the document. The Mayor has since signed the agreement and mailed it. She is awaiting materials from First Energy to help better educate our citizens on the agreement prior to the May 4 ballot. She wanted to remind Council that a public hearing has been scheduled for April 20 at 6:30 p.m. at the Administration Building in Council chambers. Donna corrected the latest edition of Mantua Matters where she had stated the hearing was at 6:00 p.m.

Lastly, the Mayor was happy to report receiving in the mail today a congratulatory letter from the Arbor Day Foundation, which has once again named the Village of Mantua as a Tree City USA community. Donna thanked all those involved past and present who helped our Village obtain this distinction. This makes the 15th straight year we have been honored, which is no small feat as per the letter that stated there have only been approximately 3,400 cities and towns recognized as a Tree City USA community.

**Finance Report:** Clerk-Treasurer, Jenny August gave the financial report as of 2/28/10. Jenny was happy to report the Water debt fund is right where it needs to be in order to make the semi-annual OWDA payment. The Sewer debt fund is still about \$18,000 behind. We still need to address looking at ways to increase revenues or cut back expenses in Sewer. Another fund, which is in serious trouble right now, is the Cemetery Fund. If Council looks at their Fund Status report, they will see the Cemetery Fund down to \$846.00. Our seasonal employee for the Cemetery will be coming back soon and with preparations underway now for Memorial Day, we will need to figure out how we will pay for this. Since

October 1, we have spent \$1,375.00 in wages at the Cemetery. This fund only generates revenues of about \$5,000 a year.

Jenny reminded the Department Heads that their budgets are to be turned into the Mayor by April 1. She would appreciate a copy as well since we should have our first reading of the budget at the April Council meeting in order to pass it by June. The Village's 2011 budget must be turned into the County by July 15.

Our checkbook balance at the end of February: \$ 289,753.00

Revenues for February: \$ 180,995.00

Expenses for February including payroll: \$ 77,994.53

The Cash Summary shows an adjustment made in the General Fund in the amount of \$316.14. We had two voided checks, one from 2007 and one from 2008, voiding these checks added money back into the funds.

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 February 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 March omitting the C.T. bills made by L. Schilling with a second from B. Prescott. Linda said that line #39 needs to be changed; only one will be attending. Motion to approve as amended made by L. Schilling with a second from B. Prescott. 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 L. Clark. B. Prescott abstained, all other ayes on vote.

**Legislation:**

**ORDINANCE 2009-67: AN ORDINANCE AMENDING CHAPTER 210, CONCERNING THE DEFINITION OF "BUILDING HEIGHT", OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. TABLED AT 3rd READING.** Motion to take off the table made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to accept the recommendations 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.

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

**ORDINANCE 2009-69: AN ORDINANCE RENUMBERING CHAPTER 650 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. TABLED AT 3rd READING.** Motion to take off the table made by B. Prescott with a second from L. Schilling. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Prescott. 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.** Motion to take off the table made by B. Prescott with a second from L. Schilling. All ayes on vote. Motion to approve made by B. Prescott with a second from L. Schilling. Ben said Council needs to vote it down so that we can rewrite it and reissue it. All nays on vote. Resolution failed.

**ORDINANCE 2010-06: AN ORDINANCE AMENDING SECTION 640.07 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. 3rd READING.** Motion to approve made by L. Schilling with a second from B. Prescott. All ayes on vote.

**ORDINANCE 2010-07: AN ORDINANCE ADOPTING A REVISED PERMIT FEE LIST FOR ZONING PERMITS AND RELATED SERVICES AS AMENDED. 2nd READING.** Motion to accept the recommendations made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to suspend the rules 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.

**ORDINANCE 2010-08: AN ORDINANCE AMENDING SECTION 440.12(E), CONCERNING SHARED ACCESS DRIVES, OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA AS AMENDED. 2nd READING.** Motion to accept the recommendations made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to suspend the rules made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to approve as amended made by L. Clark with a second from B. Prescott. All ayes on vote.

**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. 2nd READING.** Ben Prescott said Council needs to vote this down. Motion to suspend the rules made by R. Hawkins with a second from B. Prescott. All ayes on vote. Motion to approve made by B. Prescott with a second from L. Schilling. All nays on vote. Resolution failed.

