

**Village of Mantua  
Regular Council Meeting  
May 19, 2009**

Mayor Hawkins welcomed everyone and read a statement covering Council-meeting rules. She then called the meeting to order at 7:02 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, Village Solicitor Michele Stuck, Police Chief Harry Buchert, Village Administrator Ed Trego.

**Public:** John & Linda Clark, Dave Woolf, Ron Kulesza, Cindy Toth, Pearl Campbell, Patsi Gast, Linda Clark, Norm Erickson, Dave & Beth Sluka, Christine Pitsinger, Don Buchert, Cookie Vanek and others.

**Minutes:** Motion to approve the meeting minutes of April 21, 2009 made by B. Prescott with a second from J. Rogers. All eyes on vote.

**Mayors Report:** The Mayor attended a Crestwood School Board meeting on May 4th and was asked to return on May 11th where Ed Trego, Brian Rogers and she made themselves available to answer any questions from the board. Chief Buchert, Officer Ken Justus and she attended a combined meeting of Hiram Council's safety and finance committees to discuss providing police and fire dispatch service for the Village of Hiram. They also attended their Council meeting on May 12 and she is happy to report discussions went well and are continuing. With regard to an April 30th Record Courier article on the recent drug sweep, Donna read a letter of appreciation from Crestwood School's assistant principal thanking our Police Department for their professionalism, and for the mutual assistance received from Garrettsville, Aurora, Streetsboro and the Sheriff's department.

Mayor Hawkins thanked Sargent Bob Reitz for his years of service with the Police Department. He plans to retire on June 13, 2009.

She also thanked the volunteers who helped clean up Main Street on May 9th along with the Downtown Mantua Revitalization committee and the Garden Girls.

Donna swore in Michele Stuck and welcomed her as our new village solicitor.

**Finance Report:** Clerk-Treasurer, Jenny August gave the financial report as of 4/30/09. She noted that for Ordinance 2009-29, there is no exhibit A. She had asked the Mayor on May 7 to have the budgets in by May 15 so that she would have time to review them. They were not turned in. In prior years, Ed told Jenny the budgets were submitted to the Mayor by April 15 giving the Clerk and Finance committee time to work on them. Jenny plans to prepare an ordinance for Council's approval stating the annual budgets must be on the clerk's desk by April 15. The budget should go three readings and must be on the County Auditor's desk by July 15.

Jenny stated Council and our Finance committee will need to figure out what to do about our sewer plant. It costs the Village more than it makes. Jenny said this is a recipe for failure. We will be lucky to make our semi-annual payment due in June. The options she was able to come up with were raise the rates, which we have already done. The General Fund could pay the shortage; however, eventually the General Fund would be operating in the negative as it was in the past and soon be in fiscal emergency. Borrow money from

Middlefield Bank every six months, eventually having eighteen loans. Ed suggested to her we refinance our current loan, however, she has checked into this and found we cannot refinance EPA loans. We could lease the plant to the County or have it privatized, losing control of the rates. Jenny also wished to welcome Michele Stuck.

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

**Bills of Resolution:** Motion to approve Bills of Resolution with addendum for May less the C.T. bills made by L. Schilling with a second from J. Rogers. All ayes on vote. Motion to approve the C.T. bills made by J. Rogers with a second from M. Hura. B. Prescott abstained, all other ayes on vote.

The Mayor asked for any new business. **Linda** Clark asked if Article 7 from the Council rules posted on the wall includes pending legislation, as you are talking about it open to the floor. Jim said it includes all non-member addresses to Council.

**Legislation:**

**RESOLUTION 2009-15: A RESOLUTION ESTABLISHING THE RATE OF PAY FOR THE COUNCIL OF THE VILLAGE OF MANTUA. 3rd READING.** Motion to approve made by L. Schilling with a second from B. Prescott. All ayes on vote.

