

**Village of Mantua
Regular Council Meeting
September 21, 2010**

Mayor Hawkins called the meeting to order at 7:02 p.m. & led the pledge of Allegiance. Donna asked everyone to remain standing in memory of Katie Werchelsky, a longtime Village resident and for a dear friend of Donna's who is dying, please pray for her.

Roll Call: Donna Hawkins, Linda Clark, 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, Brian Rogers with C.T. Consultants.

Public: Norm Erickson, Pearl Campbell, Ellie, Janis & Lynn Stamm, John Clark, John & Lisa Rizzoto, Bill & Patsi Gast, Aaron Snopek, Mike, Kristin & Heather Ristau.

Minutes: Motion to approve the regular meeting minutes of August 17, 2010 made by L. Schilling with a second from M. Hura. Linda Clark had a correction under Shade Tree. The minutes stated that they had been out measuring trees, they "discussed" going out to measure trees but it was too hot so they will start in October. Jenny said Sue verified this from the tape recording. Motion to accept the amendment to the meeting minutes of August 17, 2010 made by L. Schilling with a second from B. Prescott. All ayes on vote. Motion to approve the meeting minutes of August 17, 2010 as amended made by L. Schilling with a second from M. Hura. All ayes on vote.

Mayors Report: Donna reported having held her "Coffee with the Mayor" on August 23. She will be hosting a "Town hall" meeting this Thursday, September 23 at 6:00 p.m. regarding the upcoming ballot issue for refuse pickup. The meeting is open to the public.

The Mayor congratulated our Chief of Police, Harry Buchert, on being honored as our Grand Marshall for this year's Potato Festival Parade. Donna was honored to be asked by the American Legion to speak at the opening ceremony.

Finance Report: Jenny reported on her discussion with Donna Maynard. She and Donna came to the realization that some of their reports were redundant and causing extra work, mainly on Donna's part. Some examples of duplicate reports were the mileage report, which she provides Council, the same information can be found on the monthly statement from Wright Express. Another monthly report is for water and sewer. Jenny uses Donna's exact report, prints the UAN totals on the bottom of the page for easy comparison and puts it in Council's packet along with the finance reports. Donna agreed this is wasting time and paper. Jenny hopes Council agrees and moves to have Donna Maynard stop doing unnecessary reports.

Motion to have Donna Maynard stop doing unnecessary reports made by L. Schilling with a second from B. Prescott. All ayes on vote.

In addition, in July, we paid Wm. Plotz Machine \$1,706 to rebuild two pumps at the reservoir booster station. This was paid out of water operating. Jenny would ask Council's approval to reallocate this payment to come out of Water Capital Improvement. This would help free up money in water operating for our monthly transfer.

Motion to allow the Clerk-Treasurer, Jenny August, to reallocate the payment made by B. Prescott with a second from L. Schilling. All ayes on vote.

Our checkbook balance at the end of August: \$ 372,538.00
Revenues for August: \$ 162,283.00
Expenses for August including payroll: \$ 102,341.00

The Cash Summary shows that no adjustments were made. Reconciliation of the Water-Sewer department receipts and the UAN receipts matched.

Reconciliation of the Municipal Income Tax receipts and the UAN receipts also matched. The August bank reconciliation had no adjusting factors.

Motion to approve the financial reports: bank statements, fund status, reconciliation, revenue & expenses reports, cash summary report, made by L. Schilling with a second from B. Prescott. All ayes on vote.

Bills of Resolution: Motion to approve the Bills of Resolution with addendum for September omitting C.T. made by L. Schilling with a second from L. Clark. All ayes on vote.

Motion to approve the Bills of Resolution with addendum including C.T. made by L. Schilling with a second from M Hura. B. Prescott abstained, all other ayes on vote.

Legislation:

ORDINANCE 2010-16: AN ORDINANCE FORMALIZING THE USE OF A PORTION OF THE GERALD BUCHERT PARK LODGE BY THE AMERICAN LEGION POST 193. TABLED AT 2nd READING.

