

**Village of Mantua
Regular Council Meeting
April 20, 2010**

Mayor Hawkins called the meeting to order at 7:00 p.m. & lead the pledge of Allegiance.

Roll Call: Donna Hawkins, Linda Clark, Linda Schilling, Ben Prescott, Roger Hawkins, Giles Seith.

Others Present: Clerk-Treasurer Jenny August, Asst. Clerk Susan Skrovan, Attorney Aaron Snopek, Police Chief Harry Buchert, Village Administrator Ed Trego, Brian Rogers with C.T. Consultants.

Public: Norm Erickson, Pearl Campbell, Scott & Lauren Weaver, Bill Zoller, John Clark, Bill & Patsi Gast.

Motion to excuse Mary Hura and Michele Stuck and accept Aaron Snopek filling in for Michele made by B. Prescott with a second from L. Schilling. All ayes on vote.

Minutes: Motion to approve the public hearing minutes of March 16, 2010 made by B. Prescott with a second from L. Schilling. All ayes on vote. Motion to approve the regular meeting minutes of March 16, 2010 made by L. Schilling with a second from L. Clark. All ayes on vote. Motion to approve the special workshop minutes of March 31, 2010 made by L. Schilling with a second from L. Clark. Ed wanted to clarify a comment about halfway down on the workshop minutes regarding how often the pumps would need to be cleaned. It stated that he said it would be about every two months. Those particular pumps, it would not be every two months that they would need cleaned. The baskets would help catch some of the debris. That particular style pump would probably be cleaned once a week or more. All ayes on vote.

Mayors Report: Donna was honored to speak on Palm Sunday for the men's breakfast at Hilltop Church. She met with Eagle Scout advisor, Dick Krzys, to put together a timeline at the request of ODNR to obtain an extension for the Glacial Esker Trail. Donna was happy to say she received an email today with a formal letter to follow from ODNR granting our extension until December of 2010. An update on future Eagle Scout, Jason Sage's project, the foundation for the new civic sign coming into town was poured Friday. Thanks to Ellie Stamm of Stamm Contracting, Jeff Benner of Benner Masonry and Kelly Supply for their donations. The work will be moving forward but the project is in need of donations to support the cost of the stainless steel structure to which the placards will be mounted on. Cost is approximately \$800.00. Any donation would be appreciated.

Finance Report: Clerk-Treasurer, Jenny August gave the financial report as of 3/31/10.

Jenny reminded Council that she would not be here for their meeting next month. She will be attending her son's wedding in the Dominican Republic. Sue will be filling in for her at the May Council meeting. Just to reassure Council, the Assistant Clerk is authorized per Resolution 1998-16 to act on the Clerk-Treasurer's behalf in her absence. Sue is now completely trained to do payroll and she will pay all invoices that Council approves on the May Bills of Resolution. Jenny will have all of the financial reports prepared and will attend the May Finance meeting.

Our checkbook balance at the end of March: \$ 325,450.00
Revenues for March: \$ 104,538.00
Expenses for March including payroll: \$ 70,724.00

The Cash Summary shows that no adjustments were made.

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 with no exceptions. The March 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 April omitting the C.T. bills 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 G. Seith. B. Prescott abstained, all other ayes on vote.

Legislation:

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 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. Jenny commented that she was asked to check into this to see what it involved . The auditor's office said it would just be assistance for her on any accounting issues. Jenny asked about them doing performance audits and they said no. Jenny felt if she were a brand new clerk, she would say yes lets do this but she is comfortable with it now. Jenny felt this was not necessary but it is Council's decision. They are giving us free advice anyway and Jenny did not want to tie up \$5,000 that someone else might need. All nays on vote. Resolution failed.

