

**REGULAR COUNCIL MEETING**  
**MINUTES**  
**July 20, 2021**  
**6:30 PM**

Mayor Clark called the meeting to order at 6:30pm and led the Pledge of Allegiance and asked for a moment of silence for Jenny August's mother who recently passed away.

**Roll Call:** Ben Prescott, Tammy Meyer, Scott Weaver, Heather Paisley, Chuck Peterson, and Marty Hura.

**Other Village Personnel:** Mayor Linda Clark; Village Solicitor, Michele Stuck, Police Chief Joe Urso, Village Administrator Maryann Fabian, Sergeant Al Gilbert, and Gene Arters of C.T. Consultants.

**Citizens Present:** Nina Schroeder, Jen Sobczak, Dylan Gilbert, Brysen Gilbert, John & Anna Lee Heinl, Mike and Diane Kelley, Bob Ress.

**Mayors Report:** There is no Mayors report tonight, but Mayor Clark administered the Oath of Office to the new Sergeant Gilbert who was promoted from Officer to Sergeant.

**Citizens:** No comments at this time, but John Heinl will speak later when the letter from the Hilltop Church is read.

**Financial Reports:**

In Jenny's absence, Tammy Meyer read the financial reports and a statement Jenny prepared for Council:

"I wanted to mention a couple of things relating to the budget we submitted to the county:

First, we forgot to remove the Garrettsville dispatching revenues. Once I removed those, the General Fund is spending upside down by \$72,616. We have prior year carryovers to cover it, but eventually we will run out of carryover money and go into the red. This fall when we set the appropriations, we will need to take a careful look at that. The Police Capital Fund is the same issue. Removing Garrettsville dispatching revenues puts the Police Capital budget spending \$47,000 of carryover funds, which will leave around \$20,000 in Police Capital.

Second, using the wrong account numbers seems to be an issue with every audit. I was reviewing the Village Officers Handbook and realized that the code 1000-620 that I use for the Village Administrator portion of the budget is actually a code for Streets. The Village Administrator budget should actually be part of Mayor/Administration 1000-710. I used these codes for the budget that was submitted to the county, and I will use these correct codes for the 2022 appropriations.

Annually, we submit Memorial Day preparation wages to the Delia Thompson Trust for reimbursement. The amount I came up with for reimbursement this year is \$1,353.56. I will need Council approval to submit this amount to the Trust for reimbursement.

❖ Motion by Heather Paisley and a second by Tammy Meyer. All eyes on vote.

Also, I wanted to remind everyone that I will be on vacation beginning Thursday July 29th at noon and returning Monday August 9th. I will check my emails periodically.  
If anyone has questions or comments on the financial reports please email them to me."

- ❖ Tammy Meyer moved to approve the Financial Reports with a 2nd by Heather Paisley. All voted yes.

**Correspondence:**

Tammy Meyer read a letter from the Hilltop church regarding their water bill. The letter is attached to the official minutes. Mayor Clark said if Council chooses, she would approach the Portage County Commissioners and request that they ask Portage County Water Resources to adjust the calculation of the surcharge. When they reduce one entity's surcharge, the difference will be spread out between the other entities in the village. Tammy asked John Heintl what he would like to say. John Heintl said life isn't always fair. He thinks the county based the assumption on the Catholic church which has bigger attendance. The family that rents the house on the church property is charged a portion of the church's water bill. Now they aren't sure how much to charge them. Mayor Clark asked for a copy of the bill so they could take it to the county and get help calculating the renter's portion. Anna Lee Heintl said there are only two churches in town and neither one has a large attendance. The surcharge is too high for churches.

- ❖ Tammy Meyer moved to share this letter with the Portage County Commissioners and recommend an adjustment to their surcharge with a second from Ben Prescott. All voted aye.

Mayor Clark also received an email from Chief Roosa regarding the siren on Reservoir Drive which she read aloud. The Fire District has no plans to repair or replace this siren. It is on his list to decommission and remove it. He recommends having a plan in place before severe weather strikes.

