

**PUBLIC HEARING FOR ZONING AMENDMENTS**  
**VILLAGE OF MANTUA, OHIO**

December 15<sup>th</sup>, 2020  
6:30 pm

**CALL TO ORDER:** Mayor Clark called the meeting to order.

**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, Rich Iafelice from CT Consultants.

**CITIZENS:** No public comments were made.

**DISCUSSION:**

**2020-49** AN ORDINANCE AMENDING SECTION 450.07 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO ILLUMINATION OF SIGNS. 3<sup>rd</sup> Reading.

Matt Rosolowski said the businesses using back lit or internally lit signs may keep them, but if they should need repaired or replaced they must go with the new signs referenced in this ordinance. Michele said it is outlined in section 3.

**2020-50** AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 480 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO EXTERIOR PROPERTY MAINTENANCE. 3<sup>rd</sup> Reading

Matt asked for the definition of an improved parcel in section 1. Tammy Meyer said the Planning Commission amended it to apply to just those with street frontage, which would be an improved parcel. Paula asked about the pastures and hay fields on Canada Rd. Mayor Clark said Canada Rd is rural residential. Michele said this is an instance where common sense will be exercised, such as an agricultural setting.

Matt asked why is it being changed to only apply to the public right of way in section 2? Michele said Planning didn't think they could enforce something 200 feet into someone's back yard.

- ❖ Motion to adjourn the Public Hearing for the 2020 budget at 6:39 by Ben Prescott, seconded by Matt Rosolowski. All voted yes.

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**Linda Clark, Mayor**

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**Jenny August, Clerk-Treasurer**

**REGULAR COUNCIL MEETING**  
**MINUTES**  
**December 15<sup>th</sup>, 2020**  
**6:39 PM**

Mayor Clark called the meeting to order at 6:39 pm and 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; Police Chief Joe Urso; Village Engineer, Village Administrator John Trew; Rich Iafelice, Gene Arters with C.T. Consultants.

**Citizens Present:** Possibly some viewers on zoom.

**Approval of Council meeting minutes:**

November 17<sup>th</sup>, 2020 Regular Council Meeting-

- ❖ Ben Prescott moved to approve the minutes of November 17<sup>th</sup>, 2020 regular Council meeting with a second from Scott Weaver. All voted yes.

December 1<sup>st</sup>, 2020 Special Council meeting minutes-

Mayor Clark said the minutes read more like a report than a discussion. The recommended changes are on here but not the actual discussion. She read an email that she sent everyone on Dec. 7<sup>th</sup>. She said she wanted to clarify to them that she was not a tie breaker in any legislation relating to the water-sewer transfer agreement as Ben had stated. Matt said everyone is entitled to their opinion but need to be more responsible expressing them going forward. He and Marty think when someone makes a mistake they should apologize.

- ❖ Ben Prescott moved to approve the minutes of the Dec. 1<sup>st</sup>, 2020 Special Council meeting minutes with a second from Scott Weaver. All ayes on roll call.

**Mayors Report:**

Mayor Clark had no report for tonight.

**Citizens:** No comments at this time.

**Financial Reports:**

Jenny said that our meeting this month is early, so there will be more bills coming in. As she does every year, she asked Council's permission to pay any bills that come in as long as the department heads sign off on them.

- ❖ Motion to allow Jenny to pay any invoices that come in with authorization from department heads by Ben Prescott, seconded by Tammy Meyer. All voted yes.

For all tax revenues including income tax, Jenny said we are mostly on track. For gas tax, we collected the normal amount, but if you recall we had expected the additional \$31,000 and we were setting that aside for the Mats Rd Bridge. We have only collected about ½ of that. For License Tax- we are down almost \$40,000 and Permissive tax- we have only collected about 72% of what we had expected.

Jenny asked if anyone has questions or comments on the Financial reports. Matt said Shalersville received a round four check of the Cares Act money, and asked if we also got that. Michele said in order to qualify for the redistributed funds, you had to spend every last penny. Mayor Clark asked how much we did not spend. Jenny said \$438.00.

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

### **Bills of Resolution, Addendum Bills of Resolution**

Paula asked if all of the touchless equipment had been installed. Chief Urso said most of it has, but they will be coming back to do a few adjustments.

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

### **Correspondence:**

There was no correspondence this month.

