

PUBLIC HEARING FOR ZONING AMENDMENTS
VILLAGE OF MANTUA, OHIO

October 20th, 2020
6:30 pm

Mayor Clark called the meeting to order at 6:30 pm.

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

OTHERS PRESENT: Mayor Linda Clark, Clerk-Treasurer Jenny August, Solicitor Michele Stuck, Village Administrator John Trew, Police Chief Joe Urso.

CITIZENS: Toomas Tubalkain

DISCUSSION:

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.

Mayor Clark explained that this would come into play if a non-profit applies for a variance, the fee's would all be paid up front and after the hearing, they would be reimbursed for all fee's after all actual costs have been paid.

Toomas Tubalkain asked why only non-profits. He said there are private business owners trying to beautify downtown with murals. A nonprofit will become a "pass-through" and more effort will be involved.

Matt Rosolowski said anything that reduces revenue should come before a full Council. Ben Prescott agreed.

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

Mayor Clark said this is reducing the number of copies to five and the rest will be provided electronically. This applies to residential applicants only, not commercial.

- ❖ Motion to adjourn the Public Hearing at 6:40 by Ben Prescott, seconded by Scott Weaver. All voted yes.

Linda Clark, Mayor

Jenny August, Clerk-Treasurer

REGULAR COUNCIL MEETING
MINUTES
October 20th, 2020
6:40 PM

Mayor Clark called the meeting to order at 6:40 pm and asked Marty Hura to lead the Pledge of Allegiance and asked for a moment of silence for Marilyn St. Hilaire, Clarence “Junior” Bennet, Elio Iafelice, and Audley Zuver.

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: none

Approval of Council meeting minutes:

There was no discussion on the Sept. 15th, 2020 Council minutes.

❖ Ben Prescott moved to approve the minutes of September 15th, 2020 with a second from Marty Hura. All voted yes on roll call.

Regarding the Special Council minutes from the Sept. 29th, 2020 meeting, Mayor Clark said there were a few things that didn't look quite right. She asked Council to table the vote on these meeting minutes until the tape could be reviewed. Tammy Meyer said on the last page in Caren Stutzman's comment it should have been “or” instead of “of”.

❖ Ben Prescott moved to table the minutes of the Sept. 29th, 2020 Special Council meeting minutes with a second from Scott Weaver. All ayes on roll call.

Mayors Report:

Mayor Clark met with Mark Hammer who is shooting a movie in town. They are going to start shooting the first week of November. She and Matt Rosolowski met with Congressman David Joyce and others at Restoration 44. The Record Courier will be touring and interviewing new businesses.

Mayor Clark said a few months ago she asked for clarification about the \$3,000 max that the Village Administrator can approve. If someone is going to be paying \$500 for their site plan review, why does that have to come before Council? Projects are being held up by waiting on Council to approve CT site plan reviews. Ben said if we have an ordinance charging \$500 for a site plan review, and CT is charging \$500, then it shouldn't have to come before Council.

❖ Motion to allow the Village Administrator or Mayor to approve the \$500 work authorizations for site plan reviews by Scott Weaver, seconded by Ben Prescott.

Citizens: No comments at this time.

Financial Reports:

Jenny gave updates to our tax receipts in comparison to this time last year: In summary, we are on track for all tax revenues except income tax which is down about \$23,000. License tax is down about \$48,000. And Permissive tax collections are down about \$900.

Jenny said that we received the HB 614 Corona virus stimulus check last week from the Portage County Auditor. She will ask Council to appropriate this check and the previous check in this month's legislation. Sunday she filed the required filing for the CARES Act funds that we have received.

A few months ago Jenny mentioned that our Verizon account was hacked and someone charged 3 iphones on our account. The case was FINALLY closed this month with a full refund. Jenny is still fighting with AT&T for new unauthorized charges on one of our accounts.

