

**Village of Mantua
Regular Council Meeting
November 27, 2007**

Mayor Hopkins called the meeting to order at 7:02 p.m. and led the pledge of Allegiance. Claude asked for a moment of silence for the passing of Florence Dunkerton.

Roll Call: Claude Hopkins, Jim Rogers, Marty Hura, Ben Prescott, Linda Schilling, Giles Seith.

Others Present: Clerk-Treasurer Betsy Woolf, Asst. Clerk Susan Skrovan, Police Chief Harry Buchert, Village Administrator Ed Trego, Village Solicitor Tom Reitz, Rich Iafelice and Brian Rogers with C.T. Consultants.

Public: Mayor-elect Donna Hawkins, Clerk-Treasurer-elect Jenny August, Tom Aldrich, Richard Freund, several others.

Minutes: Motion to approve the Council meeting minutes of October 16, 2007 as submitted made by L. Schilling with a second from J. Rogers. All ayes on vote.

Mayors Report: Claude met with the County Commissioners. They are looking for a new department head for the office of Economic Development. He also attended the revitalization meeting; the committee is submitting plans. The Soap Box Derby presented the Village with a plaque for sponsorship of the race.

Finance Report: Clerk-Treasurer, Betsy Woolf gave the financial report as of 10/31/07. Motion to approve the financial report, fund status, appropriation status, revenue status and cash summary by fund reports made by L. Schilling with a second from B. Prescott. All ayes on vote.

Bills of Resolution: Motion to bring the bills of resolution for November with addendum to the floor excluding any C.T. invoices made by L. Schilling with a second from J. Rogers. All ayes on vote. Motion to approve as submitted made by L. Schilling with a second from J. Rogers. All ayes on vote.

Motion to bring the CT monthly retainer bill to the floor made by L. Schilling with a second from J. Rogers. B. Prescott abstained, all other ayes on vote. Motion to approve made by L. Schilling with a second from J. Rogers. B. Prescott abstained, all other ayes on vote.

Legislation:

ORDINANCE 2007-27 AN ORDINANCE ACCEPTING AN EASEMENT FOR STORM SEWER PURPOSES FROM DELORES J. AND BRIAN E. GREGOR AND DECLARING AN EMERGENCY. TABLED AT 3rd READING.

ORDINANCE 2007-28 AN ORDINANCE ACCEPTING AN EASEMENT FOR STORM SEWER PURPOSES FROM SEAN OZIMEC AND KAREN OZIMEC AND DECLARING AN EMERGENCY. TABLED AT 3rd READING.

ORDINANCE 2007-30 AN ORDINANCE ENACTING RULES AND REGULATIONS FOR HILLSIDE CEMETERY. TABLED AT 3rd READING.

ORDINANCE 2007-32 AN ORDINANCE AUTHORIZING THE LISTING OF REAL ESTATE BELONGING TO THE VILLAGE OF MANTUA IN ACCORDANCE WITH AND

FOR THE PURPOSES OF A PLAN ADOPTED BY THE MANTUA VILLAGE COUNCIL FOR URBAN REDEVELOPMENT. 3rd READING. Motion to pass on 3rd and final made by J. Rogers with a second from B. Prescott. All ayes on vote.

RESOLUTION 2007-33 A RESOLUTION TO ACCEPT AND ADOPT A PRE-DISASTER MITIGATION PLAN FOR NATURAL DISASTERS IN THE VILLAGE OF MANTUA, OHIO. 2nd READING.

ORDINANCE 2007-38 AN ORDINANCE AMENDING CHAPTER 305, TRAFFIC CONTROL, OF THE ORDINANCES OF THE VILLAGE OF MANTUA. 2nd READING.

Harry addressed Council and said there is a resident here tonight who wishes to comment. Richard Freund, from First Street, has concerns on plowing the street clear now that the parking restrictions at night have been removed. Ed Trego said he does not see a problem, when there is someone parked there, our crew will make one pass and work to keep the parking areas cleared whenever possible.

RESOLUTION 2007-40 A RESOLUTION MAKING A FUND TRANSFER BY THE CLERK-TREASURER IN ORDER TO MAKE PAYMENTS, AND DECLARING AN EMERGENCY.

Betsy said this transfer is the Enertech escrow money to go back into water capital improvement and should be done after everything is settled. Council may want to table this until next meeting. Tom recommends Council leave it tonight at first reading.

RESOLUTION 2007-41 A RESOLUTION THAT THE VILLAGE OF MANTUA WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES OF THE VILLAGE OF MANTUA PURSUANT TO INTERNAL REVENUE CODE SECTION 414(h)(2). Betsy explained this is from PERS and is done every year; it is just housekeeping. It says the Village is going to pay their share.

ORDINANCE 2007-42 AN ORDINANCE AMENDING THE INCOME TAX REGULATIONS OF THE VILLAGE O MANTUA, OHIO. 2nd READING. Betsy will need to know when this ordinance takes effect. Tom stated 30 days after it has been passed. It would start as of January 1, 2008.

ORDINANCE 2007-43 AN ORDINANCE ESTABLISHING THE AMOUNT OF CONTRIBUTION TO BE PAID BY VILLAGE OF MANTUA EMPLOYEES TOWARDS TO THE COST OF THE PREMIUMS FOR MEDICAL INSURANCE FOR THE EMPLOYEE AND THEIR DEPENDENTS AS AMENDED. 2nd READING.

