

**Village of Mantua
Regular Council Meeting
November 18, 2008**

Mayor Hawkins called the meeting to order at 7:00 p.m. and led the pledge of Allegiance.

Roll Call: Donna Hawkins, Jim Rogers, 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, Rich Iafelice & Brian Rogers with C.T. Consultants.

Public: Linda & John Clark, Patsy Gast, Pearl Campbell, Ron Kulesza

Minutes: Motion to approve the meeting minutes of October 21, 2008 made by L. Schilling with a second from B. Prescott. All ayes on vote.

Mayors Report: Mayor Hawkins attended the last Finance Committee meeting and as requested, she spoke with Brian Rogers with C.T. regarding the Franklin/Regan storm sewer project and the Glacial Esker project; he will proceed with filing extensions. She spoke with Superintendent Joe Iacano regarding the Crestwood waterline project; plans are for the Village Administrator Ed Trego, Village Engineer Rich Iafelice and she to meet with the Crestwood School Board on December 1st to make a presentation. There has been progress with closing the Bina Coit Cemetery Trust. Donna met with Tim O'Brien from C.T. Consultants to negotiate a payment plan to clear up the Village's debt to them. As everyone is probably aware by now, the Shalersville Industrial Park project did not go through for funding. Application will be made again next year. The Mayor announced the walk through Mantua's Past was a great success. She welcomed two new businesses to our Village, the Garden Girls and the reopening of Zagursky's Pierogies. Donna reminded all Santa will arrive at the mini park Friday, December 5th and 6:00 p.m.

Finance Report: Clerk-Treasurer, Jenny August gave the financial report as of 10/31/08. Jenny reported that this last month we did extremely well. She announced that Diane Hura, who works very hard to put the Mantua Matters together, has refused to be compensated for her efforts as long as our Village is in this financial state. Jenny wanted to acknowledge her dedication and hard work and thank her for it. Jenny requested that all department heads have their purchase orders into her office no later than December 1st.

Motion to approve the financial reports: appropriation status, cash summary by fund, fund status, revenue & expenses reports made by L. Schilling with a second from J. Rogers. All ayes on vote.

Bills of Resolution: Motion to approve Bills of Resolution with addendum for November less the C.T. bills made by L. Schilling with a second from J. Rogers. Ed Trego questioned the amount on the Paul's Lumber invoice. Sue explained the invoice had been reduced by 25 percent. Tom Reitz asked regarding his pay, it was much less this month, the bills list shows it much higher. Jenny explained the bills list is always one month behind with the payroll. All ayes on vote. Motion to approve the C.T. bills made by L. Schilling with a second from M. Hura. B. Prescott abstained, all other ayes on vote.

Tom Reitz asked to speak on the Clemens case. He received an email earlier this month regarding the Village paying him the balance of his judgment. Council must make that decision. Linda Schilling asked Harry if Mr. Clemens was back to work. Harry replied no.

Ben asked what the Village still owes him. Tom stated the Village still owes \$13,000. Linda felt if we do not have to pay him now, do not pay him. Harry asked when Council makes their decision; he would ask to be a part of the discussion. No decision tonight.

Legislation:

RESOLUTION 2008-42 A RESOLUTION AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2008 APPROPRIATIONS AND DECLARING AN EMERGENCY. 1ST READING.

Motion to suspend the rules made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Prescott. Ed Trego asked what the purpose was for this transfer. Jenny explained this is to move money for future payments against C.T. bills. Jim called to question. All ayes on vote.

ORDINANCE 2008-43 AN ORDINANCE AUTHORIZING A CONTRACT WITH THE PORTAGE COUNTY PUBLIC DEFENDER FOR DEFENSE OF INDIGENT PERSONS CHARGED WITH CRIMINAL OFFENSES UNDER THE VILLAGE ORDINANCES. 1ST READING. Tom informed Council this needs to be in place by January 1st of next year, he would request Council suspend the rules and act on it this evening. Motion to suspend the rules made by L. Schilling with a second from M. Hura. All ayes on vote. Motion to approve made by L. Schilling with a second from M. Hura. Harry stated this is nothing more than housekeeping and is done every year. Call to question. All ayes on vote.

RESOLUTION 2008-44 A RESOLUTION GRANTING A NON EXCLUSIVE EASEMENT TO THE PORTAGE COUNTY PARK DISTRICT FOR VEHICLE PARKING AND LIMITED RIGHT OF WAY PURPOSES WITHIN THE EASEMENT AREA IN THE VILLAGE OF MANTUA AND DECLARING AN EMERGENCY. 1ST READING. Motion to suspend the rules made by L. Schilling with a second from M. Hura. All ayes on vote. Motion to approve made by L. Schilling with a second from M. Hura. Giles asked if this is what we had talked about before on the easement for the trail. Marty said yes, this is for the area behind McDonald's; the Park District needs to have an easement in place to roll the gravel in the parking lot. Jim called to question. All ayes on vote.

