

**REGULAR COUNCIL MEETING
MINUTES
September 15th, 2020
6:30 PM**

Acting Mayor Matt Rosolowski called the meeting to order at 6:30 pm and asked Marty Hura to lead the Pledge of Allegiance

Roll Call: Scott Weaver, Ben Prescott, Marty Hura, Paula Tubalkain, Matt Rosolowski, and Tammy Meyer.

Other Village Personnel: Clerk- Treasurer, Jenny August; Village Solicitor, Michele Stuck; Village Administrator, John Trew; Police Chief Joe Urso; Village Engineer, Rich Iafelice.

Citizens Present: Ted Bixler representing the Ad Hoc Committee, Mike Zamecnik and Graham Harmon representing Bentree Condominiums.

Approval of the August 18th, 2020 regular Council meeting minutes:

❖ Ben Prescott moved to approve the minutes of August 18, 2020 with a second from Scott Weaver. All ayes on vote.

Mayors Report:

Acting Mayor Matt Rosolowski said a letter was sent to Mayor Clark recently from Todd Peetz, Director of Portage County Regional Planning Commission (PCRPC) asking the village to support the Rural Placemaking Innovation Challenge (RPIC). This will be used to help us and our surrounding communities to expand broadband and also provide workforce opportunities. The village support will consist of providing an “in kind” match of \$1,500 to \$2,500. This would likely be contributed by attending meetings relating to this initiative.

❖ Motion to retroactively approve the submission of the letter of support to PCRPC by Scott Weaver, seconded by Paula Tubalkain. All voted aye.

Citizens: No comments at this time.

Financial Reports:

Jenny gave updates to our tax receipts in comparison to this time last year:

- Property Taxes are down **\$ 2,500**
- Income Tax is down about **\$ 450**
- Local Government funds (sales tax) we are up about **\$ 1,300**.
- Road Levy Taxes are up about **\$ 3,000**
- Gas tax is up over **\$ 14,000** which is under what we predicted.
- License Tax is down **\$ 29,500**. Jenny is hoping for a big check next month when CDL’s renew.
- Permissive Tax is down about **\$ 900**

Jenny said the village received a second Corona virus stimulus check from the Portage County Auditor. This one is in the amount of \$32,142.73. So far, we have only spent about \$12,000, which included giving \$7,000 to the Fire District. Jenny is glad the state is looking out for small governments during this crisis, and she hopes we will be returning a good size chunk back to the tax payers of Ohio to help keep our state solvent.

Jenny said it was brought to her attention that all of these years that she have been submitting pre-Memorial Day wages to the Cemetery Trust, she should have been getting Council approval. She apologized and noted that she did not realize this change in the 2018 legislation. She has prepared a list of hours to submit to the Trust. The total amount requested is \$1,191.65 which is much lower than we usually request. Jenny asked for a motion to approve sending this request to the Trust.

❖ Ben Prescott moved to approve sending the wage reimbursement request to the Trust with a 2nd by Tammy Meyer. All ayes on vote.

Jenny said last month Council authorized an additional work authorization to CT Consultants in the amount of \$1,000 for work related to the Buchert Park Trail. The money is not available in the fund but she has to make the purchase order. She asked Council if she should use the General Fund. Ben said that is all we can do.

Jenny asked if there were questions from the August financial reports. There were no questions.

❖ Ben Prescott moved to approve the Financial Reports with a 2nd by Tammy Meyer. All ayes on vote.

Correspondence:

Matt said he has something from Harry Buchert that he will bring out when John gives his report.

Bills of Resolution, Addendum Bills of Resolution

No questions or discussion.

❖ Motion to approve the Bills of Resolution and Addendum Bills of Resolution by Ben Prescott with a 2nd by Marty Hura. All ayes on vote.

Legislation:

Acting Mayor Matt Rosolowski asked Council if they would object to skipping ahead to Ordinance 2020-44 so the Benttree representatives do not have to wait through all of the legislation. There were no objections.

ORD. 2020-44 AN ORDINANCE ACKNOWLEDGING THE INABILITY OF THE VILLAGE OF MANTUA TO PROVIDE SANITARY SEWER SERVICE TO THE BENTTREE CONDOMINIUM ASSOCIATION, PERMITTING PORTAGE COUNTY TO PROVIDE THE SERVICE PURSUANT TO THE TERMS OF THE EXISTING SANITARY SEWER SERVICE AREA AGREEMENT, AND DECLARING AN EMERGENCY. 1st Reading.

