

VILLAGE OF BOLIVAR COUNCIL MEETING January 9, 2014

The Bolivar Village Council met in regular session on **Thursday, January 9, 2014**. Mayor Hubble called the meeting to order at 7:07 p.m. The Pledge of Allegiance was said and a moment of silent prayer was held.

The Mayor began the meeting by swearing in the new council members. Those sworn in included Kraig Slutz, Timothy Lang and Lisa Cochran. All new members signed their Oath and took their seat for roll call.

Cochran, Lang, Lloyd, Marburger and Slutz answered roll call. Lloyd moved, seconded by Slutz to accept the minutes from the previous meetings on December 2, and December 19, 2013. In a roll call vote, all members present voted yes. The Clerk read the bills received for payment. Lloyd moved, seconded by Lang to pay the bills for December, totaling \$46,825.63. In a roll call vote, all members present voted yes. There were no corrections or additions to the agenda.

Before moving on to public speaks, the Mayor addressed the empty seat on council. Two people applied for the open seat; Mr. Don Lapp and Ms. Mary Vincent. Both candidates were interviewed by the mayor and a committee consisting of Robert Lloyd and Kraig Slutz. The committee felt both candidates were very well qualified for the position. After much consideration, the committee recommended Mary Vincent for the position due to her years of experience on council. The Mayor thanked Mr. Lapp for applying and urged him to please apply in the future if any seats become open. In addition, she extended an invitation to Mr. Lapp to consider accepting a position on the zoning board to fill an open seat. She also referenced an opening on the shade tree committee.

Mayor Hubble proceeded to have Mary Vincent step forward to swear her into office with a term ending 12/31/2017.

PUBLIC SPEAKS: Timothy Day attended with his wife and mother in law and addressed a few concerns regarding zoning. He is disgruntled that the police and or zoning inspector show up to his house regarding complaints received but other zoning issues aren't being enforced such as people parking on the sidewalks, in their yards and their driveway. He said zoning issues need to be taken care of between everybody, not just one person. He also addressed issues with people complaining about his semi-truck being parked at the truck turn-around. The Mayor agrees that zoning issues need worked out in the village and recommended that he bring his issues to the next zoning meeting. In the meantime, she will discuss these issues with the chief and will get back with him next week. Tim also wanted to know if he can continue parking his truck at the turn around. The Chief doesn't see a problem with it. Formerly there was a problem with the reefer truck but that has since been resolved. Tim assured when he starts his truck in the morning, at approximately 4a.m., he lets it run for approximately 5 minutes and leaves. He was given permission to continue parking there. Mary Vincent advised the next zoning meeting will be held on Thursday, February 6, 2014.

Gabrielle Riggle, from the Village of Tuscarawas, inquired about the new gas station. More specifically he wanted to know if there will be a bike rack at the Bellstore.

Mr. Huth expressed discontent with the seating in the committee meetings he has attended. More specifically he was very unhappy that fourteen (14) people attended the finance meeting and five (5) people had to stand. (He went on to incorrectly state that finance committee members had to stand and he feels that is wrong.) Huth referenced the Ohio Sunshine Law book and handed out clippings from the Sunshine Law. He went on to make a reference that there are severe penalties for public officials that "knowingly...knowingly break that law". Huth added, "I do plan, if at the next meeting next month if space adequately is not provided by next month I will file an injunction with the Common Pleas Court". Attorney Daisher interjected by stating case law does not require a seat for everybody. She said the sunshine law is a summary not the actual law itself. Kay Huth interjected and Bill reiterated their position. App addressed Mr. Huth regarding the space available. He said he could not hear and he does not feel it was appropriate to have to stand for an hour in the next room. App reiterated that the finance meeting will be held in the finance office because that's where the records are kept and the meeting location will not be changed. As for the seating, App pointed out to Mr. Huth that if he wanted a seat he should have requested one; nor did he mention that he couldn't hear in the meeting. App said next time he needs to speak up if he can't hear. Huth continued to challenge every response provided to him. Mrs. Huth weighed in about the seating in finance as well. Discussions continued about where meetings should be held. App said "we are happy to provide extra seats". Kay added that the safety meeting should be held in the council room. In addition, she felt accommodations should be made during executive sessions so they don't have to stand in the cold.

Zach Salapack questioned the finances and asked if we have resolved any of the issues. App said she can give a brief update as to the current status but will have a full report by the next meeting. App also said she would also like to have a training of council to go over procedural steps in meetings and policies and procedures. Additionally App would like to set up a special finance meeting to review the budget and streamline reports for 2014 so they are easily understood.

MAYOR HUBBLE – First thing that needs done is to re-appoint Chief Randall Haugh, also Village Administrator. Dave Franks will be our Street Superintendent. Chuck Williams will be the Water Operator. He is a 1099 employee. Stephanie Long will continue as our Income Tax Administrator. The Mayor went on to name the committees for 2014. **(Refer to attachment)**. Mrs. Huth questioned the zoning committee. The Mayor is going to have Mary Vincent continue as the liaison with zoning and council.

In other business, Planet Aid would like to have permission to place a donation drop box in the Village. The bins will be emptied as often as needed to avoid overflowing. Marburger moved, seconded by Lang to approve the placement of a donation box. In a roll call vote, Cochran, Lang, Lloyd, Marburger, Slutz and Vincent voted yes.

Mayor announced she will be meeting with Amy from Kimble to discuss recycling. For the month of November our recycling totals equaled 5.44 tons. In December the tons totaled 5.2 tons. She commends the residents for being frugal and continuing to recycle. It really helps the village and our planet to recycle and keeps more trash out of the landfill.