**RESOLUTION 2010-11: A RESOLUTION AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2010 APPROPRIATIONS, RE-DESIGNING THE STATUS OF A PREVIOUS ADVANCE 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 B. Prescott with a second from L. Schilling. Linda Clark felt that since this was an advance and not a transfer, the department receiving it has known about it and has had plenty of time to cut back their costs to repay this advance. She does not feel Council should change it. Jenny said the whole purpose of doing this is to clean up our Certificate with the County auditor. We can either forgive the last \$8,000 by making it a non-paid back transfer or reduce the appropriations by \$8,000. We would have to cut the appropriations in the water-operating fund. We have a couple more months to pay the advance back but to clean up the certificate now; we have to do one or the other. Linda Schilling asked Ed where that would leave him in the water fund. Ed said since this is the first time he has heard about it, he would have to look and see. Obviously, since the water fund was in the red last year, it is probably going in the same direction since there has been no increase in revenues. Jenny said, right now the water fund is on track as far as the monthly transfers. Ed asked Jenny why we needed the advance to begin with. Jenny said

we paid a large amount last year to C.T. Consultants out of the water fund. Linda Schilling asked Jenny what the payments were for to C.T. Jenny said it was for \$43,000 of old bills. The Mayor said it was the settlement for our debt. Ben said this is the easiest way to clean this up. Linda Schilling felt the payment to C.T. was not covering water projects. Jenny said a portion of the payment to C.T. was for water projects. Jenny said that advance has been paid back; this \$8,000 was to help pay the OWDA payment last June. We have until June 28 to advance it back, however, we have to clean up our certificate with the auditor and we only have two options. Either eliminate the \$8,000 advance or reduce appropriations. Linda Schilling called to question. L. Clark voted no, all other ayes on vote.

**RESOLUTION 2010-12: A RESOLUTION AUTHORIZING THE EXPLORATION OF FEDERAL GRANT POSSIBILITIES THROUGH “GRANTS.GOV”, 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. Roger Hawkins asked why we are naming two Council members to handle this. The resolution would become permanent when Council could change at every election.

Roger felt it should read that the Finance Committee would assign someone to handle these grants. Ben said, how about just eliminating the two names, anyone could do it. Linda Schilling said anyone could have done it from the start; she was called and asked. Take the names off and she and Linda Clark will still do it. Ben said take the two Councilpersons names off. Motion to accept the amendment 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. All ayes on vote.

**RESOLUTION 2010-13: A RESOLUTION ACCEPTING THE PROPOSAL OF THE STATE AUDITOR’S OFFICE TO PROVIDE TECHNICAL ASSISTANCE IN ELIMINATING FISCAL WATCH CONDITIONS, 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 B. Prescott. Ben informed Council there had been a misunderstanding on the initial letter from the auditor’s office. The Village would not incur any cost for the assistance; it will be paid through the auditor’s office. Jenny said we should see what is involved, if they do a performance audit, which might be good. Ben said we could check into it first. Motion to table made by L. Schilling with a second from B. Prescott. All ayes on vote.

### **New Business:**

The Mayor opened the floor to Charlie English who wished to address Council. Last February Charlie sent a letter to the Mayor regarding completing the headwaters trail, which he then read. He asked the Village to one, authorize volunteers and two, ask the fiber optic telecommunication company to stake out where their lines are located and then authorize the Parks Board Committee to direct and oversee the work to be performed. Charlie plans to volunteer his time and equipment but his equipment will not do it all. He is inviting some direction, inspection and ideas from Council. There will be some expense involved. They will need some culvert pipes and the asphalt there from Main Street should be recycled. Ben Prescott asked Charlie if he knows the cost involved. Charlie said the plastic culvert would be at current costs, he would like to see reinforced concrete eventually, probably a few \$100 dollars. Marty said there are funds in Parks. Charlie would ask Council to contemplate it tonight and then meet with the Parks Board.

Motion made by B. Prescott to allow the Parks Board Committee to have Charlie English move forward with a second from L. Schilling. M. Hura abstained, all other ayes on vote.

Linda Schilling said she is always the one saying we do not have money besides Ben. We have service trucks that are falling apart, storm sewers that need a lot of work and roads that are in disrepair. Our Police Department has made cuts and our Service Department is running with two full-time people only. We are at the minimum in every department. In order for us to move forward, Linda put a motion on the floor.

Motion made by L. Schilling to put an income tax increase on the ballot in November from 1 ½ to 2% and increase the credit from ½ to ¾ with a second from B. Prescott. Linda Schilling checked with Jenny to see what this would bring into the Village and it was \$106,375 annually. Roger Hawkins felt this should go through the Finance Committee first. Giles Seith felt we need to do something; we made it through the winter. Mayor Donna Hawkins felt it should be put in an ordinance form before it comes to Council. The motion was amended. Motion to have Michele Stuck, our Village Solicitor; put together an ordinance made by B. Prescott with a second from L. Schilling. R. Hawkins voted no, all other ayes on vote. Jenny said income tax money goes to the General Fund, this ordinance can state where the money would go.