Mike Zamecnik said the wastewater system at Bantree Condominiums is failing and they have been working with the EPA and the county for a year and a half to get a pump to tie in to the county sewer line on SR 44. In working on this, they are being asked to pay a tap in fee to the village and also to the county. The tap in fee to the county is about \$4,300 per owner and \$4,000 to the village. They have 14 condominiums which would equal a total cost paid of \$118,000 for just one 2 inch line tapping in to the county. This is not affordable to any of the owners. He asked John Trew if the village could afford to put in a line from the village property limit on route 44 to Bantree. He thinks it is fair that one tap in fee should be paid by the association.

Ben Prescott asked who told him he had to pay tap in fees to both the village and the county. Graham Harmon said they got a letter from the county that estimated by the number of

bedrooms, so they took their normal tap in fees and Mantua's normal tap in fees which gave them the total of \$118,000. Ben said the line is owned by the county, so he didn't see why there are two tap in fees. Mike said the county thinks we set a precedent with Dave Green's Funeral Home, which is a commercial building.

John said the county only had Green's for a starting point. The condominiums are in our service area, which is why we are considered, but the village will still receive revenues from the county for the usage. Ben said we shouldn't charge a tap in fee if it isn't our line.

Scott Weaver said the Service Committee voted to move this to Council. He said they want to waive the villages fee.

Paula said she wanted to make sure everyone is aware that as we go forward with this, the way the ordinance is written, we are saying that we as Mantua defer the collection of the tap in fee. We must realize that we are giving up around \$60,000, and if the agreement with the county doesn't come to fruition, we as a village are saying we do not need this money, or we are not keeping that money for our capital improvement fund for later. She wants Council to realize that.

Mike said that they are water customers at Bintree, and they pay an additional 25% surcharge because they are out of the village limits. Scott said the county has paid for so many feet of sewer line to be processed in our plant. Graham said the county was going to charge them \$77,000 for one tap in fee as a commercial rate. They explained that they are not commercial and there were 14 units, so they went back to calculating by the bedroom. If they charged them a commercial rate, they would only have one sewer bill. All 14 units pay their own sewer bill and their own water bill. There was no more discussion.

- ❖ Scott Weaver moved to suspend the rules. Paula Tubalkain seconded. All ayes on vote.
- ❖ Paula Tubalkain moved to approve with a second by Tammy Meyer. All voted yes.

ORD. 2020-30 AN ORDINANCE AMENDING CHAPTER 504 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO THE AUTHORITY OF THE PLANNING COMMISSION AND THE BOARD OF ZONING APPEALS TO WAIVE FEES. 3rd Reading.

Matt said this is waiving fees for nonprofit and hardship applicants. Ben Prescott said fees should only be waived by Council as a whole. Matt said this ordinance must be tabled until next month after the public hearing is held.

- ❖ Ben Prescott moved to table this ordinance with a second from Paula Tubalkain. All ayes on vote.

ORD. 2020-31 AN ORDINANCE AMENDING CHAPTER 610 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO SITE PLAN REVIEW SUBMITTALS. 3rd Reading.

Matt said this is reducing the number of copies and plans required, and it needs to be tabled for the same reason as the previous ordinance was.

- ❖ Ben Prescott moved to table this ordinance with a second from Marty Hura. All ayes on vote.

RES. 2020-35 (amended) A RESOLUTION AUTHORIZING CT CONSULTANTS TO PROVIDE ENGINEERING SERVICES FOR THE PROSPECT STREET ROADWAY AND

DRAINAGE IMPROVEMENTS PROJECT PHASE II AT A COST NOT TO EXCEED \$49,500.00, AND DECLARING AN EMERGENCY. 2nd Reading.

Paula said she is glad that Matt asked for a breakdown of the costs last month. She said the \$2,000 for the original submission, then \$20,000 for engineering, and \$35,000 is for the supervision of the construction. Moving forward she would like to see some of these things done internally. This would save some dollars. Ben said he thinks some of the things on the OPWC pay estimate are paid for twice. Rich said it is basically “pay as you go”. As construction payments are approved, they process the request for disbursement. Paula asked if that falls under the \$35,000 fee. Rich said yes. So the \$49,500 covers West Prospect from the Cemetery to High. Rich said 72% of the project is funded by the state.