Jenny received a letter from the Board of Elections that Mayor Clark reviewed. The Board of elections does not think the park lodge is handicapped accessible enough and recommends several changes.

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

Maryann Fabian said that line 22 and line 36 are the same thing and she would like one removed.

- ❖ Motion to remove one of the \$5,200 charges out of Parks Capital by Ben Prescott and seconded by Tammy Meyer. All ayes on vote.
- ❖ Motion to approve the amended Bills of Resolution and the addendum Bills of Resolution by Ben Prescott with a 2<sup>nd</sup> by Scott Weaver. All ayes on vote.

**Minutes:**

- ❖ Ben Prescott moved to accept the regular minutes from the June 15, 2021 regular Council meeting, with a second from Marty Hura. All ayes on roll call except Chuck Peterson abstained.
- ❖ Tammy Meyer moved to approve the public hearing for the 2022 budget minutes of June 15, 2021 with a second from Ben Prescott. All voted yes except Chuck Peterson who abstained.
- ❖ Motion to approve the July 6, 2021 Special Council meeting minutes by Ben Prescott with a second from Marty Hura. All voted yes.

**Legislation:**

**ORD. 2021-26 AN ORDINANCE AMENDING SECTION 121.03, ARTICLE XII, SECTION (1)(a) OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES CONCERNING THE SERVICE COMMITTEE.** 3<sup>rd</sup> Reading.

Mayor Clark said this is just removing some language relating to water and sewer from the Codified Ordinances.

- ❖ Scott Weaver moved to approve with a second from Heather Paisley. All voted yes.

**ORD. 2021-27 (amended) AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF MANTUA, AT THE GENERAL ELECTION ON NOVEMBER 2, 2021, A PROPOSED TAX ORDINANCE AMENDING SECTION 173.012 OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES, "PURPOSES OF TAX; RATE", SO AS TO INCREASE THE RATE OF TAXATION ON INCOME FROM ONE AND ONE-HALF PER-CENT (1.5%) TO TWO PER-CENT (2%), THE ADDITIONAL ONE-HALF PER-CENT TO BE USED ONLY FOR LAW ENFORCEMENT AND PUBLIC SAFETY PURPOSES.** 3<sup>rd</sup> Reading.

Mayor Clark explained that we are losing about \$90,000 of revenue because Garrettsville has contracted their dispatching services with the county starting next year. This money will allow us to continue with 24/7 police protection.

- ❖ Tammy Meyer moved to approve with a second from Scott Weaver. All voted yes.

**RES. 2021-28 A RESOLUTION REQUESTING AND AUTHORIZING THE PORTAGE COUNTY BOARD OF ELECTIONS TO PLACE UPON THE VILLAGE OF MANTUA BALLOT AT THE GENERAL ELECTION OF NOVEMBER 2, 2021, THE QUESTION OF WHETHER ORDINANCE 2021-27, INCREASING THE VILLAGE OF MANTUA INCOME TAX TO TWO PERCENT (2%), SHALL BE APPROVED IN ACCORDANCE WITH OHIO REVISED CODE SECTION 718.04.** 3<sup>rd</sup> Reading.

Michele said we will need to declare this an emergency to meet deadlines with the Portage County Board of Elections.

- ❖ Motion to amend to make this an emergency by Scott Weaver with a second by Tammy Meyer. All voted yes.
- ❖ Motion to approve by Scott Weaver, seconded by Marty Hura. All voted aye.

**ORD. 2021-30 AN ORDINANCE AMENDING SECTION 157.02 OF THE VILLAGE OF MANTUA CODIFIED ORDINANCES CONCERNING PERSONAL INFORMATION RECORDS KEPT BY THE VILLAGE OF MANTUA.** 2<sup>nd</sup> Reading.

This is also removing some water and sewer language from the Codified Ordinances.