**RESOLUTION 2009-25: 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 CAPITAL RESERVE FUND TO THE GENERAL FUND OF THE VILLAGE, AND DECLARING AN EMERGENCY.** Motion to suspend the rules made by J. Rogers with a second from L. Schilling. All ayes on vote. Motion to approve made by B. Prescott with a second from L. Schilling. All ayes on vote. Jim asked Michele how long this would take. She hopes to complete it within a couple of months.

**RESOLUTION 2009-26: A RESOLUTION FORGIVING THE MANTALINE CORPORATION THE LATE FEES DUE ON THEIR FIRST QUARTER 2009 WATER AND SEWER INVOICE, AND RELIEVING THEM OF THE NEW SEWER MULTIPLIER RATE FOR ONLY THE FIRST QUARTER BILLING CYCLE, AND DECLARING AN EMERGENCY.** 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 J. Rogers. All ayes on vote.

**ORDINANCE 2009-27: AN ORDINANCE APPROVING THE FLOODPLAIN PLAN AND MAPS FOR THE VILLAGE OF MANTUA, OHIO AND DECLARING AN EMERGENCY.** Motion to suspend the rules made by L. Schilling with a second from J. Rogers. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Prescott. Jim said these are the maps everyone sees on the wall. The hearing was held last Wednesday, May 13th. Anyone who is not currently in a flood zone will not be in it. FEMA requires this to be done. **Linda** Clark asked why it is under an emergency when we have until August 15th. Jim said it has to go to several agencies before that time. Jim called to question. All ayes on vote.

**ORDINANCE 2009-28: AN ORDINANCE APPROVING THE RECODIFICATION, EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF MANTUA, OHIO 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. Harry said this is housekeeping. Jim called to question. All ayes on vote.

**ORDINANCE 2009-29: AN ORDINANCE APPROVING AND ADOPTING A PERMANENT BUDGET FOR 2010 FOR THE VILLAGE OF MANTUA, AND DECLARING AN EMERGENCY.**

Motion to suspend the rules made by L. Schilling with a second from J. Rogers. All ayes on vote. Motion to approve made by L. Schilling with a second from B. Prescott. Ben asked that Council not approve this tonight as an emergency. Next month would be good. Motion to table made by J. Rogers with a second from L. Schilling. All ayes on vote.

**RESOLUTION 2009-30: A RESOLUTION AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2009 APPROPRIATIONS AND DECLARING AN EMERGENCY.** Motion to suspend the rules made by L. Schilling with a second from J. Rogers. All ayes on vote.

Motion to approve made by L. Schilling with a second from B. Prescott. Jenny explained this is only housekeeping on Resolution 2009-20, previously approved by Council. Jim called to question. All ayes on vote.

**Committee Appointment for 2009:**

Jim Rogers asked for a motion. Motion to accept the committee appointments for 2009 made by B. Prescott with a second from M. Hura. All ayes on vote.

**Committee Reports:**

Police Chief, Harry Buchert reported the next safety meeting is May 28th at 6:30 a.m. The Memorial Day Parade is Monday at 9:30 a.m. leaving the University Hospital parking lot and going to Hillside Cemetery. He will be leaving tonight for Washington D.C.

Village Administrator, Ed Trego reported Memorial Day is the focus right now for the Service Department. He asked should anyone wish to volunteer at the cemetery and around town, it would be appreciated.

The recycling day pickup went well; we were not able to take everything as in the past. Portage County Solid Waste District pays 100 percent of the pickup but have limitations.

Ed wanted to comment of what Jenny said regarding the sewer plant. Her comments were on target but not quite accurate. The Village can always negotiate with the State including debt forgiveness. Our sewer rates are some of the highest in the State, which puts us in a position to negotiate. As far as refinancing, that has always been the law of OWDA.

Regarding the cemetery trust, there are many issues that need addressed in the cemetery, especially trees. If we cannot receive the funds from the trust, then we will most likely have to commit the funds out of the General Fund. It is a critical issue.

Ed wanted to thank those that have served sitting in this room and those that never returned to this country other than in a casket so that we can sit here tonight.