FINANCE: - Lloyd moved, seconded by Slutz to suspend the rules to approve the annual Village insurance policy. In a roll call vote, all members voted yes. Lloyd moved, seconded by Slutz to approve by an emergency \$13,064.00 for Hammersmith Insurance. In a roll call vote all members voted yes.

Lloyd moved, seconded by Marburger to reimburse Chad for the business cards he paid for in the amount of \$46.46. In a roll call vote all members voted yes.

Lloyd moved, seconded by Marburger to approve the annual Community Business Association membership fee in the amount of \$30.00. In a roll call vote all members voted yes.

Lloyd moved, seconded by Lang to approve \$79.80 payable to Staley's for a battery. In a roll call vote all members voted yes.

Lloyd moved, seconded by Vincent to approve \$104.99 payable to the USA Blue Book. In a roll call vote all members voted yes.

Lloyd moved, seconded by Slutz to approve the annual Arbor Day membership fee for \$15.00. In a roll call vote all members voted yes.

Lloyd moved, seconded by Vincent to pay OUPS a \$50.00 membership fee for line locates. A short discussion followed regarding the fee and whether or not it was necessary. Franks explained why the Village has to pay the fee versus regular businesses. In a roll call vote all members voted yes.

Lloyd moved, seconded by Lang to pay Blasenbauer Plumbing \$295.98 for contracted services. In a roll call vote all members voted yes.

Lloyd moved, seconded by Cochran to approve three (3) individual voice mails totaling \$15.00 extra per month. In a roll call vote all members voted yes.

Lloyd moved, seconded by Lang to spend up to \$200.00 for employee parking signs for alongside the building. In a roll call vote all members voted yes.

Lloyd moved, seconded by Slutz to allow a uniform allowance for all employees in the amount of .15 per hour worked. The police department currently receives this allowance and we would like to include our street employees as well. In a roll call vote all members voted yes.

The Mayor intervened and said council needed to elect a president pro temp for the year. She explained the duties of this position in the event anything were to happen to the Mayor or if she were out of town. She opened the floor for nominations. Mary nominated Kraig Slutz. Vincent moved, seconded by Lang to elect Kraig Slutz as president pro temp. In a roll call vote, all members present, except Slutz, voted yes; Slutz abstained.

PLANNING: Dick Lebold was absent due to having a heart cath. The Mayor announced that William and Brie Russman have requested a zoning change to their property from residential to commercial. Zoning is proposing a hearing to be held on Monday, February 17, 2014. Discussion followed to set a time for the hearing. In addition, a new time for the street and alley was established for 7pm to accommodate all council members. Attorney Daisher announced the procedural process for the hearing. The newspaper will be contacted and the sign will reflect the meeting date and time. Additionally, letters will be sent to the surrounding property owners, notifying them of the hearing. Members of the public interjected some comments regarding the time. Dave Franks reported sixteen (16) building permits were issued in 2013 and \$4898.00 was collected in permit fees. Kay Huth asked how much of that money was generated from the new Bellstore construction. Dave said approximately \$4600.00 was generated from the Bellstore project.

Kathy Lapp wanted to thank the Bolivar Fire Department for their quick response time, in the cold weather, locating the gas leak on Park Avenue that extended several blocks.

SAFETY – Slutz reported there were 1294 calls in 2013. Only three (3) of the 1294 calls were not resolved in 2013. In other business, Slutz said the police protection contract with Zoar expired at the end of 2013. Slutz moved, seconded by Lloyd to renew the contract with Zoar for an additional three (3) years at \$25.00 per hour. In a roll call vote all members present voted yes.

Administrator/Chief – Chief Haugh announced the PD had a very busy year and Dave Franks also did a fine job this past year. We have been working well together and meet every day.

Street & Alley – Salt needs to be used sparingly. Franks will make sure the hills are salted. The township is only getting a limited amount of salt for the remainder of the year so we need be cautious.

STREET SUPERINTENDANT – Franks announced that his part time street worker is moving to North Carolina. Franks will have further discussion at the next street and alley meeting.

SHADE TREE – Franks started a list for tree plantings once the weather is nicer.

RECREATION – Vincent expects the baseball association to start preparing in the next 30 days or so to request to use the fields, etc.

CLERK/TREASURER – NONE

LAW DIRECTOR – There was a 2nd reading by title only, **AN ORDINANCE TO ADD ARTICLE 21: RULES OF CONDUCT IN OPEN MEETINGS TO THE POLICIES AND PROCEDURES MANUAL.**

There was a 3rd Reading by title only, **AN ORDINANCE TO VACATE THE OPEN PINE STREET ALLEY EXTENSION FROM DIETRICH ALLEY TO EAST STREET IN THE VILLAGE OF BOLIVAR.** Attorney Daisher further explained this ordinance and how it came about. The residents surrounding this alley all signed consent forms approving the alley to be vacated. Attorney Daisher did clarify there will be a utility easement on the property that will not go away. Marburger motioned, seconded by Lloyd to approve **Ordinance #0-82-2014.** In a roll call vote, all members present voted yes.

Before adjourning, the Mayor announced the need for a quick executive session for personnel. No action will be taken. Everyone will need to leave except council, the law director, the chief and Dave Franks. When we come back we will only need a motion to adjourn. Council went into executive session at 8:06 p.m.

Council came out of executive session at 8:31 p.m.; no action was taken.

There being no further business, Lang moved, seconded by Marburger to adjourn until February 3, 2014. In a roll call vote, all members voted yes. The meeting adjourned at 8:32 p.m.

Bills paid in December totaled: \$46,825.63 (See attached breakdown)

Mayor Rebecca S. Hubble

ATTEST: _____
Maria A. App, Clerk Treasurer

Approved: _____