ORDINANCE 2008-45 AN ORDINANCE APPROPRIATING FUNDS TO RUN THE VILLAGE OF MANTUA DURING THE FISCAL YEAR ENDING DECEMBER 31, 2009. APPROPRIATIONS MUST BE IN EFFECT BY JANUARY 1, 2009. 1ST READING. Motion to suspend the rules made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to approve made by M. Hura with a second from B. Prescott. Ed Trego asked that this remain at 1st reading and Council wait until December to pass it. He was not able to review this until he received it on the Friday before the Finance Committee meeting. Motion to table made by J. Rogers with a second from L. Schilling. Vote was as follows: J. Rogers – yes, L. Schilling – yes, M. Hura – yes, G. Seith – yes, B. Prescott – no, R. Hawkins – no. Motion passed.

Committee Reports: Police Chief, Harry Buchert wished everyone a Happy Thanksgiving. He would like to attend the next Finance Committee meeting to address the appropriations. The board discussed holding a special workshop and set a date for Monday, November 24 at 6 p.m.

Village Administrator, Ed Trego, asked that any information he could get for the school board meeting would be helpful. The Buchert Trail project is 99 percent complete. Marty said the observation deck would be finished this week. Ed thanked all those who were involved with the Ghost Walk. With regard to the appropriations for next year, Ed's biggest concern was having 40 percent of the clerk-treasurer's wages funded out of water and sewer. In the past, this was never the case. He hopes this can be revisited. Jenny responded by saying \$7,500 will come from water and \$7,500 will come from sewer.

Ed asked the Finance Committee where the Village stands on the Franklin/Regan project. Ben said we are asking for an extension. Brian stated the Mayor asked him today to file for an extension. Brian does not know how much OPWC will extend; we are already one year and two months past the original date. Rich lafelice said to be prepared to have the grant rescinded.

Ed apologized; he had not yet had a chance to review the identity theft policy. Tom stated the deadline for this has been extended.

Ed informed Council with regard to the 1986 1-Ton truck that the Village has dodged a bullet. The sixth fuel injection pump was installed and luckily, it was under warranty.

Rich lafelice and Brian Rogers spoke on the Franklin/Regan storm sewer project. Funds were applied for two and a half years ago. The completion date was supposed to be September 2007. Brian has been working with ODNR for an overview to see how the new floodplain boundary regulations will affect this area. It appears that nothing for this project will be affected by the new floodplain regulations. Brian explained the project was \$80,000; the OPWC grant was for \$40,000. Our local match is \$40,000. That does not have to be all in cash; volunteer labor, service department labor and equipment or donations of materials can help to make up that \$40,000 match. Venders can be involved and paid directly by OPWC.

Mayor Hawkins asked Ed Trego if he felt we could cover our local match. Ed replied no, at the time we applied, we had a full staff to do the work. Ed would like to see the project downsized and have someone with a smaller excavator go in and do the job. It is desperately needed. Rich responded the project could be reduced in scope and still be done; it would be 50% match whatever the size of the job.

Planning: Jim announced their meeting would be tomorrow at 7:00 p.m.

Service: Linda announced their meeting is the 1st Tuesday of the month at 7:00 a.m. She wanted to speak on comments that were made in the October 18 Finance report. In there, Ben said that the auditor had said not to use Tom any more for this year. Linda reiterated that we need to stop calling Tom or emailing him unless it is an absolute emergency.

Parks: Marty said the Buchert Trail project as you have heard, is almost complete. He reminded everyone that Mantua Matters articles are due no later than November 24 or sooner if possible. Marty gave an update on the fire department board that has been busy this year. Contracts are done for the full and part time firefighters, as well as retiring the old fire chief and installing a new interim fire chief. Job descriptions are now being reviewed. He thanked C.T. for all their help and wished everyone a Happy Thanksgiving.

Ed Trego asked to give an update on salting the parking lot at the fire station. Ed spoke with interim Fire Chief Joe Stoneberg and explained the Village was not in a position economically to be salting or to supply them with salt unless in an absolute emergency. The two townships will hopefully step up and help more. Marty said yes, the townships would take over that task.

Finance: Ben had nothing.

BZA: Roger had nothing.