ORDINANCE 2010-14: AN ORDINANCE AUTHORIZING THE VILLAGE OF MANTUA, PURSUANT TO OHIO REVISED CODE SECTION 718.01(C), TO PLACE ON THE BALLOT AT THE GENERAL ELECTION ON NOVEMBER 2, 2010, A PROPOSED TAX ORDINANCE AMENDING SECTION 171.03 OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES, "IMPOSITION OF TAX", SO AS TO INCREASE THE RATE OF TAXATION ON INOCME TO TWO PER CENT (2%), AMENDING SECTION 171.06 OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES, "COLLECTION AT SOURCE", SO AS TO INCREASE THE RATE OF WITHHOLDING TO TWO PER CENT (2%), AND AMENDING SECTION 171.14 OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES SO AS TO INCREASE THE CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES TO THREE QUARTERS OF ONE PER CENT (0.75%). 1st READING. Linda Schilling said we have to make some revisions in Section 4. Michele wanted service to look into what the percentages were that we had. We wanted 35 percent of this to go to roads, 20 percent to go to storm sewer, 20 percent would go to maintenance and 25 percent would go to pay off debt. Motion to accept the amendments made by B. Prescott with a second from L. Clark. All ayes on vote.

RESOLUTION 2010-15: A RESOLUTION AUTHORIZING PUBLIC ADVERTISEMENT REQUESTING BIDS FOR PROVISION OF REFUSE COLLECTION SERVICES FOR SINGLE FAMILY RESIDENCES WITHIN THE VILLAGE OF MANTUA, OHIO. 1st READING.

ORDINANCE 2010-16: AN ORDINANCE FORMALIZING THE USE OF A PORTION OF THE GERALD BUCHERT PARK LODGE BY THE AMERICAN LEGION POST 193. 1st READING.

RESOLUTION 2010-17: A RESOLUTION AUTHORIZING THE CLERK TREASURER TO TRANSFER UP TO \$15,000 FROM THE GENERAL FUND TO THE SEWER OPERATING FUND AND DECLARING AN EMERGENCY.

Motion to suspend the rules 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. Giles Seith asked whether this was just for the operating funds for Sewer. Jenny said yes, this is not for debt; this is to work on the broken pumps. Linda Schilling added that this was from their discussion at the last Service meeting, correct. Jenny said yes, she does not know how exactly it is being spent but that is the dollar amount. Ed Trego asked with this transfer from the General Fund to cover the pump, would we have funds to cover hauling sludge. Jenny said no.

Ed felt Council needs to look at amending this resolution because we must haul sludge. We usually haul in spring and late fall. Ben asked if the cost was about \$6,000. Ed said we could just figure it at \$6,000 and get that much out now.