### **Legislation:**

**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. 3<sup>rd</sup> Reading.

- ❖ Motion to take off the table by Ben Prescott, seconded by Paula Tubalkain. All voted yes. Jenny read the following amendments to the appropriations:

#### **General Fund: Park Operating**

- Increase wages to \$20,000 to pay one part-time employee
- Benefits: Decrease OPERS to \$3,000, decrease Medicare to \$400, reduce medical benefits to \$0.00 since Maryann's will come from the Village Administrator's budget, reduce Uniforms to \$200 for one part-time employee.
- Park Operating- Add water to \$3,000. This will be enough to cover the ball field water hydrants, the park lodge, and the old water plant used by the Potato Festival.

#### **General Fund: Village Administrator**

- Increase Village Administrator's wages to \$40,000
- Increase Village Administrator's Staff wages to \$33,500
- Benefits: Increase OPERS to \$10,500, increase Medicare to \$1100, increase Workers Compensations to \$800, increase unemployment to \$1500, add Medical benefits of \$14,000 (Maryann)
- Add \$400 for Training / Conferences.

#### **General Fund: Tree Care**

- Increase wages to \$20,000 for one part-time employee.
- Benefits: Reduce OPERS to \$3,000, reduce Medicare to \$400, add Uniforms of \$200.

#### **General Fund: Clerk-Treasurer**

- Reduce Medical to \$9,000

#### **General Fund: Village Hall**

- Add Water- \$3,000

#### **General Fund: Income Tax**

- Remove Software Support of \$3,000

#### **General Fund: Miscellaneous**

- General fund Advances Out- increase to \$25,000. (Buchert Trail)

- General Fund Transfers Out reduce to \$12,000
- General Fund: Total Expenditures becomes \$1,046,475

Streets:

- Increase Wages to \$80,000 (Dave & Vern)
- Benefits: Increase OPERS to \$11,200, increase Medicare to \$1,160, decrease Medical to \$15,000, increase Uniforms to \$800.
- Streets Total Expenditures becomes \$146,135.

Road and Bridge Levy fund:

- Add Canada Road paving project in the amount of \$80,000 (might only do ½)
- Increase W. Prospect St. local match to \$150,000 (correction)
- Total Expenditures becomes \$233,760
- Increase Road and Bridge revenues to \$75,000

Cemetery Fund:

- Add Water in the amount of \$975
- Reduce wages from \$6,000 to \$4,500 so the fund doesn't go negative.

Buchert Park Trail: Phase 2

- Add Land Improvements of \$25,000
- Add State Reimbursements of \$18,281

Remove: Water Operating, Sewer Operating, all Water and Sewer Debt funds, Water Capital Improvement fund, and Sewer Capital Improvement fund.

Last Page of Working Papers:

- Total Fund Expenditures becomes \$1,955,930
- Total Revenues becomes: \$1,790,092

- ❖ Motion to take off the table by Ben Prescott, seconded by Paula Tubalkain. All voted yes.
- ❖ Paula Tubalkain moved to accept the changes realizing that most of these changes are due to the transfer of the water and sewer utilities to the county, with a second by Tammy Meyer. All voted yes.
- ❖ Motion to amend section 4 to add emergency language so it is effective January 1, 2021 by Ben Prescott, seconded by Scott Weaver. All voted yes.
- ❖ Motion to approve by Ben Prescott, seconded by Paula Tubalkain. All voted yes.

**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. 3<sup>rd</sup> Reading. This resolution is no longer needed since the transfer agreement is going forward. This is a correction to the third reading vote from last month.

- ❖ Paula Tubalkain moved to approve, with a second by Tammy Meyer. All voted no.

**ORD. 2020-49** AN ORDINANCE AMENDING SECTION 450.07 OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO ILLUMINATION OF SIGNS. 3<sup>rd</sup> Reading.

- ❖ Scott Weaver moved to approve, with a second by Ben Prescott. All voted yes.

**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. 3<sup>rd</sup> Reading.

❖ Scott Weaver moved to approve, with a second by Ben Prescott. All voted yes.

