

**Village of Mantua  
Regular Council Meeting  
October 19, 2010**

Mayor Hawkins called the meeting to order at 7:00 p.m. & led the pledge of Allegiance. Donna asked everyone to remain standing for a moment of silence for our own Officer Paul Maroni's father who passed away last night.

**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, Rich Iafelice with C.T. Consultants.

**Public:** Bill & Patsi Gast, Terri Vechery reporting for The Community Journal, Pearl Campbell and John Clark.

**Minutes:** Motion to approve the regular meeting minutes of September 21, 2010 made by L. Schilling with a second from L Clark. All ayes on vote. Motion to approve the special meeting minutes of September 27, 2010 made by L. Schilling with a second from M. Hura. All ayes on vote.

**Mayors Report:** Donna reported holding a recent town hall meeting regarding our ballot Issue 114 for a one-provider refuse hauler attended by Don Johnson with J & J Refuse. They will mail informational flyers at their own expense to Village residents explaining their service. Donna attended AAA award luncheon with our Police Chief, Harry Buchert and Head Dispatcher, Linda Wilke. Our Village received three awards, which Chief can elaborate on later. The Mayor was honored to attend and very proud of our Police Department. Donna submitted a grant application for Connecting Communities Planning with the help of Floyd Brown and Associates. She thanked Edie Benner and Downtown Mantua Revitalization Committee for spearheading the cleanup day. We had over 50 students show up to weed, clean our sidewalks and windows and spruce up our mini-park. Mantua's Walk through the Past was another outstanding Village event and she thanked DMRC Chair, Melanie Miracle and Mantua Historical Society's President, Linda Ehlert. Donna thanked C.T. for providing at no cost some of the prints you see on the wall and Christine Pitsinger, owner of The Community Journal, for the discounted rate to produce the prints and Donna's husband Roger for all his help to matte and hang them. The Mayor congratulated the Crestwood Scarlet Guard for their great performance at the recent Bands of America Regional Championships and their being awarded Regional Class Champion Band. This is the highest achievement the band has ever placed in this contest. We are very proud of our students and teachers for representing Mantua so well.

**Finance Report:** Jenny added that on Channel 8 this morning, it was reported that our Crestwood Scarlet Band might be the top band in the Nation. Jenny reported Linda Clark, Sue and she attended the Local Government workshop on Monday. Linda saved the Village about \$400 by not attending the April session in Columbus. The Local Government Service workshop was held in Hudson. They covered many things including OPERS recommendations, budgeting, meeting minutes, ordinances and resolutions, audits and assistance offered by LGS. The day was actually enjoyable and gave everyone a chance to network with other government officials. Linda was able to meet and talk with Nita Hendrix about Village business and answer some of her questions she had for us.

This evening is the first reading on the 2011 appropriations. A number of changes have been made in the operating expenses including breaking down and defining expenses to

make it easier to track how Village funds are being used. Our next Finance Committee meeting is set for November 11. We welcome anyone who would like to make suggestions or recommendations regarding the 2011 appropriations.

Our checkbook balance at the end of September: \$ 392,628.00  
Revenues for September: \$ 101,348.00  
Expenses for September including payroll: \$ 87,831.00

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 September 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 October omitting C.T. made by L. Schilling with a second from M. Hura. All ayes on vote. Linda Clark had brought up at Finance line #39 about the Mantua Hardware bill for hardware for the civic sign; she thought we were going to remove this from the bill's list. Jenny felt this would be amended; it would not be taken off the bills list once we put it on. Linda Schilling asked why we would not remove it if it was not something we are paying for. Jenny did not think it could be changed after it was submitted to Finance. The Mayor and Ben thought it was submitted as amended to Finance. Jenny said then Council should note that we would not be paying line #39 on the bills list.

Linda Schilling wanted to know when the last time would be for mowing, we are paying \$304.00, when are they done. The Mayor could not answer that but felt it would be soon. Jenny thought if it needs it, they just come and mow. Linda Schilling said no, they are usually told. Linda added that line #194 is also for mowing, \$90.00, so there are two mowing. Sue said it is one mowing bill, which is split up between departments. Jenny said it is for the September mows. Linda Schilling also wanted to know exactly what line #195 is. Jenny said that is a chemical they need for the sewer plant. They get that about every two weeks, Aluminum Sulfate, and each time it is that much, \$444.00. Motion to approve the Bills of Resolution with addendum omitting C.T. and omitting line #39 made by L. Schilling with a second from L. Clark. All ayes on vote.