**RES. 2021-31 A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO APPLY FOR, ACCEPT AND TRACK LOCAL FISCAL RECOVERY FUNDS AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT, AND DECLARING AN EMERGENCY.** 1<sup>st</sup> Reading.

- ❖ Motion to suspend the rules by Scott Weaver, seconded by Tammy Meyer. All ayes on vote.
- ❖ Motion to approve by Scott Weaver, seconded by Marty Hura. All ayes on vote.

**ORD. 2021-32 AN ORDINANCE AMENDING SCHEDULE 305.02 AND SECTION 400.01.F OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA RELATING TO AGRICULTURAL USES.** 1<sup>st</sup> Reading.

Scott said this is about roosters in the village. Tammy said someone asked about allowing it in rural residential. Scott said roosters are outlawed in Mantua. Michele said this could be declared a conditional use by the Planning Commission. You can have chickens if you have more than five acres, but not a rooster. A public hearing will be scheduled for September 21<sup>st</sup> just before the regular Council meeting.

**RES. 2021-33 A RESOLUTION RATIFYING THE SOLICITOR'S ACTIONS IN SUBMITTING A VOTE TO ACCEPT THE FIFTH AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION OF PURDUE PHARMA L.P. et al. IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, CASE NO. 19-23649, AUTHORIZING THE SOLICITOR TO TAKE FURTHER ACTION AS NECESSARY, AND DECLARING AN EMERGENCY. 1st Reading.**

Michele explained that this is part of the opioid litigation and we would be eligible for some of the funds. The deadline is July 18<sup>th</sup>, so Michele submitted on behalf of the village and is asking for retroactive approval.

- ❖ Motion to suspend the rules by Scott Weaver, seconded by Ben Prescott. All ayes on vote.
- ❖ Motion to approve by Scott Weaver, seconded by Ben Prescott. All ayes on vote.

**ORD. 2021-34 AN ORDINANCE AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2021 APPROPRIATIONS AND DECLARING AN EMERGENCY. 1st Reading.**

This is appropriating money in the cemetery fund.

- ❖ Motion to suspend the rules by Marty Hura, seconded by Heather Paisley. All ayes on vote.
- ❖ Motion to approve by Marty Hura, seconded by Heather Paisley. All ayes on vote.

**Department Heads and Village Engineer**

**Police Chief Urso:**

Chief Urso they had a Safety meeting July 7th. They had public comment from a citizen about engine braking in town. There are signs posted and an ordinance. Officers have been notified to enforce this.

Old business: they discussed the dispatch contract and posting of the Sergeants position. Eric Dunn and Al Gilbert were nominated even though all four candidates had good things to bring to the table.

New Business. Discussion about the siren on Reservoir Drive.

The Police Department received a donation of \$100 from a resident.

- ❖ Motion to approve the donation by Ben Prescott, seconded by Heather Paisley. All ayes on vote.

Chief Urso also said the car video systems were updated. They also discussed an LED traffic sign that can be moved around the village. It is run by solar power which is a bit more expensive, but there are no batteries to change. The cost is about \$4,000. Heather asked if a permanent mount is cheaper. Chief said the brackets will be permanently installed at all four entries into town, then the traffic sign can be moved around. It collects traffic speed and can be seen up to 1000 feet. You can add comments such as "Slow down".

- ❖ Motion to approve the LED traffic sign that will cost approximately \$4000 by Tammy Meyer, seconded by Heather Paisley. All voted aye.

Also, the pay scale ordinance was discussed and recommended to Finance.

**Village Administrator's Report:**

Village Administrator Maryann Fabian said the report is in the Council packet. She also wanted to add that things are going very well at the service department. They meet daily at 6:30 am. She said several residents have approached our service worker Liz Gerez and complimented the good job

that the service department is doing. They got their first storm sewer going this week and are getting ready to pour the cement. It is a great team.