**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. 3<sup>rd</sup> Reading.

Matt confirmed that it says “the simple majority” which means three out of five would be a quorum, but we are now saying means at least four people must be present to be a quorum. Paula said the Planning Commission has determined that the Board must have seven members, and based on that, a quorum would be four members. Since there are only five members, then four must be in attendance to be a quorum. At one point a few years ago, the Landmark Commission requested to change it to five members and the Planning Commission did not want to. She objects to this legislation. Ben disagrees with it also. He asked Michele what is the definition of a quorum. Michele said a quorum is however you define it. There are two ways. In this legislation, a quorum has to be four people and four concurring votes have to be voted to move anything forward. This language echoes the Planning Commission and the Board of Zoning Appeals which are both five member Boards, and which states that three people must be present to constitute a quorum. A concurring vote of three people is what is required to take any formal action.

❖ Scott Weaver moved to approve, with a second by Marty Hura. Paula and Ben voted no. All others voted yes.

**ORD. 2020-54** AN ORDINANCE AMENDING ORDINANCE 2019-49, THE “MANTUA VILLAGE, COUNTY OF PORTAGE WATER AND SANITARY SEWER SYSTEMS TRANSFER AGREEMENT”, AND DECLARING AN EMERGENCY. 1st Reading.

Matt wanted to clarify that this is an amendment to our agreement with the county and noted that this was overwhelmingly approved by the voters and is the will of the people.

Mayor Clark said we must first make the amendments. In Section 2 we need to include F and N as appendices, and T, and on the cover page we need to make it effective Jan.4, 2021 at 8:00 am. In exhibit A 6.3.1 we need to add the ESU and surcharge. The actual surcharge amount will be in Appendix R.

Tammy Meyer said we are raising the surcharge about \$5 more than we told the residents it would be at our public meeting. We are going from \$59.25 to \$64.56. Mayor Clark said last year it was expected to be \$87.61. Rich said the \$59.25 was without a survey of the buildings and it was a guess based on looking at the accounts. The water is the portion that increased.

Paula asked how the identified needs list is addressed. She asked if it is part of Appendix J and I. Michele said the list changed based on pay down of debt and the Reservoir project. All of the changes dropped the needs list down to \$11,626,000.

Ben did not like the minimum charge of 400 Cubic feet. He only uses 200 cubic feet and doesn't think it is fair to charge people for something they don't use. Mayor Clark said all 13,000 of the

county customers pay for 500 cubic feet of water and sewer per month for \$65. That pays for operations, employees, and capital improvements.

Michele reviewed the amendments once more and asked for a motion.

- ❖ Matt Rosolowski moved to authorize the amendments, Tammy Meyer seconded. All voted yes except Ben Prescott who voted no.
- ❖ Matt Rosolowski moved to suspend the rules with a second from Scott Weaver. All voted yes except Ben Prescott who voted no.
- ❖ Scott Weaver moved to approve with a second from Matt Rosolowski. All voted yes except Ben Prescott who voted no.

**RES. 2020-55** A RESOLUTION AUTHORIZING THE MAYOR AND CLERK-TREASURER TO PREPARE AND SUBMIT APPLICATION MATERIALS TO THE OHIO PUBLIC WORKS COMMISSION FOR THE NORTHEAST QUADRANT WATERLINE REPLACEMENT PROJECT PHASE I, TO EXECUTE FURTHER AGREEMENTS AS REQUIRED, AND DECLARING AN EMERGENCY. 1st Reading.

Mayor Clark explained that we have applied for Small Government Funding and LTIP (Long Term Incentive Plan) funding on this project in the amount of \$271,002 and a match of \$54,000. This application is due Dec. 23, and we have to apply since the water and sewer is still in our name. She has spoken with Abbey DeHart from OPWC and they are willing to allow the county to take over this project and financing after the transfer. This project replaces 4” waterlines that are over 65 years old.

- ❖ Tammy Meyer moved to suspend the rules with a second from Scott Weaver. All voted yes on roll call except Ben who voted no.
- ❖ Scott Weaver moved to approve with a second from Matt Rosolowski. All voted yes on roll call except Ben who voted no.

**RES. 2020-56** A RESOLUTION ACCEPTING THE LOW BID OF \$367,460.00 FROM WOODFORD EXCAVATING LLC FOR THE WEST PROSPECT STREET ROADWAY AND DRAINAGE IMPROVEMENTS PHASE II, AUTHORIZING THE MAYOR AND CLERK-TREASURER OF THE VILLAGE OF MANTUA TO ENTER INTO A CONTRACT FOR SAID IMPROVEMENTS, AND DECLARING AN EMERGENCY. 1st Reading.