**Planning:** Jim said the planning meeting was held last Wednesday, May 13 at 7:00 p.m. Jim asked regarding the Delia Thompson trust, when was the last time we received any money from that. Ed said it has been a couple of years. Ben asked if the litigation that was being worked on was done and if not, we should turn it over to our new solicitor.

**Service:** Linda said Service met last month on the storm sewers. She asked Ed if he has spoken with Rich lafelice on the subject. Ed said he has not heard back from Rich at this

time, however, Ed would be willing to meet with **Linda** anytime. **Linda** announced the Service meetings are the first Tuesday of each month at 7:00 p.m.

**Parks:** Marty announced they had set a meeting last Wednesday, only two attended, they did not have a quorum. He is looking for a piece of equipment to get started on the trail. They have been granted an extension on the Glacial/Esker trail until December 31, 2009. Ed said stone for the parking area should be here within a week. The Park District is working with The Shelly Co. Wednesday is the last day for articles for Mantua Matters.

**Finance:** Ben said the next finance meeting is the Saturday before Council at 8:00 a.m.

**BZA:** Roger had nothing new to report for the BZA.

**Safety:** Giles felt the Chief covered the Safety meeting well. He welcomed Dan Forman back. There is nothing to report for Shade Tree since there is not much money.

**Linda** Schilling had a few questions. The bills of resolution contained bills from C.T. for the Glacial/Esker trail. Council did not approve these bills beforehand. She asked who authorized the money to go out. Marty said he did. Jenny said she talked to the Mayor about C.T. doing work on the Glacial/Esker trail project and she said that project was approved in 2007 and that was the authorization. Jenny would like a purchase order or something so our office knows what is coming. Council would approve purchase orders.

**Linda** Schilling asked regarding the Mayor's report that the concrete flower baskets were out. The Mayor said no, they are plastic. Ed stated we no longer have the concrete ones.

**Linda** Schilling asked about the mowing company. She wondered why we changed companies, was it cost because she did not see any savings so far from last year's company. Ed explained because of baseball season and early in the growing season, we have more cuts to keep up with it until it drops off later in the season when it dries out.

**Linda** Schilling was glad Hiram Village is looking to have us do their dispatching. She felt the past Mayor, Claude Hopkins should also be thanked for his efforts in all of this.

**Public:**

John Clark from Main Street asked everyone to speak up and be clear. He thanked **Linda** Schilling for her questioning the C.T. invoices; however, her timing was off. John asked about the Mayor meeting with the school board and yet there are no details on it. He was also dismayed on the passing of Resolution 2009-26 for Mantaline Corp.

**Linda** Clark asked about the Delia Thompson trust, she thought there had been a letter sent to Kevin Poland asking for funds. She asked Jenny about Dave Benjamin's bill. Jenny said another invoice has been sent to him. Jenny thanked **Linda** for reminding her about that at the last meeting. **Linda** asked Chief Harry Buchert if there were any updates on the tower. Harry said nothing at this time. If there was a P.O. issued, it can be closed out. Ben asked the clerk's office to check into this P.O. before closing it. **Linda** asked to have the \$500.00 funds encumbered in case we have an emergency in order to work on it.

**Linda** asked Ed about the northeast water quadrant project. Ed said it is in limbo, the Village has no easement to date from Crestwood Schools. Ed explained the scope of the project and cost. She asked Ed to explain the mowing contract. Ed said they are on an "as needed" basis or as we determine. **Linda** asked whether Ed contacted ODOT about the turn lane in front of her home on S.R. 44. Ed said not in the past month. She asked Ed if he volunteered his time for the recycling cleanup they just had on May 16. Ed said there were some hours charged, but not all of them. **Linda** asked Ed if he was in contact with the

Mantua Revitalization Committee for reimbursement of the TOPO maps. Ed said no, it has nothing to do with the revitalization and he did not know where she was getting her information. Linda recalled at their meeting, a copy was ordered for Becky Newell and she assumed it was for the revitalization. Ed said that was incorrect.