Motion to amend Resolution 2010-17 to include paying the cost of sludge hauling made by B. Prescott. Ed felt Council should consider increasing the transfer to \$21,000. Jenny said Donna Maynard recently sent bills out and she was hoping to get those funds in to help with sludge hauling. Linda Schilling asked if we were planning to rebuild the pumps as we suggested at the special meeting. Ed said his recommendation is to move forward with chopper pumps, one chopper pump. Ed sent the estimated cost to the Clerk and Mayor. Jenny said she gave Council copies of that estimate. Ben felt Council should move on this and then they would work on the pumps after the sludge is hauled. Ed reiterated to Council that rebuilt pumps are still just that, rebuilt. They will continually need to be repaired and rebuilt. The chopper pumps are the best way to go; one at a time, see how it works and build the fund over time. Ben said we can not ask the Clerk to certify money that we do not have. Jenny said the General Fund lost a lot of money this year too. Linda Schilling told Ed that at this special meeting he said he would be able to rebuild them and they would work fine. Ed said they would work fine, but he has always said that does not eliminate the plugging of the pumps. What we have now, the parts are totally shot. That does not eliminate the plugging up of debris. Roger Hawkins asked what the cost of repairs would be rather than new pumps. Jenny said \$7–8,000 to rebuild. Roger asked what the cost of labor is to rebuild these weekly for a year. Ed said his department tears them down twice a week, two men for an hour to tear them apart and clean them out. Roger felt if we have money to do that, say \$5,000, we should have money to put in the new pump. That way, our employees could focus on doing something else. Linda Schilling said you are putting the \$5,000 into our employees anyway to do their work in the Village, what difference does it make. Roger said you could put your employees somewhere else to do work and save on those costs. More discussion on labor costs. Linda Clark said this chopper pump is not going to be maintenance free. Roger Hawkins said it would not need as much maintenance from information he received. Ben stated that we have to haul sludge. Jenny said this could be amended to be for pump repair and sludge hauling. She informed Council that right now, the Sewer fund is in the negative, the UAN computer will not allow us to move ahead until the funds come in to cover the negative. Ben said Council should amend to cover sludge hauling and the pumps, you have got sewer operation in there anyway. The Mayor said whereas as of April 15, 2010 the sewer funds were short of sufficient funds to repair or replace the damaged pumps. Ben said to amend it to cover pumps and sludge hauling. Donna Hawkins asked Ben how he wanted it amended to read, "To repair or replace the damaged pumps and sludge hauling". Ben said we need a vote on that. Motion to amend 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. Ed wanted to bring something to the attention of the new members on Council. It was forecasted that we would be at a loss three to four years ago in the sewer fund of \$80,000. Ed is only trying to operate as a licensed operator under the direction of Council and he cannot do that with

those funds. If a violation comes, and it will, he will not be held responsible for it. We are well below our manpower hours required at the plant. One operator is in charge for water and sewer. Three are required. Linda Schilling asked if we were going to go with new or fixing existing pumps. Ben said that is not this ordinance. Jenny said Council already amended it. Linda Clark asked for some clarification on what they were voting on. The Mayor said you are voting to keep it at \$15,000 and to add sludge hauling; we are just amending the use of the money. L. Clark – no, R. Hawkins – no, All other ayes on vote. Jenny did not know if it passed or failed because Marty is absent. Linda Schilling said it was three/two, it passed. The Mayor said so it passed as an emergency. Harry said you needed three/fourths of the vote as an emergency, with Marty Hura absent, we only have two/thirds vote so this is on first reading.

ORDINANCE 2010-18: AN ORDINANCE AMENDING ARTICLE 07, SECTION 7.03(B) OF THE PERSONNEL HANDBOOK OF THE VILLAGE OF MANTUA, AND DECLARING AN EMERGENCY. Motion to suspend the rules 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. Harry wanted to be clear that this would amend the present handbook but this would not pass onto the new handbook. Yes, Council is aware of that. All ayes on vote.

New Business:

Ben Prescott made a motion to have the pumps rebuilt with a second from L. Schilling. Roger questioned if this is the best decision. Three or four years down the road, will we be asking ourselves how we got into this mess? Giles added that this is still a financial issue. Linda Schilling asked about the labor costs. Roger said labor would be about \$5,000 where is that coming from. Ed Trego said you would eventually have to rebuild even the chopper pumps. \$3,000 - \$5,000 in unnecessary labor costs to rebuild what we have now. We need the proper pump for the application; it will remedy the problems we have without having screens. The costs of labor can be better spent. Ben said we could get new pumps when we have the money to do it. Roger felt we should hear from the citizens. The Mayor asked if they were talking about just one pump or both. Ben said just one right now. Jenny wanted to clarify a comment Ed made earlier, she did not say to cut hours in the sewer plant, she said the sewer budget needs to be trimmed. Ed said we are looking at \$5-6,000. He believes Council can look at not transferring but advancing those funds to get it and asks that Council put the proper equipment in. Ben asked if the equipment was proper when it was put in there. Ed felt he was not qualified to make that call; C.T. Consultants could answer that question. Randy Weaver asked whether Aurora Meadows would impact this. Ed said yes it would, we will have more revenues as well as more expenses. Ed explained the process of sludge hauling. They haul a minimum of twice a year however, it should be more often. Randy said this has been an ongoing problem for a while. Ed has heard this before; we will look at it later. Later is here now and we are still talking later. Roger asked Ed if these new pumps would save on water and electric. Ed said these are flush less pumps, yes. Randy asked if there was any up front money coming in from Aurora Meadows and when the project is expected to be completed. Mayor Hawkins explained the timeline for completion in early 2011. Norm Erickson asked if the Village is using everything that comes in to pay out. Jenny spoke on the funds and where it all goes. Ed said he forwarded the cost of a new pump to the clerk. Ben asked what the shipping cost was to deliver these pumps. Ed said the cost was split out. We would do all the work except for the electrical, which would be by a licensed electrician. Ed said his estimate might be less in actuality. You are looking at \$13,500; realistically it could be \$12,000. Ben said the quote from Ed was \$15,659! Ed said he has since got \$1,200 more off the pump and then \$1,000 for electrical; we may not need if it is a 5-horsepower. The mechanical work may also be