Motion to approve the amended 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.**

**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. 2nd READING.**

**ORDINANCE 2010-41: AN ORDINANCE ADOPTING A REVISED PERMIT FEE LIST FOR ZONING PERMITS AND RELATED SERVICES, AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES. 2nd 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. 2nd READING.**

**ORDINANCE 2010-46: AN ORDINANCE APROPRIATING FUNDS TO RUN THE VILLAGE OF MANTUA DURING THE FISCAL YEAR ENDING DECEMBER 31, 2011. 1st READING.**

**ORDINANCE 2010-47: AN ORDINANCE AMENDING SECTION 450.03, CONCERNING PROHIBITED SIGNS, OF THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA. 1st READING.**

**RESOLUTION 2010-48: A RESOLUTION AUTHORIZING THE CLERK TREASURER TO ADVANCE FUNDS FROM THE GENERAL FUND TO THE GLACIAL ESKER TRAIL FUND, AND DECLARING AN EMERGENCY.** Motion to suspend the rules made by B. Prescott with a second from M. Hura. L. Clark voted no, L. Schilling voted no, all other ayes on vote. Vote was 4-2. This is at 1st reading.

**RESOLUTION 2010-49: A RESOLUTION AUTHORIZING CERTAIN ADJUSTMENTS TO THE 2010 APPROPRIATIONS AND DECLARING AN EMERGENCY.** Motion to suspend the rules made by B. Prescott with a second from M. Hura. L. Clark voted no, L. Schilling voted no, all other ayes on vote. Vote was 4-2. This is at 1st reading.

**ORDINANCE 2010-50: AN ORDINANCE AUTHORIZING A CONTRACT WITH THE PORTAGE COUNTY PUBLIC DEFENDER FOR DEFENSE OF INDIGENT PERSONS CHARGED WITH CRIMINAL OFFENSES UNDER THE VILLAGE ORDINANCES.** 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. Chief Buchert said this is standard housekeeping. Jenny said it is an annual contract; the price has not changed. All ayes on vote.

### **Committee Reports:**

Police Chief, Harry Buchert reported as the Mayor indicated earlier, on October 4, the Village received three awards from AAA. The first one was for 50 years of no pedestrian fatalities, the second was for this century of no pedestrian fatalities and the third was a silver award for our safety programs and enforcement.

Harry was contacted by the Fire Department regarding the dispatch contract. They have asked the Village to freeze the increase for 2011 and keep it at the 2010 rate. The current contract is an ongoing contract with a 3 ½ percent increase each year. They are having some financial difficulties. Harry has no problem with freezing it for one year and then going back to the contract. Harry spoke with Michele and her recommendation is to amend the contract and bring it before the Finance Committee for their recommendation. If this is their recommendation, then Michele will put together an addendum to the contract for 2011 and put together legislation for next month.

The next Safety meeting is October 28 at 6:30 a.m. All his officers passed range training.

Mayor Hawkins, as Interim Service Department head, reported the waterline break at Main and Prospect was fixed in a timely manner with no loss of water to residents. Donna has set into place a cost effective measure by having ODOT deliver warning signs/barricades to set up a safety zone whenever our men are working on a site. The zone will be set up by our Police Department with the assistance of the Service Department. Our Police Department will handle traffic control whenever and wherever necessary as long as manpower is available. In the past, Area Wide Protective had been called which is exceedingly costly at \$60.00/hour. She anticipates a 2/3 cost savings.

The WWTP chopper pump is being installed now with a completion goal of October 31. The Mayor has implemented cross training procedures due to vacation schedules. We are moving forward on the Franklin/Regan Storm Sewer Project. It has been suggested by our Village Engineer for Council to call a special workshop. The Mayor's concern is to ensure that the grant funding is still in place and has encouraged our Village Engineer to apply for the extension.

Rich Iafelice, Engineer with C.T. Consultants, said Council has their written report. He noted for the Franklin/Regan project, we are months behind our last extension. He had asked, per the Village's direction to him for an extension and they are going to accommodate us. He does need to provide the grant coordinator an update of the project as soon as possible. Rich needs first to understand the project; whether Council plans to follow the original design or what you want to do and can do financially.