RESOLUTION 2010-38: A RESOLUTION APPROVING AND AUTHORIZING THE ADDITION OF A HEALTH REIMBURSEMENT ARRANGEMENT TO THE VILLAGE'S HEALTH INSURANCE PROGRAM, 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 B. Prescott. All ayes on vote.

RESOLUTION 2010-39: A RESOLUTION AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2010 APPROPRIATIONS 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 M. Hura. Jenny said we had some unappropriated money in the Street fund and since we are looking for a used truck and we had put a lot out earlier in the year for repairs, she felt we would need it. For Parks we needed more money for mowing. All ayes on vote.

ORDINANCE 2010-40: AN ORDINANCE AMENDING VILLAGE OF MANTUA CODIFIED ORDINANCE CHAPTER 145 IN ORDER TO ESTABLISH THE COMPOSITION, POWERS AND DUTIES OF THE VILLAGE OF MANTUA BOARD OF CEMETERY TRUSTEES, AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES. 1st READING.

ORDINANCE 2010-41: AN ORDINANCE ADOPTING A REVISED PERMIT FEE LIST FOR ZONING PERMITS AND RELATED SERVICES, AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES. 1st READING.

ORDINANCE 2010-42: AN ORDINANCE AMENDING VILLAGE OF MANTUA CODIFIED ORDINANCE SECTION 921.07 IN ORDER TO PERMIT THE DRILLING OF WATER WELLS FOR RESIDENTIAL USE IN AREAS NOT SERVED BY THE VILLAGE MUNICIPAL WATER SUPPLY. 1st READING.

Committee Reports:

Police Chief, Harry Buchert reported the next Safety meeting is September 30 at 6:30 a.m. His department has been busy with Crestwood and the kids back in school.

The Mayor added that she received two notes of appreciation on two separate incidents for our Police Department. She commended Officer Paul Maroni and Officer Dan Forman and dispatcher, Stacy Tinlin for their caring and professional attitudes in assisting others.

Mayor Hawkins, as Interim Village Administrator, thanked Council for their support and the Service Department during this transition. Tom Bowersox, Mike May, Paul Brannon and Donna Maynard have all been dedicated, knowledgeable and invaluable to her during this challenging time.

Brian Rogers with C.T. Consultants reported that by month end, the Franklin/Regan Storm Sewer project would need either to be closed out or give the program representative from OPWC a firm plan and another request for time extension, which she may or may not approve. Brian has never asked for a third extension but he knows we have already asked for two on this project. We may be able to extend it again if we are actively working on it. Brian asked Council to discuss it and decide what they want to do. Mayor Hawkins commented that this project was the number one project recommended to us by C.T. in order to do the plan for the storm sewer project. She has been told there would be an opportunity for us to change the scope of this and combine this with other grant opportunities. Donna would like Council to consider asking for another extension in an effort to help our citizens in that area.

Shade Tree: Linda Clark reported they are planning to meet as needed. In October, they will be scheduling people to help measure trees in the tree lawns.

Service: Linda Schilling reported the Service meeting is the first Tuesday of the month at 7:00 p.m. She has received two estimates for getting 3-phase changed at the old pump house building from Rapid Electric and Aurora-Mantua Electric if anyone would like to see them. Ben asked what the estimates were. Linda said they are both around \$1,298.00. She also received a separate estimate from Rapid Electric for putting just the switches in.

Parks: Marty reported the Eagle Scouts are going to the County to get the plans approved. They plan to pour concrete the first week in October for the observation decks. Linda Schilling asked when all the signs are going to be put on the new civic sign. Mayor Hawkins said there are a couple that are not on yet and she spoke with Dick Krzys. The Eagle Scout candidate must have them up by next week when he goes for his board of review. Marty said the American Legion sign is gone. Donna said the Garden Club's and the Potato Festival's are down as well.