Safety: Giles said there is only one more meeting, December 18th at 6:30 a.m. Night vision goggles are still in discussion. Next payment for the cruisers is not until January.

Public: Kevin Bidmar just moved to the Village and wanted to ask if the Village decorates the downtown area. The Mayor responded yes we do. He also wanted to know about the finance committee meeting and asked if he could attend, he has a financial background. All committee meetings are open to the public. Mr. Bidmar asked our Solicitor, Tom, what his job description was with the Village. He does not remember seeing an attorney sit in on meetings where he used to live. He was asked where he used to live and replied it was in a township. Tom responded that all townships go through their own County prosecutor's office for legal direction. Mr. Bidmar asked what the objectives were of the Mantua Revitalization project. Jim explained their plans once they reach their goal of \$75,000. Their main goal initially is to bury the utility lines. The committee meets on the 3rd Friday of the month at Advance Rehab.

Ron Kulesza spoke with Bill Zoller regarding his concern over a camper parked on a front lawn which zoning does not allow. He had repeatedly called Bill on the issue and was told he was a pain in the ass. An extension was given to the homeowner but nothing has been done yet. Jim replied they have discussed this at Planning and it is on their agenda for tomorrow. Jim would love to see Ron attend. Roger asked Mr. Kulesza who called him a pain in the ass. Ron stated Bill Zoller.

Linda Clark heard that Bill Zoller was planning to retire. **Linda** Schilling said she heard that as well but no timeframe had been given.

Linda Clark asked Rich lafelice if he could provide clarification on the northeast quadrant project and the costs involved. It does not appear that he researched an easement cost in the project. Rich explained this project is \$229,000 with the Village's local share of around \$50,000 to be financed over 30 years with a 0 percent loan. He went on to explain the project in more detail. Ed Trego expanded on this information. A packet was sent to the school superintendent and all board members at their last meeting. All issues regarding this easement will be addressed only at a school board meeting.

Linda Clark asked should they turn down the project, would Council rescind the \$5.00 surcharge. Jim spoke that this surcharge could also be used for capital improvement projects. **Linda** was unhappy with the way the Village passed the surcharge. She felt it was under the table.

Linda Clark addressed Ed on the water pressure levels, requested copies of the boil alerts, and asked what problems there would be with EPA if we do not maintain 20 psi. Ed responded to **Linda**'s records request and explained the boil advisories and boil alerts. Ed explained the obstacles they had in the past with acquiring easements off Park Street.

Linda asked whether David Benjamin ever paid the \$1,000 for the key. Jenny said he has not but we continue to bill him for it. She also wanted to know if the elementary schools on Bowen Road pay the same 35 percent above Village residents for their water usage. Ed would have to check this with Donna but he thinks it is 25 percent.

John Clark asked if this project in the northeast quadrant is, only a "Band-Aid" as Rich stated, why don't we do it right the first time. Rich replied he used the wrong word.

Patsy Gast asked Council to clarify the \$5.00 surcharge; is this charge forever. Jenny replied that there was no end date specified. Patsy was at the last meeting and somehow missed this being passed. Rich and Ed spoke in more detail about the surcharge.

Jenny wanted to address two issues; one discussed earlier regarding public records requests to Ed. When **Linda** Clark requested copies of boil alerts from the administration office, Jenny copied her request, placed it in Ed's mailbox and emailed him. Ed reminded

Jenny that he would like any records requested from his department to be directed to his office. Jenny left a message for **Linda** Clark as well.

The other issue Jenny wanted to bring up was regarding the splitting of part of her wages into water and sewer. Council should know that every time the service department salts, weeds, rakes, shovels, cleans gutters or anything, the general fund is charged. Our auditor said this is the only Village he knows of that the clerk's wages are not split up.

Mayor Donna Hawkins wanted to discuss before Council plans to terminate the Bina Coit Trust of \$4,500 and remit what remains to the Village. Attorney Kevin Poland, who administers the trust, informed Donna that he has not been paid for his services for the past 5 years. He is asking for \$1,000 to close out the trust. Tom spoke on the trust and asked for Council's consent to close the trust. Council discussed the issue further. As it stands now, the costs associated with the trust are slowly eating away at it and will shortly eliminate it altogether. The Village may as well benefit some from this money.

J. Rogers motioned to accept Attorney Poland's offer of \$1,000 to close the Bina Coit Trust with a second from L. Schilling. All ayes on vote.

Motion to adjourn the meeting at 8:41 p.m. made by J. Rogers with a second from B. Prescott. All ayes on vote.

Mayor Donna Hawkins

Clerk-Treasurer Jenny August