Mayor Clark asked Council's thoughts about reimbursing Maryann's mileage. She uses her personal car to drive around the village daily to look for zoning violations and other issues. There is not always a truck available. When the Chief replaces a cruiser, the service department would like to purchase the old cruiser for Maryann and also the Mayor to use.

- ❖ Motion to approve reimbursing the Village Administrator for mileage on a monthly basis by Scott Weaver, seconded by Heather Paisley. All voted aye.

### **Gene Arters from C.T. Consultants:**

Gene said the Buchert Park project is still on hold as they are waiting on some more information from Ohio Department of Natural Resources. For capital planning, we have another month or so to hear about the round 36 application in for West Franklin. We are waiting on the county to make a recommendation from the state to go forward with their portion. The Dollar General is completed. The water reservoir rehabilitation project is still on hold at the Portage County Water Resources department. The West Prospect St. construction is also complete.

### **Committees**

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

Service- They talked about Buchert Park and how nice it looks. The backhoe needs some work. They discussed the bid packets for trash. Maryann has had requests for four bid packets. Also, they discussed the cemetery. The Cemetery Board has been invited to their next meeting. The rates and fees at the cemetery may need to be increased. We are not breaking even. They also talked about changing the lights at the park to LED.

Planning- They talked about chickens, food trucks, zoning issues, sidewalks, and approved some replatting. They discussed the Hawkins lot combo they are requesting in order to put up a building. They also discussed the old Middlefield Bank building. Mayor Clark said there have been four official complaints. We have sent two letters to the property owner regarding the camper on commercial property with occupants living in it, and the sanitary line was draining out on the ground. The property owner is going to address the issues. The occupants put caution tape across the entrance which is causing problems for deliveries to Mama Lights Eats. Also, kids are riding motorized vehicles in the parking lot. Scott asked if any permits have been issued. Maryann said there have not, and she has been in contact with the Portage County Building department. Scott asked what the new owners plans are for the building. Mayor Clark said there has been talk that they want to put in a used car lot, which is allowable. Allegedly, the prospective land contract buyer wants to put on a second story for apartments.

#### **Marty Hura for Safety, Parks and Shade Tree:**

Marty said there will not be any meetings tomorrow for Parks & Shade Tree.

Parks: Parks has been discussed already.

Shade Tree: They talked about replacing trees. Nina Schroeder said she is working on a proposal to present at their next meeting, and also an application to formally request trees to be replaced around the village, and the financial agreement between the property owner and the village. She has spoken to two Arborists about recommending trees that would be appropriate for our soil and climate. Heather said a Naturalist may be helpful. Scott asked who our Arborist is. Marty said we

don't officially have one, but we use Chuck Engelhart and we have access to the Tree City Arborists. Heather said there are a lot of areas in town that we may need trees thinned out.

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

Cemetery- Patty Leventry has resigned from the Cemetery Board. Letters of interest are being accepted.

Board of Zoning Appeals- Nothing is pending.

**Ben Prescott for Portage County Regional Planning:**

PCRP- Ben said they are continuing to work on new regulations for subdivisions. They use generic regulations and weed out what doesn't apply.

**Heather Paisley for Safety:**

Heather said the Chief covered everything.

**Chuck Peterson for Fire Board:**

At the meeting this month and they discussed personnel and some part time employees were promoted to full time.

**Tammy Meyer for Finance-**

Tammy said we welcomed Chuck to Finance. We could not approve the minutes because Ben was not there and Chuck was not on Finance in June. Tammy said she provided a handout. They discussed the Police Dept. pay scale. The last pay scale ordinance was 2021-16. During the Sergeant interviews she learned that we have a part time Police Officer making \$13 per hour with no benefits. The new Sergeants are making \$17 per hour, but we have long term Officers making less than \$17 per hour. She thinks we need to find money for Police wages in order to keep Police Officers. She wanted this to be discussed before the ballot issue. Some of our Officers work several jobs. Ravenna starts new Officers at \$25 per hour. Ben said this affects the Service workers as well. Ben said there is a law in Ohio that says you can't put your municipality in the red, so we have to be careful about that.