Planning: Mayor Hawkins reported their efforts are before Council on Ordinance 2010-41 for the permit fees. We needed a "blanket" permit fee such as for driveways. That will cover anything that is not on the list. They also changed the fee structure for a single page copied of the zoning book, which had been set at .25 cents per page. It will now conform to our current public records guidelines. In addition, the ordinance amending our codified ordinances regarding allowing drilling of water wells in areas not served by our Village's municipal water supply. The Stamm sisters were asking for this because they are planning to build two homes near the family home. Donna read part of the minutes from the last planning meeting. This will go to a public hearing probably in November.

Finance: Ben reported the next finance meeting is the Thursday before Council at 6:30 p.m. We go over everything and everyone is welcome.

BZA: Roger had nothing to report.

Safety: Giles reported the Police and Fire Departments are still working well. Safety meeting is September 30 at 6:30 a.m.

New or Other Business: The Mayor reported before Council this evening is the recommendations from the Cemetery Board for items to be submitted to the Trust. Design Fabricators to make floor drain covers, a leaf vacuum purchase from Tractor Supply and a fireproof safe for cemetery records. Donna believes what we are looking for this evening is a motion to apply for these through the Cemetery Trust. Motion to approve the recommendations to be applied for through the Cemetery Trust made by B. Prescott with a second from L. Schilling. All ayes on vote.

The December meeting may have to be changed because of its close proximity to Christmas and Giles being out of town. It would normally be on Tuesday, December 21. Finance Committee discussed moving it up a week to December 14 however; the Planning meeting is that night. The Planning meeting would be moved up to 6:00 p.m.

Ben said if it were moved up then Finance would have to be December 9. Motion to move the Council meeting to December 14, 2010 made by B. Prescott with a second from L. Schilling. All ayes on vote.

Mayor Hawkins wanted to present a few items under new business. Portage Faith Church had asked if they could use the mini park for one weekend in December to put up a living Nativity Scene. Donna checked with our Village Solicitor and she saw no reason why we could not go ahead with that. Michele added that as long as we do not sponsor it or give any money to it. Motion to allow Portage Faith Church to use the mini park made by L. Schilling with a second from B. Prescott. All ayes on vote.

With regard to the upcoming pumpkin roll, Troop 570 and Paul Brannon will be in charge of the event. They have asked to use our small generator and permission to use the backhoe and dump truck as backup only to cleanup the smashed pumpkins. Lakeside Sand & Gravel plans to use their equipment for cleanup. Motion to allow for the use of the small generator and the backhoe and dump truck as a backup made by B. Prescott with a second from L. Schilling. All ayes on vote.

Donna brought up the Walk through Mantua's Past slated for October 9 from 3:00 – 8:00 p.m. Diane Hura and Sandy Engelhart will be setting up the old scrapbooks and photos in Council chambers just like last time. Donna has some old photos of our Village, which are on CD. She would ask Council to approve \$100 to have 5 to 6 photos enlarged to display around Council chambers. The Village would keep the photos. Motion to allow \$100 be spent for photo enlargement made by B. Prescott with a second from L. Schilling. All ayes on vote. The Mayor thanked Council.

Donna wanted to add that last time they had a barbershop quartet perform and she did not realize that it was not funded by the DMRC. The cost is \$250.00. The Downtown Mantua Revitalization Committee has donated \$50.00, Marty Hura donated \$25, Eric Hummel donated \$100 and Michele Stuck \$25. We are still short \$50. Ellie Stamm offered to donate the remaining \$50. The Mayor thanked Ellie and all those who donated.

There is a grant opportunity Donna recently received which is through AMATS and is funded through the Federal transportation appropriations. It is 100 percent funded with no cost to the community. The Village would be partnering with the DMRC to push this grant opportunity through. It is a Streetscape Corridor Roadway Improvement study due on October 15. Donna would like Council's permission to move forward on this grant opportunity. Ben said we need to make sure there are no matching funds required. Donna said she did verify that there were no matching funds. Ben would also like to verify it.