Linda Clark asked about a bill on the bills of resolution for video reimbursement. Harry explained it is a part of doing business.

Trish Snyder spoke on behalf of her husband Scott. She asked Jenny whether she was responsible for payroll. Jenny said yes. Trish asked about a full time employee being laid off, then brought back with a loss in seniority and required to sign an insurance waiver or have their hours cut in half. Jenny said she was not sure about the requirement, but she did sign one to keep her 40 hours. Harry said we would have followed the insurance laws for fulltime employment. Trish asked about the Mayor's position being part-time but she has been receiving insurance benefits paid by the taxpayers and that this is a family plan, which includes the Mayor,'s husband. Jenny said yes. She then asked Council to pass an ordinance limiting the Mayor's position to part-time with the option of receiving medical benefits at their own expense. Jenny said she would put one together. President Jim Rogers said ORC is clear, we as Council cannot tell the Mayor how to do her job. Ben added this ruling comes down from the State.

Jerry Zimmerman from W. Prospect asked about the storm sewer plan that they were promised. When would that happen and what has been done to this point. Ed explained what plans have been made, immediate and for the future and the costs involved. Ed would like to see a survey done to gather information. The plan is going to take time. Ben added that we have committees, much of this goes through a committee beforehand.

Theresa Cutlip, owner of the Village Tavern, has a resident complaining all the time. The economy is bad, smoking has to be outside. She feels she has done everything she could possibly do and feels we need to talk to him to resolve this matter.

Randy Weaver from Franklin asked about the Franklin/Regan project; is there anything being done at this time. Are there any appropriations set aside for it? Jenny looked back at the November meeting minutes and was told we do not have the manpower and Ed recommended we do not move forward. Jenny did not appropriate any money this year. Ed does not believe that he said to forget it; he has been trying to get that project done. Ed asked Jenny to go back to her emails from him, the facts are there. The minutes are from a Finance Committee meeting, that was when we were working on the appropriation budget. Ed asked Jenny if that project was in her appropriations, is there cash money in that fund. Jenny said no, not a dime. Randy wanted Ed to know that the storm sewer north of Franklin and west of Oak Street is totally exposed. It is an open hole and culvert pipe. Randy asked when Rich lafelice could walk around with him, Ed, Linda, and anyone else that wishes to walk to look at this, on his own time. The drains have not been cleaned in years.

Cindy Toth from Franklin Street spoke on the exterior maintenance code. There are homes patched, some piling up with garbage and in poor condition. Who is in charge of enforcing the maintenance code? Jim responded on the code. We have a complaint citation process that goes to our Zoning Inspector in writing, then he will go out, review it and cite them if applicable.

Beth Sluka asked whom do we write to on the code. Donna Hawkins said anyone could email her or drop it off at the Village office to John Vechery's mailbox. Beth said there was something in the last Mantua Matters regarding repairing sidewalks; is that taking place. Ed

spoke on the citizens' responsibility for their sidewalks. The Village other than at intersections does not repair sidewalks. Letters will be going out.

Bill Gast from Main Street stated back when he was a zoning inspector; he would drive every street two times a month to check for violations. Jim said we compromised when we wrote the external maintenance code, it is a complaint driven citation.

Dave Sluka spoke on home maintenance, not being a blue-collar man, had to pay to have someone fix his home. Most of the people in this town are not white-collar people like him they are tradesmen. He felt it would probably be good for people to barter their services to get things done. He would be willing to spearhead some kind of group effort.

Linda Schilling spoke on the businesses in town; they should be able to clean their own storefronts. Ben said the Village is responsible for the right-of-way, not private property.

Ron Kulesza said he is willing to volunteer; but he does feel the zoning inspector should be able to look at an issue and cite someone if there is a problem.

Jenny August informed Council that she would be out of town for six days.

Motion to adjourn the meeting at 8:29 p.m. made by L. Schilling with a second from B. Prescott. All ayes on vote.

---

Mayor Donna Hawkins

---

Clerk-Treasurer Jenny August