less. Ben said it is still \$4,000 more than we have. Giles asked if there was any value in the pump we would be taking out. Ed said yes, people are always looking for motors and parts. Ben Prescott called to question. Jenny said we are just discussing. Linda Clark said we have a motion on the floor to rebuild the pump. Linda Schilling asked if we have the money. Bill Zoller said the Village would be paying for labor over the course of a year. Linda Schilling asked where else we could cut; no one on Council has stepped up to the plate. Ed asked how we are now and forecasted in the General Fund. Ben said we are going to be in the red once we rebuild the pumps. Patsi had to agree with Roger, everything we do, we do half-ass and it comes back to bite us. Maybe there are some other places that can be cut. Patsi felt it is better to pay to have it new than to pay \$8,000 and then find out we need to spend more. We will be getting more problems and stress from Aurora Meadows. Ben added we have to fix the problem at Barky Mart. Randy Weaver asked what the issue is at Barky Mart. Jenny asked if that would be coming out of the water or sewer fund. Ed said a sanitary lateral coming out of the building is plugged; it appears when the water project was done in 2003 it impacted the lateral. Roger asked if the company that did the original work could be held responsible for the damage now. Ben said no, two-year warranty is all you get on a contract. Ben said we could rebuild those two pumps and we won't go as far in the red. Bill Gast asked if anyone checks the work that is done, where is quality control. Linda Schilling did not know but it is not her, somewhere in the service department. Ed said we did have someone on site, Les Moore, and he has the records. Ed wants to speak with our Solicitor before we get too far along with it. He will be looking at the situation in the morning. Ed explained the labor involved with rebuilding the pumps and what they have done in the past.

Mayor Hawkins asked to clarify that new pumps would be about \$12,000 and the cost to rebuild would be \$7 – 8,000 each. Ed said yes. Ben called to question. Jenny asked, so the question is, this is for the Village Administrator to rebuild the pumps. Ben said right. R. Hawkins – no, all other eyes on vote.

Committee Reports:

Police Chief, Harry Buchert wanted to make a recommendation to Council. The last meeting he discovered an error was made regarding the hiring of an employee three years ago when we brought her back from layoff. She came back at part time. Currently, with the other employees we brought them back at their rate of pay. Harry is asking Council if we could increase her rate to the rate she was receiving at the time she left. Motion to accept the recommendation made by B. Prescott with a second from L. Schilling. Linda Schilling asked how much more is the increase. Harry said he thought it was one dollar. All eyes on vote.

Village Administrator, Ed Trego said his department plans to start moving forward on the Glacial Esker Trail. The kickoff on the new sign has been good. The pump issue seems to be a dead horse. Ed asked about a new truck; what we can do to work on it, where do we stand. Linda Schilling said she was looking around at prices but now if we have to redo the pumps. Ed said he had asked for \$5,000 from the Cemetery Endowment Fund to be put towards a new truck. The cemetery pays nothing towards a truck and they use a truck there a lot with plowing and general maintenance. That money would not be coming out of our coffers. Ben said we have to present them with a list of what we want and we should go ahead and do that. There is an issue with who is holding that right now.

