

**Village of Mantua
Regular Council Meeting
April 15, 2008**

Mayor Hawkins called the meeting to order at 7:17 p.m. and asked Ben Prescott to lead the pledge of Allegiance. The Mayor asked everyone to remain standing for a moment of silence for two Village residents who recently passed away, Harry Guyette and Joanne Fordyce.

Motion to excuse Jim Rogers from tonight's meeting made by L. Schilling with a second from M. Hura. All ayes on vote.

Roll Call: Donna Hawkins, Linda Schilling, Marty Hura, Ben Prescott, Roger Hawkins, Giles Seith.

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

Public: Dave Woolf, Pearl Campbell, Linda & John Clark, Ken Justus, Yvonne Moore, Bill & Patsy Gast.

Minutes: Motion to approve the meeting minutes of March 18, 2008 made by L. Schilling with a second from B. Prescott. All ayes on vote.

Mayors Report: Mayor Hawkins read a detailed report for her first three months in office. This report included her touring all the Village facilities and meeting with various personnel and department heads. She is working with the finance committee to come up with solutions for budget shortfalls as well as dealing with emergency situations concerning recent bad weather conditions and their effect on our Village. She has met with local community groups such as the Mantua Garden Club, Chamber of Commerce and the Mantua Revitalization group as well as government officials at the local, county and state levels. Mayor Hawkins has also attended several local government classes in Columbus covering water & sewer projects, economic development and on how to run an effective meeting.

Motion to amend the agenda to accommodate having Yvonne Moore sworn in made by L. Schilling with a second from B. Prescott. All ayes on vote. Yvonne Moore was sworn in as a new member of the Board of Zoning Appeals by Solicitor, Tom Reitz.

Finance Report: Clerk-Treasurer, Jenny August gave the financial report as of 3/31/08. She hopes to simplify the reports so everyone can easily understand them. Ed Trego asked for copies of the financial reports. Motion to approve the financial reports: fund status, appropriation status, revenue status and cash summary by fund made by B. Prescott with a second from L. Schilling. All ayes on vote.

Bills of Resolution: Motion to approve the Bills of Resolution for April with addendum as submitted less the C.T. bills and police department payroll made by L. Schilling with a second from R. Hawkins. All ayes on vote.

Motion to approve the C.T. bills and police payroll made by R. Hawkins with a second from M. Hura. L. Schilling and 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.

RESOLUTION 2007-40 A RESOLUTION MAKING A FUND TRANSFER BY THE CLERK-TREASURER IN ORDER TO MAKE PAYMENTS, AND DECLARING AN EMERGENCY. TABLED AT 3rd READING.

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. TABLED AT 3rd READING. Motion to bring Resolution 2007-45 off the table made by B. Prescott with a second from L. Schilling. All ayes on vote. Linda Schilling asked if this has been completed. Mayor Hawkins responded yes and explained what transpired. The Village received one key, a release of the escrow account and David Benjamin offered to donate \$1,000.00 towards a second key. Tom Reitz also responded that he reviewed the final settlement agreement. Motion to approve made by B. Prescott with a second from L. Schilling. All ayes on vote.

ORDINANCE 2008-06 AN ORDINANCE AMENDING THE INCOME TAX REGULATIONS OF THE VILLAGE OF MANTUA, OHIO. 3rd READING. Motion to table made by B. Prescott with a second from M. Hura. All ayes on vote.

ORDINANCE 2008-12 AN ORDINANCE AMENDING ARTICLE 07 SECTIONS 7.02 AND 7.03 AND ARTICLE 08 SECTIONS 8.02 AND 8.03 OF THE PERSONNEL HANDBOOK OF THE VILLAGE OF MANTUA. 1st READING.

RESOLUTION 2008-13 A RESOLUTION DETERMINING THAT FINANCIAL CONSTRAINTS DICTATE A REDUCTION IN THE NUMBER OF FULL TIME POSITIONS ESTABLISHED BY THE VILLAGE OF MANTUA, DETERMINING WHERE THOSE REDUCTIONS SHOULD TAKE PLACE, AND DECLARING AN EMERGENCY. 1st READING. Motion to suspend the rules made by B. Prescott with a second from L. Schilling. All ayes on vote. Motion to enact Resolution 2008-13 as an emergency made by B. Prescott with a second from M. Hura.