Yesterday Jenny had a meeting with Larry Kaczmarek and Debbie Boop of Kaczmarek Insurance. Our renewal is looking like a 9.5% increase with Medical Mutual. They said the only thing we can really do is have our employees update their Form Fire, and then Debbie can get a quote from Anthem Blue Cross, but they think it is probably going to be the same. They seemed to think our renewal at 9.5% is a good deal and others are renewing at much higher rates.

A few weeks ago Jenny forwarded Council an email stating that RITA sent out over 300 letters for non-filers. Jenny looked over the list and many of these people are nonresidents. There are some contractors that were working in the village for more than the 20 day rule that did not file. Some were landscapers, maintenance contractors, and cleaning companies. There were also people that lived in the village but were not added to the lease.

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

- ❖ Ben Prescott moved to approve the Financial Reports with a 2nd by Scott Weaver. All voted yes.

Correspondence:

Jenny said that we received our annual letter from the Ohio Department of Commerce regarding renewal of Liquor permits. We have never objected to any renewals in the past, but if we ever did want to object, we need to pass a separate resolution for each establishment that specifies the problems at each place and include legal grounds for our objections as set forth in the Ohio Revised Code by Nov. 2.

Mayor Clark said there was an article in the Record Courier with a lot of errors. She has clarified them Diane Smith with the Record Courier.

Bills of Resolution, Addendum Bills of Resolution

Jenny said we need to add an invoice from the Botzum Brothers in the amount of \$2,530 to be paid out of cemetery funds. Council had previously approved this work to be done.

- ❖ Motion to amend by Tammy Meyer, second by Scott Weaver. All ayes on vote.
- ❖ Motion to approve the Bills of Resolution and Addendum Bills of Resolution by Scott Weaver with a 2nd by Marty Hura. All ayes on vote.

Legislation:

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. Tabled on 3rd Reading.

- ❖ Tammy Meyer moved to take this ordinance off the table, and Scott Weaver seconded. Paula voted no. All others voted yes on roll call.
- ❖ Scott Weaver moved to approve with a second from Tammy Meyer. Paula, Ben and Matt voted no. Scott, Tammy and Marty voted yes. Mayor Clark broke the tie and voted yes.

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

- ❖ Scott Weaver moved to take this ordinance off the table, and Marty Hura seconded. All voted yes.
- ❖ Scott Weaver moved to table this ordinance with a second from Matt Rosolowski. Paula voted no. All others voted yes on roll call.

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. 2nd Reading.

Some of these numbers may change pending the outcome of the ballot issue.

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. 2nd Reading.

RES. 2020-43 ADOPTION OF 2021 CALENDAR 2nd Reading.

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. 3rd Reading.

- ❖ Matt Rosolowski moved to approve with a second from Scott Weaver. Ben voted no. All others voted yes on roll call.

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. 2nd Reading.

ORD. 2020-47 AN ORDINANCE AUTHORIZING AN ADVANCE FROM THE GENERAL FUND #1000 TO THE BUCHERT PARK WALKING TRAIL FUND #4201 AND DECLARING AN EMERGENCY. 1st Reading

- ❖ Marty Hura moved to suspend the rules, and Scott Weaver seconded. All voted yes.
- ❖ Scott Weaver moved to approve with a second from Ben Prescott. All voted yes on roll call.

ORD. 2020-48 AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2020 APPROPRIATIONS AND DECLARING AN EMERGENCY. 1st Reading.

- ❖ Ben Prescott moved to suspend the rules, and Marty Hura seconded. All voted yes.
- ❖ Marty Hura moved to approve with a second from Ben Prescott. All voted yes on roll call.

ORD. 2020-49 AN ORDINANCE AMENDING SECTION 450.07 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO ILLUMINATION OF SIGNS. 1st Reading.

Michele said we will need a public hearing before the December Council meeting for ordinances 2020-49 and 2020-50. Matt asked if there are many businesses in town that have internally illuminated signs. Scott said there are a lot, but this would be going forward for any new signs or whenever a business needs to replace an existing sign.

ORD. 2020-50 AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 480 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO EXTERIOR PROPERTY MAINTENANCE. 1st Reading.