RESOLUTION 2007-44 A RESOLUTION AUTHORIZING THE SOLICITOR OF THE VILLAGE OF MANTUA TO REQUEST APPROVAL OF THE PORTAGE COUNTY COMMON PLEAS COURT AUTHORIZING A TRANSFER OF FUNDS FROM THE STREET CAPITAL IMPROVEMENT FUND TO THE GENERAL FUND OF THE VILLAGE AND DECLARING AN EMERGENCY AS AMENDED. 2nd READING. Linda asked about taking this out of the cemetery fund. Tom stated, depending on the source of the money, which will determine whether you can make transfers between funds. You cannot transfer money if the source is from proceeds or balances from loans, bond issues, special levies for the payment of loans or bond issues and funds derived from excise tax. Betsy said some of the money comes from the general fund but a lot comes from the sale of graves and lots. Tom has looked into the cemetery trust fund. The trustee of the fund has been very liberal so far with the Village's requests. The judge would like to see a budget from the Village.

RESOLUTION 2007-45 A RESOLUTION APPROVING SETTLEMENT AND RELEASE OF A LAWSUIT BETWEEN THE VILLAGE OF MANTUA AND ENERTECH ELECTRICAL, INC., PORTAGE COUNTY COMMON PLEAS COURT CASE NO. 2006 CV 682, DIRECTING AND AUTHORIZING THE MAYOR, VILLAGE ADMINISTRATOR AND VILLAGE CLERK-TREASURER TO TAKE ALL STEPS NECESSARY TO RESOLVE THIS MATTER, INCLUDING EXECUTING THE NECESSARY SETTLEMENT PAPERS. 1st READING.

ORDINANCE 2007-46 AN ORDINANCE APPROVING AND ADOPTING TEMPORARY APPROPRIATIONS FOR THE FIRST THREE (3) MONTHS OF 2008 FOR THE VILLAGE OF MANTUA, CALLED FOR IN THE 2008 BUDGET, AND DECLARING AN EMERGENCY. 1st READING. Motion to suspend the rules made by J. Rogers with a second from M. Hura. All ayes on vote. Motion to pass on third and final made by J. Rogers with a second from M. Hura. All ayes on vote.

RESOLUTION 2007-47 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. 1st READING. Betsy stated she fills these papers out every year. Motion to suspend the rules made by L. Schilling with a second from M. Hura. All ayes on vote. Motion to pass on third and final made by J. Rogers with a second from M. Hura. All ayes on vote.

ORDINANCE 2007-48 AN ORDINANCE ESTABLISHING AN OPEN RECORDS POLICY FOR THE VILLAGE OF MANTUA, OHIO AND DECLARING AN EMERGENCY. 1st READING.

RESOLUTION 2007-49 A RESOLUTION NAMING CLERK-TREASURER BETSY M. WOOLF AS THE OFFICIAL DESIGNEE OF THE MEMBERS OF COUNCIL AND THE MAYOR OF THE VILLAGE OF MANTUA TO ATTEND THE ATTORNEY GENERAL APPROVED TRAINING SESSIONS REGARDING THE DUTY TO PROVIDE ACCESS TO PUBLIC RECORDS AND DECLARING AN EMERGENCY. 1st READING. Motion to suspend the rules made by M. Hura with a second from J. Rogers. All ayes on vote. Motion to pass on third and final made by M. Hura with a second from J. Rogers. All ayes on vote.

ORDINANCE 2007-50 A SPECIAL PURPOSE FLOOD DAMAGE REDUCTION ORDINANCE. 1st READING. This ordinance comes from the Zoning Inspector, Bill Zoller, who recently attended a flood plain seminar. It was submitted to our solicitor, Tom Reitz for review. Tom responded, however, he cannot tell Council if this is what is required. Rich lafelice said this ordinance was just handed to him by Ed tonight. He is very familiar with these ordinances and would like a chance to read it.

Motion to accept all committee reports on file by L. Schilling with a second from B. Prescott. All ayes on vote.

Police Chief, Harry Buchert announced the Safety meetings for November and December have been cancelled.

Village Administrator, Ed Trego, just received a letter this evening from Brian Rogers to go to OWDA to clean up some loose ends on projects with the water and sewer plant. Tom asked Ed if there were legal fees associated with Enertech, and if they could be paid with the money being held. Ed said there are fees and they can be paid with the Enertech money.

Rich lafelice with C.T. Consultants asked about the outstanding money owed to C.T. It goes back two to three years and is substantial. Tom stated the Village is obligated to pay

this debt and they need to address it. Giles asked what the amount was that is owed to C.T. Rich said it is about \$106,000. Council will plan to discuss this debt in length at the workshop set up for December 13th at 7:00 p.m.

Motion to allow Ed Trego to send out the letter requesting \$32,680.32 from OWDA in order to pay something to C.T. Consultants made by G. Seith with a second from M. Hura. B. Prescott abstained, all other ayes on vote.

Jim reported the Planning Commission meeting would be tomorrow night at 7:00 p.m.

Marty met with the Parks board, He will bring their recommendations to the next Council meeting. There was nothing to report from the Cemetery board at this time.

Public: A resident asked about the removal of the tax credit, this would be the same as a tax increase right? Jim responded and then Tom Reitz explained this was not a tax increase, which would have to be voted on by village residents. This is repealing the ½ percent credit the Village afforded those residents who work in a municipality that takes out income tax in addition to what they pay to the Village. Not everyone was receiving the tax credit.

Richard Freund believes Main Street needs to be cleaned up a little better.

Motion to go into executive session on litigation & personnel at 7:54 p.m. made by M. Hura with a second from J. Rogers. All ayes on vote.

Motion to return to regular session at 8:15 p.m. made by M. Hura with a second from L. Schilling. All ayes on vote.

Motion to adjourn the meeting at 8:16 p.m. made by M. Hura with a second by L. Schilling. All ayes on vote.

Mayor Claude E. Hopkins

Clerk-Treasurer Betsy M. Woolf