- ❖ Scott Weaver moved to suspend the rules. Tammy Meyer seconded. Ben voted no. All others voted aye. Paula wants to see that Finance stays on top of this.
 - ❖ Paula Tubalkain moved to approve with a second by Scott Weaver. Ben voted no. All others voted yes.

RES. 2020-39 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE PORTAGE COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY. 1st Reading.

Matt said this is a housekeeping thing that happens every year.

- ❖ Tammy Meyer moved to suspend the rules. Marty Hura seconded. All ayes on vote.
 - ❖ Marty Hura moved to approve with a second by Ben Prescott. All ayes on vote.

ORD. 2020-40 AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2020 APPROPRIATIONS AND DECLARING AN EMERGENCY. 1st Reading.

- ❖ Scott Weaver moved to suspend the rules. Tammy Meyer seconded. All ayes on vote.
- ❖ Ben Prescott moved to approve with a second by Scott Weaver. All ayes on vote.

ORD. 2020-41 AN ORDINANCE APPROPRIATING FUNDS TO RUN THE VILLAGE OF MANTUA DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021 AND DECLARING AN EMERGENCY. 1st Reading.

Matt said this how we will be spending money in 2021 and we typically have a workshop to go over this. Jenny said since we are using the same numbers as Council approved with the 2021 budget, she did not see a need for a workshop. Ben said we can always make changes throughout the year. Jenny said the third reading is in November, so we can make amendments after the election if needed.

RES. 2020-42 A RESOLUTION AUTHORIZING CERTAIN FUND TRANSFERS BY THE CLERK-TREASURER BETWEEN THE WATER AND SEWER OPERATING FUNDS AND THEIR RESPECTIVE DEBT SERVICE RESERVE FUNDS, NECESSARY TO MEET 2021 DEBT SERVICE REQUIREMENTS. 1st Reading.

This is housekeeping and can go three readings. Jenny said depending how things go in November, we may not even need to pass this ordinance.

RES. 2020-43 ADOPTION OF 2021 CALENDAR 1st Reading.

This is also housekeeping and can go three readings.

RES. 2020-45 A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE PORTAGE COUNTY COMMISSIONERS RELATING TO

PROPOSED AMENDMENTS TO ORDINANCE 2019-49, THE “MANTUA VILLAGE, COUNTY OF PORTAGE WATER AND SANITARY SEWER SYSTEMS TRANSFER AGREEMENT”, AND DECLARING AN EMERGENCY. 1st Reading.

Ben said these plants generate \$1.1 million dollars in revenue. Why can't we do the operating and maintaining ourselves? With all of the plants and associated properties, he thinks we are giving away \$20 million. Ben said we have paid for all of this and that should be considered monetarily. Matt invited Ted Bixler to speak on behalf of the Ad-Hoc Committee.

Ted thanked both sides of the negotiating team for all of their work on this. He agrees that we did not get a perfect solution, but this is a better agreement now. In summary, he has three main things to point out:

First, the original surcharge of \$87 along with the \$65 minimum was going to impact our low to moderate income customers, which may cause us to lose citizenship. Their bill would be about \$152. The county is now proposing using the EPA Greenbook method for new construction by calculating the wastewater capacity of the new structure as a template to assess every property in the village. We will call this an “Equivalent Surcharge Unit” (ESUs)”. So a single person with a one-bedroom, one-bathroom apartment would pay a surcharge of .625 of the \$65 which would reduce their bill down to \$125 from \$152. So there is a curve for those using less water. Also, an example for the commercial side, a one chair Barber Shop would have a \$65 water minimum plus a .2 of the \$60 (or \$12) so they would be paying about \$77.

Next, the water interconnect that the village was originally going to pay \$600,000 for; the villages share went from 50% to now only paying 25% of that. After securing a 90% grant, the village would only pay about \$32,000. When adding new customers, after deducting cost of labor and materials, the remaining amount of the tap in fee would go towards reducing the total amount of the “needs list”, which would reduce the surcharge to the village residents.

Third, any new customers would pay the same surcharge as the village residents which was not in the original agreement. The one exception is if the county adds customers to north, east, and west, those customers tap in fees are not included. Only the ones in the area of the interconnect.

Marty said this is a big improvement. Paula said that per Rich's memorandum, the churches are small but the number of seats factors into their cost. That kind of bothers her. They have less than 200 sanctuary seats and will pay \$120 just in the ESU, plus \$65 on top of that. She looked at the Portage County Rules and Regulations and yes, they go by sanctuary seats, but many churches are doing good if they get 40 seats filled. Ted said maybe Council can take another look at that, and then can approach the Portage County Board of Commissioners. Any reduction in any group has to be reflected as an increase in the rest. Paula said this may all depend on the ballot issue.