Paula said this would be to address some problems, and she asked for clarification on “breaks” in Section 2, ground surface hazards, and if this is pertaining to sidewalks. Tammy said it is to cover anything like cracks, shifting up, etc.

ORD. 2020-51 AN ORDINANCE AMENDING SECTIONS 159.05 AND 159.09 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, RELATING TO QUORUM, MINUTES AND ACTIVITY REPORTS OF THE HISTORIC LANDMARKS COMMISSION. 1st Reading.

Paula said the language is changed in section 159.05 meetings where “quorum shall be a majority of the commission voting members” is being replaced with “a quorum has to be four members”. In other meetings it was mentioned that we are not getting people to volunteer to serve on these committees. The Historic Landmark Commission (HLC) proposed having five members for this reason. If we are putting this in writing that it must be four members, we need to work on getting the committee up to seven members. Ben said the quorum should be based on the number of current members. Marty and Paula agreed.

❖ Paula moved that under 159.05 “Meeting” section, we scratch the italicized proposal from Planning, and go with what is currently in our ordinance that “A quorum shall be a majority of the Commission voting members”. Ben seconded. Matt, Tammy, and Scott voted no, Ben, Marty, and Paula voted yes. Mayor Clark had the tie breaking vote and voted no.

The motion failed and this ordinance goes to second reading as is. Paula said we need to do some more active recruiting then.

Department Heads and Village Engineer

Police Chief Urso:

There was a meeting Oct. 7th. Reports were reviewed. Under old business we talked about large gatherings remaining on hold for now. Under New Business we talked about schools remaining open but being closely monitored. Since Portage County is in the red zone for virus cases now, we are going by zip codes, and we are low on cases right now.

Chief Urso asked Council to authorize several purchase orders that are over \$3,000 which will be funded by the Cares Act funds:

- ❖ Motion to authorize a purchase order in the amount of \$6,090.15 for five laptops for zoom meetings by Ben Prescott, and seconded by Scott Weaver. Everyone voted yes.
- ❖ Motion to authorize a purchase order in the amount of \$13,999.96 for the purchase and installation of four temperature gates for the village hall, police department, and park lodge by Ben Prescott, and seconded by Paula Tubalkain. Everyone voted yes.
- ❖ Motion to authorize a purchase order in the amount of \$3,260.00 for Pride Heating & Cooling to install ultra violet LED's in our HVAC system at the village hall and park lodge by Tammy Meyer, and a second by Paula Tubalkain. Everyone voted yes.
- ❖ Motion to authorize a purchase order in the amount of \$8,740.00 for TAC Computers for two tough books for the Mobile Data Terminals (MDT's) by Ben Prescott, and seconded by Scott Weaver. Everyone voted yes.

Trick or Treat will take place on Oct. 31st from 6-8 pm.

There are concerns about the 15-minute parking on Main Street. The east side of SR 44 wants 15-minute parking also. Joe doesn't think this is the right thing to do. Maybe by the greenspace at some point. The police are watching out for tenants that live upstairs of the Main Street businesses parking out front on SR 44. There is a 2-hour limit for parking out front there.

Village Administrator John Trew:

John is getting quotes from CJ Electric and Harner Plumbing for the covid work. Clean up day with the DMRC is in the planning stages. We still need to get waivers signed from the volunteers.

Tammy asked about the water meter installation. John said the installations are currently suspended because Portage County is in the red alert zone for corona virus cases. So far there are about 20-30 meters installed. Mayor Clark said nearly 100 have been installed per Maryann Fabian. Chief Urso said the plumbing is for the touchless faucets in the restrooms, and the electric is for motion sensor light switches. Scott Weaver said there are a lot of places using foot pulls for door openers also. His boss actually designed some for their place. Mayor Clark asked if we should consider getting a flat screen television for Council Chambers for the in person meetings. In the future we could use it for other purposes. Michele said funds must be encumbered by Nov. 20th for Cares Act expenditures.