Police Chief Harry Buchert wanted to add that the two individuals are full-time dispatchers, Judy Lisk and Shawn Gahagan. Layoffs would be effective as of April 20, 2008, which is the end of this pay period. Following the personnel book, everyone was at an equal level, so it went by seniority. Ben stated this had been discussed at the finance meeting. Harry stated it was also discussed at the safety committee meeting.

Linda asked what the actual savings would be for the layoffs. Harry did not have those figures at this time; they have cut almost \$70,000 from the police budget. Roger also asked for more details on the two positions eliminated. Harry explained these positions were full-

time positions, which will now be filled with part-time workers at 24/7. Harry asked if budget restraints are lifted in the near future, does it take a resolution to bring these positions back. Tom said yes it would.

Motion to amend Resolution 2008-13 to include those two names made by B. Prescott with a second from L. Schilling.

Resident Linda Clark asked why both positions were coming out of the police department, why not one from police and one from streets. The Mayor responded that the police department has the largest number of employees. Harry Buchert explained that police funding comes from the general fund, which is where the Village has the deficit. Ed Trego added that the service department, in previous years, has used only about \$2,000 from the general fund.

The Mayor called the question and the vote was taken. All ayes on vote.

Police Chief, Harry Buchert, reported the police department's monthly report is on file. He welcomed Jenny to the Village government family. The next Safety meeting is set for April 24th at 6:30 a.m.

Harry brought up the issue of extended warranties for the patrol cars. For four more years of coverage, the cost would be \$5200.00 per car. This is not in his budget. We could set up 12 monthly payments without any interest. The police department also checked with F&S Automotive, who looked over the warranties and with Wise Chevrolet.

Ben Prescott does not think the Village has the money at this time. We are dealing with Local Government Services who have sent a letter requesting the Village put together a budget forecast for five years.

Harry responded by saying the vehicles are at 32,000 miles right now; if we are going to extend the warranties, we must do it before they reach 36,000 miles.

Finance: Ben reported finance meetings would be set each month the Saturday before Council at 8:00 a.m.

Harry asked that the extended warranties be reviewed at the next finance meeting.

Village Administrator, Ed Trego asked, regarding the EnerTech settlement, what fund the escrow money would be returned to now that it was settled. Ben stated the water capital fund. Ed asked whether we have the permanent appropriations document for 2008 completed per line item. Ben said yes, but amendments are probable. Ed also asked if the ordinances for the tap-in fees have been signed. Tom said yes, he signed them tonight. Ed reported on Lamplighter's request for additional parking on Sontag Lane. He met with the Ozimecs and Gregors; there should not be a problem with the easements. This project would be after Memorial Day. With regard to the cemetery rules and regulations, Ed did meet with the cemetery board & Marty Hura, Cookie Vanek is currently cleaning up the language.

Brian Rogers with C.T. Consultants gave an update on the projects they are working on.

Service: Linda Schilling reported the service committee meetings would be the first Tuesday of every month at 7:00 p.m. here.

Linda brought up the health insurance coverage the Mayor is receiving. She has received several phone calls at home on the subject. Linda asked, given the recent layoffs and

deficit, could the Village legally ask Donna to pay a percentage of her insurance, say 50%. Tom responded, just like members of Council or any other employee of the Village, the Mayor can decline to accept some part of her compensation. This is wholly her choice; Council cannot compel her to do that. The second part of that question would be to tier employee contributions based on perhaps how many hours they work or in some other way. Tom also responded that compensation per Ohio Revised Code for all elected officials is usually set five days before election.

Marty Hura asked whether the Village was governed by the Minimum Wage law because if we are, the Mayor at 25 hours a week is making less than minimum wage.