Paula asked for clarification on this project was including paving, curbing, and storm sewers but not including waterlines or sewer lines. Mayor Clark said there may be minimal repairs/replacements to the sanitary lines but no waterlines or storm water. Matt asked John Trew if he has any experience working with Woodford Excavating. John said yes, and he had no issues. Rich met with them and they asked that we bring up that work would not begin until March 15. They would like the option to begin in the winter if weather permits. This would be excavation and storm sewers. Rich said they would discuss that at the preconstruction meeting. Paula asked if that would impact the roadway. Rich said one lane must always stay open.

Rich Iafelice reviewed the bids that were submitted:

Woodford Excavating LLC-	\$367,460.00
Matt Winters Excavating LLC-	\$413,442.65
Central Allied Enterprises, Inc.	\$416,152.00
Catts Construction, Inc.-	\$416,781.40
M. Campbell Contracting, LLC-	\$425,837.50
Trax Construction Co.	\$439,555.00

Utility Contracting, Inc.	\$446,647.00
Chagrin Valley Paving, Inc.	\$448,759.00
S.E.T. Inc.	\$449,187.30
R.J. Platten Contracting Co.	\$459,459.20
Tri Mor Corp.	\$472,323.00
Karvo Companies, Inc.	\$472,919.00
J.S. Bova Excavating	\$483,766.00
Eclipse Co., LLC	\$485,799.33
NES Corp.	\$509,986.00

The Engineers estimate was \$480,000.

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

**RES. 2020-57** A RESOLUTION AUTHORIZING THE PORTAGE COUNTY AUDITOR'S OFFICE TO DISBURSE DELINQUENT WATER AND SEWER ASSESSMENTS COLLECTED VIA REAL PROPERTY TAX PAYMENTS TO PORTAGE COUNTY WATER RESOURCES AND DECLARING AN EMERGENCY. 1st Reading.

- ❖ Paula Tubalkain moved to suspend the rules with a second from Scott Weaver. All voted yes on roll call.
- ❖ Scott Weaver moved to approve with a second from Paula Tubalkain. All ayes on vote.

**Department Heads and Village Engineer**

**Police Chief Urso:**

Chief Urso said there was no Safety meeting this month. The School Resource Officer, Patrolman Dunn will be helping Crestwood with meal distribution this year for the holidays. They are working with Portage County Emergency Management for the final Personal Protective Equipment push this year. JC Electric has done the work in our building but will be back to do some adjustments on the motion sensors. The movie finished filming last week. The next Safety meeting is scheduled for Jan. 6. We have 7 covid cases in the village. Lastly, there was a bad accident in our area that included 3 fatalities and several critical injuries involving children.

**Village Administrator John Trew:**

John has been busy working with Gene and Tia from the county, and Ray Schwartz from NECO on the utility transfer and meter replacement project.

**Village Engineer Rich Iafelice from C.T. Consultants:**

Rich also has been busy working with the county on the utility transfer as well as the design for the reservoir project. They will continue working with the county on this project as Engineer of Record after the transfer. The Dollar General site plan review went well. They have been very responsive to the comments and suggestions that were made to them.

**Committees**

**Scott Weaver for Service, and Planning:**

Service- Scott said the Service Committee discussed the meter project, which the county will now take over, and Canada Road. They want to get pricing and after February they want to make sure funds are certified for paving 3200 feet instead of 1600 feet. Also they discussed Dan

Tillett's property for Community Development Block Grant funding and State Bond Government funding. They also discussed the Potato Festival contract. We need a new contract by March.

Planning- They discussed the FEMA (Federal Emergency Management Agency) grant relating to the old Middlefield Bank building. They reviewed the zoning legislation that was passed earlier this evening. They also talked about sidewalk repairs and want to start that project in April. They talked about some ongoing zoning and maintenance issues.