Jason Sage presented plans for a new sign for Mantua Village. The Planning Commission recommended he come before Council with these plans. Jason said everything except topsoil, printing of plates and the stone caps have been donated. The placement of the sign was discussed with Ed Trego. OUPS was contacted and as a result, the sign needed to be moved five feet closer to Canada Road. For the plaques, most groups have been donating \$100.00. Any group that has an emblem, it can be no larger than 8" x 8".

Ed said he would help with getting a letter to the Masonic Lodge and a donation. Ed and the Mayor both felt this was a tremendous project Jason was taking on.

Motion to approve the location of the new sign made by B. Prescott with a second from R. Hawkins. All ayes on vote.

Mayor Hawkins announced that C.T. Consultants has graciously made a donation to the Village of office furniture.

Motion to accept the donation from C.T. Consultants made by L. Schilling with a second from B. Prescott. B. Prescott abstained, all other ayes on vote.

Mayor Hawkins spoke on something that was brought up to her by Norm Erickson regarding the storm sewer at Crestwood High School, which is collapsing. Mr. Erickson has prepared estimates. Norm said it has become very dangerous and the question is, whose responsibility is this to fix, the Village or the Schools. Norm felt we should arrive at a cost and split it. He received two estimates; Stamm's was the lowest estimate. Roger Hawkins asked Jenny if we have funds available to do this work. Jenny said the funds should come from the State Highway Fund, which has money. Ed agreed with Jenny, this is on a state highway.

Motion made by B. Prescott to split the cost of the storm sewer repairs with the Crestwood Schools, having it done by Stamm Contracting and having the funds come out of State Highway Fund with a second from L. Schilling. Norm added that Spring break is coming up soon. Ed felt the work should be done immediately and we should get concrete ingots. Norm said its worse every day. Roger asked how we make sure it is done right. Ed and Norm have plans to oversee the project but felt Stamm's will do a good job. Norm, Ed and Stamm's will meet first. The Mayor asked if Council should put a cap on the job. Council felt no, the Village will split the cost. Ben called to question. All ayes on vote.

### **Committee Reports:**

Police Chief, Harry Buchert said the next Safety meeting is next Thursday, March 25 at 6:30 a.m. Rodney Terry has been sworn in as an auxiliary officer. Harry announced the Soap Box Derby has been set for June 12.

Village Administrator, Ed Trego, had nothing at this time.

Brian Rogers, assistant engineer with C.T. Consultants said he would check with his department for offsets on a state highway. Michele said it is usually the telephone poles.

**Shade Tree:** Linda Clark reported their first meeting was last month. Plans are to put together an Arbor Day presentation for third graders. ODNR will have a presentation as well. The theme is: "Your Favorite Nature Spot".

**Service:** Linda reported the Service meetings are the first Tuesday of every month at 7:00 p.m. She had been working on getting quotes for the two flower boxes in the center of Hillside Cemetery. The man who can do the sandblasting can no longer do that outside. Linda is waiting for him to move his shop indoors.

**Parks:** Marty said he plans to call a meeting to start working on Charlie English's project at the west end of the trail at Mennonite Road. He reminded everyone that Diane will need articles for the next Mantua Matters.

Linda Schilling reported the personnel handbook drafts are in everyone's mailboxes. They would like them back by next Wednesday, March 24, with any changes so they can plan to meet again.

**Planning:** Mayor Donna Hawkins announced the meetings have been moved to the second Tuesday of each month at 7:00 p.m., which will put them before Council.

**Finance:** Ben had nothing to report for Finance. The next Finance meeting will be the Thursday before Council at 6:30 p.m.

**BZA:** Roger reported the BZA held a hearing last month for variance requests for the Shultz property. The Variances were denied.

**Safety:** Giles said he liked the idea of small recorders on police uniforms; it would be a great advantage. He attended a disaster-planning meeting recently in Windham.

**Public:** Lauren Weaver had two questions for Council. One, has Linda Schilling received estimates on garbage removal for the Village? Linda replied she has some information, which she will copy for Council to review. Two, Lauren asked where we are with the cleanup at Heaton's property. Michele said she spoke with John Vechery, our Zoning Inspector, which said he has received some indication that Dr. Heaton was going to clean up the property.

Norm Erickson on behalf of the Crestwood School Board thanked Council for addressing the storm sewer problem.

Rick Hawksley announced his plans to run for House District #68.

Motion to enter into Executive Session on pending litigation and personnel at 8:17 p.m. made by B. Prescott with a second from L. Schilling. All ayes on vote.

Motion to reconvene into Regular Session at 8:33 p.m. made by L. Schilling with a second from B. Prescott. All ayes on vote.

Motion to allow the Village Solicitor to write legislation to modify the personnel handbook made by B. Prescott with a second from L. Clark. All ayes on vote.

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

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Mayor Donna Hawkins

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Clerk-Treasurer Jenny August