Linda also wanted to discuss the solicitor's monthly bill. She felt Council needs to limit their calls and emails to Tom, no offense to Tom, and she asked whether Tom needed to attend the workshops. Tom responded that depending on the subject matter at the workshops, he would not have to attend every workshop.

Resident, Patsy Gast, addressed the Mayor by saying she felt strongly about the cost the Village is paying for her health insurance; it sits bad with the residents. Mayor Hawkins responded that she has received phone calls as well but they have been positive in what she is trying to do for the Village. Frankly, Mayor Hawkins said that was something that was offered prior to election, something she believed she had coming into this position. Members asked Donna who had offered the insurance to her before she ran. Donna stated that it was mentioned in an open Council meeting prior to her election around October, that if the Mayor worked 25 hours or more, they would receive medical coverage. Linda stated the meeting was when Wes Hawkins was still on Council and he asked the insurance agent if Council members could receive insurance. She remembers the agent saying he would have to look into it further but it was never offered to the Mayor. Other Council members also expressed their concern as to the cost to the Village. Donna pointed out from the recent Auditor's findings that the Village has been operating in the red since 2001 yet everyone continues to be paid and the Village continues to run. The fact of her having medical insurance should not be an issue. Roger Hawkins also commented on the previous administrations inability to keep this Village out of the red. We need to get this Village up and running. There are a lot of good things in the works.

Parks: Marty Hura reported that work is finally starting on the Buchert Trail. Mantaline plans to donate material for the trail decks. Marty thanked Ed for his extra time meeting with the cemetery committee. Marty asked for articles for the next Mantua Matters.

Ben Prescott asked everyone to remember cut-off for the Agenda is the Thursday before Council. In addition, we are working with Local Government Services and working on starting a purchase requisition system.

Ed Trego stated the Enertech escrow money should go back to Wastewater Capital.

Roger Hawkins reported the conference he attended in March was very informative. There were 18 classes in three days including fund accounting, minutes, Ohio ethics laws, water & sewer updates, setting rates and ODOT road maintenance.

Safety: Giles reported a second letter has been sent regarding a fence downtown.

Linda wanted to answer a question brought to her by Jenny regarding water and electric for the Potato Festival. The Festival committee pays their own electric bills. However, there are no meters for the water usage.

Ben asked for copies of the Mayor's report for Council members.

Public: Linda Clark said she appreciated the meeting she had with the Mayor. Linda asked why the insurance change passed on emergency, Ordinance 2008-07. Harry responded that the ordinance went three readings, there was a mistake found and changed, when it was brought up again, it passed on emergency. Tom clarified that it was actually only an ambiguity, not a mistake.

Linda Clark asked Ben regarding the finance committee; does the committee look at every invoice on the bills of resolution. Ben replied yes, and then he said not any longer. She would recommend they look at every one at every finance meeting.

Linda Clark also asked about a recent Sound Off regarding the State Auditor's report and Linda Schilling's employment with the Village. Linda Schilling responded that she was told at the time by their solicitor, it was legal and that it had been done in the past. Tom confirmed that Linda had talked to him about her employment and when she found out it was not legal, she resigned from those positions immediately.

John Clark asked about the settlement with EnerTech. He wanted to know the cost of a key and how much the Village would have to pay. The Mayor replied that we do not have the second key and do not know what the cost of that key will be at this time.

Mr. Gast asked if Ed Trego would come and look at the runoff by his home.

Pearl Campbell commented on the condition of the sidewalks. She was on Council six years ago. At that time Ed Trego told her while she walks, mark down where the sidewalks need repair. She did that but they have never been repaired. One in particular is on Prospect Street, the second house west of Maple Street. The sidewalk is all broke up and the slabs need fixed. She wondered why the homeowner does not have to fix it. Ed Trego responded this is a joint problem. This time of year, the Village Administrator goes out and views these sites and sends out letters to homeowners accordingly to correct the problems. With the new administration, he feels comfortable in sending out those notices.

Motion to adjourn the meeting at 8:52 p.m. made by L. Schilling with a second by B. Prescott. All eyes on vote.

Mayor Donna Hawkins

Clerk-Treasurer Jenny August