Regarding the ballot language, Michele said a yes vote approves the transfer of the utilities to the county. If the ballot fails, we can begin new negotiations with the county. John Trew said it is about stabilizing the rates. Rich Lafelice said in his 30 years with the village, this is the most critical decision and he highly recommends it for our citizens. Matt agrees and said we need to schedule public meetings to inform the citizens. Council scheduled a Special Council meeting on September 29, 2020 at 6:00 pm to be held at Buchert Park pavilion to allow for social distancing.

ORD. 2020-46 AN ORDINANCE AUTHORIZING RENEWAL OF THE AGREEMENT FOR THE USE OF A PORTION OF THE GERALD BUCHERT PARK LODGE BY THE AMERICAN LEGION POST 193. 1st Reading.

There is time to let this go three readings.

Department Heads and Village Engineer

Police Chief Urso:

There was no meeting in September.

He and John Trew are working on the Cares Act money. They are looking at body temperature scanners.

There is no decision yet on Trick or Treat. He is waiting to see what the state guidelines will be. The next Safety meeting will be October 7th via zoom.

Village Administrator John Trew:

He met with NECO about the water meter installation. We are sending letters out on Sept. 21 to schedule the installations and hope to start by October 5th. Commercial accounts are being contacted next week to get scheduled.

The Orchard Street project is almost done.

Lastly, John received an email about some safety concerns. The guys will address them as time permits. There are two new part time employees coming on Board pending back ground checks and drug testing.

Village Engineer from C.T. Consultants:

Rich said he attended the Service Committee meeting and he reviewed the redesign of the reservoir storage tank. He plans to share the redesign with the county for their input and he is working with the property owner for a temporary easement.

West Prospect Street will now move forward. They will advertise for bids and hopefully award in November. The construction will start next spring.

The OPWC Round 35 application deadline was today, so Rich proposed to the Service Committee that the village do the Northeast Quadrant project. It would be an 80/20 split. The Service Committee approved moving forward. Rich submitted our application today.

Committees

Scott Weaver for Service, and Planning:

Service- Scott said Rich and John basically covered everything. He likes the new Reservoir renderings.

Planning- Kim Ule attended the Planning meeting and spoke on the residential inspections. She now understands that it is not a home inspection that you would do to sell a home, but more of a safety inspection. They also discussed street signs. John recommended that we contact Ohio Dept. of Transportation (ODOT) and get information on breakaway signs. Paula said when we did, ODOT put it back in Johns hands. She said people like our concrete signs. Our other signs and hydrants are not breakaway. We need to see what our residents want. This will be discussed more at Service also. At Planning, they worked on back lit signs and they hope to have legislation for Council next month. They also worked on the Exterior Maintenance Code and may have a few proposed changes.

Marty Hura for Parks and Shade Tree:

Parks and Shade Tree were cancelled last month, but this month they will be meeting in Council Chambers.

Ben Prescott for Finance- Ben said Jenny went over everything.

Paula Tubalkain for Safety and Portage County Regional Planning:

PCRP- Paula said they talked about the Rural Innovative Challenge. There are nine communities doing letters of support.

Safety- There was no Safety meeting, but Paula wanted to say that she likes the little green guys that help to slow people down.

New and Other Business-

Paula said she spoke with Todd Lamb about Canada Road. She realizes that he likes to start at one end. She listened to him and agrees with what he wants to do. She asked Jenny if we can afford to do 1600 ft. instead of the proposed 800 feet which would move it along much faster. Jenny said yes, the funds are there. Paula said the condition of this road is affecting our police cars and school buses. With the county replacing the culvert and giving us a 50-foot approach, doing 1600 feet would take us to the bridge by Engelhart's. John said the Portage County Engineers plan to do the culvert this year and will blend in with any new asphalt.

❖ Paula moved to go forward paving 1600 feet, not to exceed \$40,000. Nobody seconded. The motion failed. Paula reminded Council that people on Canada Road pay road taxes too.

Anything else that may properly come before Council- nothing was brought up.

Executive Session- none

Adjournment

❖ Motion to adjourn at 8:13 by Ben Prescott, seconded by Tammy Meyer. All voted yes.

Mayor Linda Clark

Jenny August, Clerk-Treasurer