Motion to allow the Mayor to move forward on the grant only if it is 100 percent funded made by B. Prescott with a second from L. Schilling. All ayes on vote. Linda Clark asked the Mayor for literature on the grant to check on it.

Public:

Kristin Ristau with her husband Mike and daughter Heather, the Festival Queen, were here tonight to discuss events that occurred at the Potato Festival. She wrote a letter and provided it to five Council members and the Mayor. She would ask Council to discuss and possibly pass a resolution tonight. Mayor Hawkins said as she had explained to her, the Village of Mantua has no authority over the Potato Festival; there is nothing Council can discuss on it. Kristin felt the festival represents the Village of Mantua and her daughter went around all year promoting Mantua. The Mayor thanked her daughter for promoting the Village of Mantua so well. Donna has met with the festival chair and our own Village Solicitor to ask that a disclaimer be put on all forms the Potato Festival distributes that says the Village of Mantua is not part of the Potato Festival. That will occur. Kristin was unhappy at the way she was treated at the event and wanted to discuss it with the Mayor and Council because it involves our Police Department. Donna said that has been looked into and she did not find anything to be inappropriate. The Mayor again stated it would be between her and the Mantua Potato Festival.

She felt she was unfairly escorted from the festival by police officers. Donna said when a call is put out wherever it is, we expect our police officers to respond.

John Clark asked if there was any inappropriate behavior on the part of the Police Department. Chief Buchert said none whatsoever.

Kristin felt her daughter was dragged through the mud, they were misled and it was wrong. One person is trying to control everything with the festival. The Mayor apologized that she is unhappy but explained Council has nothing to do with it.

Lisa Rizzoto was on the Potato Festival Queens Committee and wanted to say that Heather did a fantastic job and will get her scholarship. She is sorry for the hurt feelings.

John Clark asked regarding the living Christmas scene, would the Village require proof of liability insurance. Michele said she felt it was not a concern. It is a public park, a free speech area, and there is no involvement by the Village. She does not see a liability issue.

Tracy Leva asked regarding her flooding situation, what has been looked into on the Franklin/Regan project. The Mayor said they did discuss it during Service and asked Linda Schilling as chair, to look into it. Linda Schilling added that when Tracy had first asked, Linda was just leaving on vacation. Linda wants to meet with her, talk with Mike McCauley and go look at the situation. Tracy said she spoke with John Vechery and he said it was not a zoning concern; driveways and curbs are part of the Service Department.

Tracy asked what is being measured with the trees in the tree lawns. Marty said they measure the size to determine their age and their condition. The trees in the tree lawn are the responsibility of the Village even if the resident has to pay for half of it. Some can be pruned, others have to come down and some areas may be a good place for new plantings. Leaf bags are being given out now. Branch pickup was discussed and if there is a place to dump plant material for compost. The Service Committee will plan to talk about it.

Linda Clark asked if anyone else has received the opt-out letter yet from First Energy. Some people said they did, others have not yet received anything, and it is very sporadic.

Marty Hura reminded everyone that the deadline for Mantua Matters is October 24.

Motion to enter into executive session at 7:52 p.m. for imminent litigation and personnel employment made by B. Prescott with a second from L. Schilling. All ayes on vote.

Motion to reconvene into regular session at 8:05 p.m. made by M. Hura. with a second from L. Schilling. All ayes on vote.

Motion to forgive late fees on Tiffany Olson's water bill made by L. Schilling with a second from B. Prescott. All ayes on vote.

Motion to adjourn the meeting at 8:07 p.m. made by L. Schilling with a second from M. Hura. All ayes on vote.

Mayor Donna Hawkins

Clerk-Treasurer Jenny August