Ed said the situation at Barky Mart they are working on. Jenny asked if this was going to come out of the water funds. Ed said water, sewer and streets, but not permissive.

Brian Rogers, assistant engineer with C.T. Consultants reported that ODNR approved the time extension on the trail project to December 31, 2010. The reimbursement package has

been completed. Linda Schilling asked how Rich lafelice was coming along on the storm sewer proposal. They have met three times to go over ideas; he will have Rich call Linda. The grant application has been submitted to your Congressman. Linda Clark asked regarding the Franklin/Regan project what the in-kind amount was on it. Brian said it was a 50/50 match with the total project being \$80,000. C.T. had proposed the Village put in \$10,000 in cash and \$30,000 of in-kind labor/equipment. C.T. felt it could be done for less than that, possibly \$60,000 with the \$30,000 match from the Village coming completely from in-kind work.

Shade Tree: Linda Clark reported that Shade Tree is sponsoring an Arbor Day Poster Contest for 3rd graders at the intermediate school on April 30, 2010. They will have a guest speaker from ODNR. Middlefield Bank donated a savings bond for first place.

Service: Linda reported the Service meetings are the first Tuesday of every month at 7:00 p.m. We discussed the pumps, which have already been brought up tonight as well as the income tax increase. Linda said she has been on Council going on eight years; when she gets a call, she looks into it no matter who is handling the issue at the time. She does not expect nor does she deserve to have someone call her screaming and yelling about her looking into something that they have done that is sitting right here behind this table. She will continue to look into things when she is called upon, like it or not.

Planning: Mayor Donna Hawkins reported the Planning Commission discussed signage.

Finance: Ben said he was afraid to say anything on finance; it has been beat to death. The next Finance meeting will be the Thursday before Council at 6:30 p.m.

BZA: Roger had nothing to report for the BZA.

Safety: Giles said he was out of town for the last Safety meeting. Harry said they discussed the siren tower.

He promised the Mayor the orange fence would be down within two weeks and get the platform taken care of. The phone lines are being transferred over from Hiram. The body video cameras were ordered and are now in. The next Safety meeting will be Thursday, April 29 at 6:30 a.m.

Public:

Lauren Weaver representing the Mantua Community Action Group had some questions for Council. The first question was for finance. The Action Group wanted to state for the record that they oppose the proposed income tax increase. They want to know how much revenue would be generated and how it would be utilized. They felt there could be more budget cuts in other departments, excluding the police department, which could generate an equivalent amount of funds. Linda Schilling said the income tax increase would bring in roughly \$106,000 annually. Jenny added that at the time, she did not know the credit was also going to be increased so that figure may be closer to approximately \$67,000. Ben added that we are down to bare bones in every department.

Lauren Weaver asked Linda Schilling for Service that there was discussion about moving the Service Department to the Village Hall to save money where does that stand. Linda said she brought it to this table and it died at this table. Linda Clark added they figured a possible savings of \$20,000 to move Donna Maynard to this building. Not to utilize that small building they are in now and move Ed to the service garage. Ed felt that needed to be checked by our Zoning Inspector to make sure it was up to code. The other option would be for Ed to work out of an office at the water plant. Randy Weaver said there is your