Village Engineer Rich Iafelice from C.T. Consultants:

Rich said there has been no decision on Buchert Park Phase 3 or OPWC Round 35. He is pleased with the work that was done on the Buchert Park Trail as well as the work on Orchard Street. It is working as expected. The contractor will be submitting their one and final invoice. For West Prospect Street, we are shooting for advertising and reviewing bids to be awarded at the Dec. 15th Council meeting for construction in the spring.

Matt asked about the Matts Road Bridge project. Rich explained the project and said the financing has been tough. The State Infrastructure Bank seems to be the only avenue combined with OPWC leveraging low interest loans. His last estimate for the bridge and extension of the road is over a million dollars. The plans were for a double span bridge. The village wants a single span bridge for clearance underneath the bridge for recreational purposes.

Committees

Scott Weaver for Service, and Planning:

Service- Scott said the Soap Box Derby has some high school kids that would like to paint the building at the park. Canada Road was discussed and we hope to get that underway. There was discussion about the Covid funds, and the Ohio Edison pole issues. Maybe the new part time people can go around and count flags and what not so we can get the contract signed. They reviewed the Potato Festival contract and the Kimble Recycling contract. Both are going to expire next year. Paula brought up decorating the mini park.

Mayor Clark said the Soap Box building was pressure washed and already painted. Regarding Canada Road, the guys have been ditching. Should Council commit to doing 1600 feet of Canada Road this year? The Clerk is comfortable with doing \$40,000 this year and \$40,000 next year. Scott asked where the paving will begin, and if there is going to be a conflict with the county replacing culverts at that end of the road. John Trew said he will make sure there is no conflict and approaches to the culvert are paved.

❖ Motion to have Todd Lamb Paving do 1600 feet of Canada Road by Scott Weaver, seconded by Marty Hura. All voted yes.

Mayor Clark said Matt has been working on the contract with Ohio Edison. Matt said we do have a certificate of insurance from the insurance company.

Planning- Scott said they have been working on signs, and working on the exterior maintenance code. A property owner in the village would like to remove his building and may involve FEMA. Somehow the village may end up owning the property. There is funding for property acquisition for open spaces since it is river front. This is the old Middlefield Bank building. It needs a lot of work and it is sinking. Also, the person who is purchasing the Claude Hopkins property attended the meeting and wanted to address some agricultural issues. They also discussed the Landmark Commission.

Marty Hura for Parks and Shade Tree:

Parks and Shade Tree had a get together but didn't really discuss much. Tomorrow is their next meeting and they have a lot to discuss with DMRC proposals. Edie Benner from DMRC would like to attend the November meeting.

Mayor Clark for Cemetery & Board of Zoning Appeals:

Cemetery- Mayor Clark said the new doors for the mausoleum have been installed and the trim just needs painted. There will be filming there for the movie, so she asked the mowing people to leave the leaves on the ground as requested by the movie production staff. Filming may be Nov. 8th.

Board of Zoning Appeals- They still have one case holding, and they are still waiting for something from the vet clinic. There is someone who bought some of the Sontag property who will need a site plan review because part of it is in the flood plain.

Ben Prescott for Finance- Ben said Jenny went over everything. The Finance Committee reviewed legislation.

Paula Tubalkain for Safety and Portage County Regional Planning:

PCRP- Paula said they reviewed plots in the township.

Safety- the Chief covered everything.

New and Other Business-

Anything else that may properly come before Council-

Matt Rosolowski said in their meeting with Congressman Joyce, he got guidance and development regarding economic development. He was given a contact person and met with Brad Erhart, the Portage County Economic Developer. He felt like he got a lot of information and that will be his focus going forward.

Mayor Clark said regarding the Historic Landmark Commission, she reached out to Nathan Bevel from the state level. We have failed to turn in annual reports for the last two years. She spoke with the Landmark Commission Chair and he was not aware that the reports needed to be done, so she sent him the reports and he will try to get them filed.

Executive Session- none

Adjournment

❖ Motion to adjourn at 8:08 by Ben Prescott, seconded by Scott Weaver. All voted yes.

Mayor Linda Clark

Jenny August, Clerk-Treasurer