Tammy said the next thing she wanted to discuss is that Jenny is planning to leave her position by the end of the year. She thinks we can cut it to a part time position and cut the salary in half. This money can be reallocated. Ben asked if the work can be done in half the time. Tammy said Jenny seems to think so. Mayor Clark said Jenny said in the June Finance meeting that after the first of the year she would only be working about 10 hours per week.

Tammy said we need to discuss if the position should remain elected or appointed, part time 20 hours per week. If we make it appointed we have a larger base than just a village resident. If it stays elected, it has to be a village resident. Scott said we need to do away with elected. Ben disagrees. Scott feels that an elected treasurer does not have the same power as the mayor and council people. Heather agrees. Scott asked why should the new people have to deal with someone they didn't approve or hire? A football coach trades people that he doesn't want so he doesn't inherit a problem. Scott said we have talked about this for years. There should not be a power struggle in this building, and there is one every single day. It is wrong. No elected Mayor should have to deal with someone they didn't hire or approve or can't work with. Ben said if you have an appointed position and something happens the Mayor can be drug into it. Michele disagrees.

Michele said an appointed fiscal officer is assigned duties by Council and bonded, which protects the village.

Tammy asked Jenny to submit a task list so we can come up with a job description. Heather said we need to look at how much income we have coming in. Marty said the mayor doesn't do anything the Council doesn't approve, but Council has no power over the Clerk-Treasurer. He said we are supposed to read everything she gives us so she doesn't make a mistake, but he doesn't understand all of it. Ben said the Auditor of State said we need those reports.

Tammy said the Clerk-Treasurer salary is \$45,000 and if we cut that down by \$20,000 and give that money to the Police Department to raise their wages it might be a huge help. Tammy said we can still keep it elected and make it part time. Mayor Clark recommends scheduling a workshop specifically for this topic. Ben said if you take away an elected position, you are disenfranchising the voters. Scott said the residents are no longer paying taxes here or water and sewer. The job has been cut down a lot. Heather asked if we need a CPA or an Auditor at our work shop. Mayor Clark said if someone is appointed to replace Jenny to finish the term, that person must be paid the \$49,000 for ten hours per week that Jenny makes until the end of the term. Michele said if Jenny resigns at the end of 2021, and Council has not taken the action to make it an appointed Fiscal Officer, then you would be appointing a replacement into the elected position to serve out the elected term. The salary would have to remain the same as Council set it throughout the end of the term. Heather said we still have some time to address this. Council will have a special workshop after the service meeting on August 3<sup>rd</sup> around 6:30.

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

The Potato Stomp is Sept. 11 from 8:00 am to noon. They are changing the route and will not be on all of the village streets.

- ❖ Motion to approve the special event form for the Potato Stomp by Tammy Meyer, seconded by Scott Weaver. All ayes on vote.

The Potato Festival is Sept. 10<sup>th</sup> through 12<sup>th</sup>. Chief has their liquor permit but there are a few other things they need to get in order. Mayor Clark said everyone should have a copy of the addendum that needs to go with the application. Michele said Council could approve their application provided that they also agree to all of the conditions that are listed in the addendum

- ❖ Motion to approve the special event application for the Potato Festival providing they agree to the conditions listed in the addendum, by Heather Paisley, seconded by Scott Weaver. All ayes on vote.

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

Tammy said the Mayor and Jenny are in the process of switching offices. The Mayor will be downstairs and Jenny will be upstairs. The offices are being painted now. The old Village Administrators office will be her file storage area.

#### **Adjournment**

- ❖ Ben Prescott moved to adjourn at 8:37 with a second from Tammy Meyer. All ayes on vote.

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Mayor Linda Clark

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Jenny August, Clerk-Treasurer