new pump. Ed wanted to know from Linda Schilling when it was brought to this table as she had stated and nothing has happened. Ben said it has been discussed at committee meetings. Ed said they talked about Donna Maynard remaining full-time and others leaving; you need to check the \$20,000 figure for accuracy. Staffing regulations have been discussed at this table and you have turned a deaf ear to it. Mayor Hawkins said it had been discussed in Service and Finance; ultimately, it will be up to Council to decide. Patsi Gast wanted Council to make a decision. Ben wanted to know what it would cost to bring the garage up to code for an office. Roger said he has not seen any documentation on the costs. Linda Clark has a spreadsheet of the cost savings. It would save \$55,000 per year in expenses to shut the little building down. Mayor Hawkins recommended moving Ed's office to the water plant. Lauren asked if Council would investigate this further. Randy said we want to have our questions answered here at the Council meeting. Ed commented that Council would need to look wherever they can to save. Ed does not think the savings would be that much. Our staff is less than it was 30 years ago for full time people. Jenny asked Ed if Donna could fit down at the water plant or just him. Ed felt Donna Maynard should be up here at the administrative office, remain full-time, and she and Jenny would be enough. You would save a ton of money.

Norm Erickson said he has seen a lot of animosity on this board. Everyone needs to come together and work together.

Lauren Weaver asked Ben where the following items stood with C.T. Consultants: the grant for the Main Street infrastructure. Ben does not know, he thought that was being done through the Mantua Downtown Revitalization. Giles said they had been working on a grant through our Congressman. Ben said yes, it was an 80/20 match.

Lauren asked about the potential grant for the southwest quadrant. Ben did not know. Linda Schilling said Brian Rogers said it was submitted to our Congressman.

Lauren asked about the JEDD proposal between the Village and the Townships. Ben said he is all for JEDD's and TDR's, however, the townships will have to agree as well. Lauren asked who manages all of these things. Ben said he worked mostly on the JEDD's and the TDR's. The Mayor and C.T. worked on the grant projects.

Lauren asked the Service Committee what the status was on the plan for storm sewers. Linda Schilling said Rich Iafelice is in the process of putting together a plan.

Norm Erickson asked why there is not a timetable put on any of these projects.

Lauren asked if there were any plans to re-surface the roads. Linda Schilling said part of the income tax increase was planned for road repairs, 35 percent. Jenny added that there is permissive tax available as well.

Norm asked if there was a priority for what needs to be done. Ed said no, but it could be done very easily. Randy said it might be good to have a plan to sell the citizens on the income tax increase. Linda Schilling said the letter is already in the process, which will outline the percentages and what we plan to do with it and what we have cut already. \$247,000 over two years has been saved in the Police Department. Bill Gast asked about the percentage going to the roads, since we have had income tax for many years, why hasn't any money accumulated in the road fund. Ed said in the 1980's the original 15 percent was established to go toward roads. When this building became available, that was reduced and finally eliminated. Ben said the wastewater treatment plant, the water plant, this building and a few other projects were going on. We have eight or nine loans amounting to about six million. Lauren wondered why there has never been discussion

about rebuilding that fund. Ben said that money is going to pay the loans and Eaton left. Harry said that money went to General Fund; it has to be disbursed from that fund.

Lauren asked if the C.T. contract had been renewed. Linda Schilling said we have not discussed it, but we plan to have executive session. Jenny did not believe we found an expiration date on their contract. Linda Clark said the ordinance was open ended.

Norm asked if there will be action taken after executive session. Ben did not think so, no.

Harry said to say we are not getting anything from C.T. is an understatement; they are doing a lot under their retainer and some things at no charge.

John Clark wanted to expand on what Norm said. The department heads have to have input. Everyone needs to communicate and have all the facts. John hopes that it is true that we are not paying C.T. for the Esker trail. We were told it would not cost us a dime.

Motion to enter into Executive Session on pending litigation and personnel at 8:46 p.m. made by B. Prescott with a second from G. Seith. All ayes on vote.

Motion to reconvene into Regular Session at 9:31 p.m. made by B. Prescott with a second from R. Hawkins. All ayes on vote.

Motion to adjourn the meeting at 9:32 p.m. made by B. Prescott with a second from L. Schilling. All ayes on vote.

Mayor Donna Hawkins

Clerk-Treasurer Jenny August