Rich recommends not to piece meal the project. The same goes for the Glacial Esker project. They may be able to discuss and review both projects in a scheduled workshop. The scope of those projects can be minimized. The original ODNR Glacial Esker was a \$30,000 project; we can reduce the scope of that work.

Rich mentioned to Jenny that C.T. had authorization to do the engineering for that project and apparently, it was voided at the end of the year. C.T. had a balance left on their purchase order that was not used but we now have to re-submit that for approval. This is what the Mayor has before her tonight. Jenny said the way she understood it was that anything above the retainer, was to be mentioned to Council for approval. Therefore, if there is another \$1200 worth of work expected to be done, maybe Council could approve that now. At the time, they filed the project with ODNR, C.T. had to submit what they needed for the engineering work and that was after he received the authorization from the Village. Jenny said we close all of our purchase orders at the end of the year. Rich asked if there is a balance, what you do with that, does it disappear. Jenny said yes. Rich said then he lacks authorization when there was an authorized amount on a purchase order. Rich felt that he had authorization regarding the Glacial Esker Trail project right up front, \$3,000. Jenny said that was in 2007. Rich said yes and they did it again in 2009. Rich asked to be instructed on what he needs to do because it is confusing. Linda Clark said when we closed that one out; he had to re-submit each time up to that balance of \$3,000 was the way she understood it. Jenny agreed. Rich said for every calendar year. Yes.

Motion by Council to authorize the Mayor to sign the agreement with C.T. Consultants for services not to exceed \$1,246.36 made by L. Schilling with a second from B. Prescott. Linda Clark asked what service was provided by C.T. Rich said nothing yet, he needs approval first. However, C.T. has rendered services already of \$300+ dollars against what Rich thought was the open purchase order. All ayes on vote.

Rich asked who has the building permit and plans for the observation decks. The Mayor said she does not, Marty said he may have them. Jenny's office may have them as well. Linda Clark would like to see the building permit and the plans.

**Shade Tree:** Linda Clark reported they have not had a meeting. She and a helper plan to start on Thursday measuring trees at 11:00 a.m. Linda Schilling asked to be included to help. Marty asked Linda to call him as well.

**Service:** Linda Schilling reported the Service meeting is the first Tuesday of the month at 7:00 p.m. Sludge is being hauled out tomorrow. Marty and she went to the garage to start an inventory on items they thought should be thrown away. There are many fluorescent light fixtures in storage that could be hung up. Marty plans to contact the American Legion on the ADA equipment stored there. They may be able to get some community service workers to help clean up. Franklin Street project was discussed and Linda wondered why she was not included in a meeting the Mayor had with Ben and Roger since she was always involved with that project. Donna Maynard has received a used computer from Jenny's office. Norm Erickson brought up to her that maybe Council should set a date when they want to do the final hiring of Village Administrator.

**Parks:** Marty reported speaking with Dick Krzys. He is supposed to get estimates on materials for the decks back to him.

**Planning:** Mayor Hawkins reported Planning Commission is working on a few more ordinances to come before Council. They have set a public hearing at 6:55 p.m. prior to the November 16 Council meeting. Jenny said she was told to put it in the paper for 7:00 p.m. Okay, so the Council meeting will start immediately following the hearing. Everything is on track for the pumpkin roll on October 30. They are still looking for vendors and volunteers to help with the event.

**Finance:** Ben said the next Finance meeting is the Thursday before Council at 6:30 p.m.

**BZA:** Roger reported an upcoming BZA hearing set for November 8 at 7:00 p.m.

**Safety:** Giles reported expenses and overtime are down. He congratulated all the officers and Chief on the AAA awards. Harry added that a computer was donated as a backup to dispatch from Mike Zamecnik; we need to accept that donation.

Motion to accept the donation of a computer from Mike Zamecnik made by L. Schilling with a second from M. Hura. All ayes on vote.

Giles added we were looking for a safe for cemetery documents, he knows someone who has one. Once we hear from the trustee for the trust, Giles will contact him. Jenny said she sent everything to Kevin. Last week, she called to see where they were with it and left a message. Jenny received a call back yesterday that they were putting it all together to be submitted. They let it sit for a while and the Cemetery board is not happy about it. They want to get the mausoleum done before the weather turns bad.