Mayor Clark wanted to add into the discussion about the Potato Festival contract and if we were going to put in a meter for their building. The county recommends doing something to just have one meter for the whole park. This will involve several hundred feet of 1" waterlines, one meter, and shut off valves for several areas. She spoke with Dave Akerley and he will be working with John Trew on this. Matt did some quick calculations and if each had its own meter, the cost would run around \$60,000 per year, including sewer charges. In the long run, changing the lines so everything is on one lateral will be cheaper than paying several different surcharges. This would reduce surcharges for four meters down to one meter.

**Marty Hura for Parks and Shade Tree:**

Parks: Edie Benner's from DMRC attended their meeting and discussed their list of projects. Marty said the Parks Board told them they are not taking on any more projects until current projects are done and paid for. There are no more Parks meetings until March. Mayor Clark said the Service Committee recommends no surcharge or charges to the Potato Festival, but they did discuss putting lines and electrical underground.

Shade Tree: They talked about Maryann having the information needed for the village to remain a Tree City. Also no meetings until March.

**Mayor Clark for Cemetery & Board of Zoning Appeals:**

Cemetery- The Cemetery Board will be meeting in early January via zoom to talk about requests to the Trust. They are going to see if the Trust would consider paying the water bill at the cemetery.

Board of Zoning Appeals- The Board just finished up four variances with the Dollar General. All four of their variances have been approved, and there is a second site plan with the Dollar General and all of the changes they have agreed to make.

The Vet Clinic is still in a recess until they fill out a zoning application for non-conformance. Mayor Clark heard back from Dr. Imhoff and received an email from one of the businesses that uses aquamation which she shared with everyone, and just received information from the other gentleman who she hasn't had a chance to call back; will do that tomorrow or Thursday.

**Ben Prescott for Finance-** Ben said Jenny covered finance, and the committee reviewed legislation.

**Paula Tubalkain for Safety and Portage County Regional Planning:**

PCRPP- Nothing out of the ordinary going on. They are reviewing lot splits.

Safety- There was no meeting.

### **New and Other Business-**

Paula mentioned that she has heard from a few non relative residents who were concerned about a Dollar General coming into the village, especially since there are two other ones so close by. The concerns are that business would be taken away from local businesses that are trying to get started here. Also the appearance is contrary to what we are aiming for. Paula asked Scott how the Planning Commission is moving forward on the appearance. Scott said Planning has addressed this and the Dollar General Store has been very accommodating. Tammy said they are not using an illuminated sign. Scott said they have been working with us quite a bit. Scott said if there are any more concerns, they are happy to address them with the Dollar General people. Paula said another concern is putting things out in front. Mayor Clark said those concerns have been forwarded to the Planning Commission. Scott said management is also something that contributes to how the business operates. Marty Hura said the size of the store may also contribute to what is being displayed outside. Mayor Clark said if we prohibit outside displays of merchandise, do we also prohibit it with other businesses in town? Planning will look into this.

Tammy Meyer asked what is going on with the Circle K. Mayor Clark said it is closed and has been sold. Tammy noted that this will be another internally illuminated sign that will be going away with new ownership.

### **Anything else that may properly come before Council-**

Matt also wanted to discuss an email that Council and the Mayor received from a resident that had concerns about the roles and responsibilities and the work load of the village staff after the merger goes through. He told the resident that this is all being discussed and under review going forward. Matt said one of our roles is being specifically targeted right now, and he wondered if Council wanted to open this up for discussion. Paula said the resident may be addressing an issue that has been discussed in the past, that once you are elected you are there based on the status of the job at the time. Based on that, she does not think we can do much in the way of changes. Ben said if you are elected for a four-year term, you are there for four years unless you resign. Matt said he just wanted to acknowledge that the message was received, and he wanted to see if they wanted any further discussion on it. Scott said he thinks Finance and Service should discuss it, and they should discuss it together at some point. Another issue that was brought up in this email was that the Potato Festival may have to pay water surcharges when they only use it a few days per year, but Matt said they have already talked about that.

Lastly, Matt said any organization has a chain of command that needs to be observed and respected in order to be successful. The example he wanted to use is for the Service Department, which reports to the Village Administrator. For anyone who is listening, he asked that they please run any concerns that they may have through the Village Administrator.

### **Executive Session-** none

### **Adjournment**

❖ Motion to adjourn at 8:20 by Ben Prescott, seconded by Matt Rosolowski. All voted yes.

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Mayor Linda Clark

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Jenny August, Clerk-Treasurer