**New or Other Business:** Linda Clark called Junction Auto regarding a ¾-ton truck for sale. Linda provided copies for everyone to review. This would be a 1999 Ford F-250 plow truck, super duty and they are asking \$13,988 for it and were still available last night. Donna Maynard said she had been working with a different sales person looking for a 1-ton for the men. Linda Clark felt we could get by with a ¾-ton. She was not sure this truck is still available or if it was sold since Linda's sales person was off today. Linda will call on it first thing in the morning and can arrange for someone who knows more about trucks than she does go and look at it. Harry said before purchasing any used vehicle, we should have F & S take a look at it. Giles added to make sure any warranty is through the dealership. Motion to allow for the purchase of a truck not to exceed \$13,988.00 complete and with F & S Automotive to go over vehicle made by B. Prescott with a second from L. Schilling. R. Hawkins voted no, all other ayes on vote.

Mayor Hawkins spoke with our Village Solicitor and Michele indicated to her that she needs a motion from Council to authorize for the following positions:

- WWTP Operator of Record
- Water Treatment Plant Operator of Record
- Village Administrator
- Part-time Employee
- (3) Rotational Seasonal Snowplow Drivers with CDL Licenses

Michele Stuck asked how many of these positions will be employees and how many will be independent contractors. Donna said at this time, she is not certain; one for sure will be contractors, the seasonal snowplow drivers.

Motion by Council to authorize for the positions made by B. Prescott with a second from M. Hura. All ayes on vote. Jenny asked the Mayor if she had dollar amounts with any of them or any kind of range. Donna said she, Jenny, had given her the range earlier during the Finance Committee.

### **Public:**

Lynn Stamm asked to clarify the upcoming times & dates for the November meeting.

John Clark was confused about the advertising for positions. If you contract out for snow plowing, why do they need a CDL? Mayor Hawkins explained they would be utilizing our vehicles when plowing. Linda Schilling said if there are independent, they are using their own vehicles, their own equipment. Donna said not always. Marty said the majority of the time, but not always. Michele explained regarding the insurance company, that as long as they pass their process and check their driving record. We submit all of their information to the insurance company and as long as they are satisfied, they will be covered to use our equipment. The snowplow positions would be on an hourly wage.

Patsi Gast asked where the Village was at for hiring a Village Administrator and who is on the hiring committee. Donna said there is no hiring committee; she is apparently the one that picks the person and then Council approves. Patsi asked what gives the Mayor the authority. Marty said ORC. Michele said the statute gives the Mayor the authority. Patsi asked what the timeframe is to get this done. Donna said as quickly as possible.

Patsi asked about receiving letters to opt-out from First Energy, has anyone received them, and who has not. Some have, others have not and some have received multiple letters. From the time you receive the letter, you have 21 days to opt-out. It goes into effect on January 1, 2011. Patsi felt someone from the Village should contact the company. The 800 number will also be placed on Channel 25 for residents. Linda Schilling does not get that channel, if she gets the 800#, she will contact the company to let them know not everyone has received the letters.

Tracy Leva asked what is being done with her water problem; all she sees is a cone and orange paint. Ben said we are going to do what we said; it just has not been started yet. Mayor Hawkins said she just got the list of materials in her mailbox today. The project has been revamped slightly; we are short in man power and understand that we are getting some free manpower on this project. However, we did have a waterline break as well.

Marty reminded everyone that Mantua Matters needs articles now and he will have Diane put the 800 number for the electric company in as well.

Motion to enter into executive session at 8:00 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 8:45 p.m. made by L. Schilling with a second from M. Hura. All ayes on vote.

Motion to allow the Mayor 30 days to accept applications and 30 days to review and possibly hire for all positions made by L. Schilling with a second from M. Hura. R. Hawkins voted no, all other ayes on vote.

Motion to get new specifications and estimate for the Ralph Gregory project made by B. Prescott with a second from L. Schilling. All ayes on vote.

Donna asked Council whether pictures should be left up or taken down. Leave them up.

Motion to adjourn the meeting at 8:48 p.m. made by L. Schilling with a second from R. Hawkins. All ayes on vote.

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Mayor Donna Hawkins

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Clerk-Treasurer Jenny August