

The Bolivar Village Council met in regular session on Monday February 11, 2013. Mayor Hubble called the meeting to order at 7:04 p.m. The Pledge of Allegiance was said and a moment of silent prayer was held. App, Haueter, Mariani, Slutz, and Vincent answered roll call. Lewis was absent.

Mayor Hubble read a letter of resignation from Councilwoman Lewis. Haueter moved-seconded by Mariani to accept her resignation. In a roll call vote, all members voted yes. Four people were interviewed for the vacant Council seat. Mayor Hubble recommended Robert Lloyd to replace Lewis. Haueter moved-seconded by Vincent to appoint Robert Lloyd to fill Lewis' unexpired term. In a roll call vote, all members voted yes. Mayor Hubble administered the oath of office to Lloyd.

Mariani moved-seconded by App to accept the minutes from the previous meeting, bills paid, and financials. In a roll call vote, all members voted yes. The Clerk read the bills received for payment. Mariani moved-seconded by Slutz to pay the bills as read. In a roll call vote, all members voted yes.

PUBLIC SPEAKS – Mr. Jim Gettling from the Ambassador Company (a faith based publishing company) would like the Village Council to advertise in their books which are then distributed to the local elementary school. The books are on morals, values, and character. Mayor Hubble said this would be discussed and our Law Director will need to give a legal opinion on if the Village can contribute any money.

Jessica from the Bolivar branch of the library gave Council an update and thanked the Village for the building and for the cleaning of their sidewalks and building.

MAYOR HUBBLE – The public hearing on County Road 102 annexation will be held while she is out of the country. The entire purpose to annex is to lower the speed limit for the trail safety and nothing more.

Mayor Hubble has been invited by Bill Johnson to Washing DC for a Mayor's conference and she would like to attend.

Result from the well test at the base of the landfill have been received and are available for anyone to see.

FINANCE – Mariani moved-seconded by Vincent to have GPD draw plans for Phase 4 of the trail (the downtown project) at a cost of \$32,400.00. In a roll call vote, all members voted yes.

Mariani moved-seconded by Haueter to pay \$1,090.00 for 2012 court costs. In a roll call vote, all members voted yes.

Mariani moved-seconded by Haueter to pay \$248.50 for the yearly fee to Emergency Management. In a roll call vote, all members voted yes.

Mariani moved-seconded by Slutz to pay \$1,300.00 to Ream & Haager for the well water testing. In a roll call vote, all members voted yes.

Mariani moved-seconded by Haueter to pay the Burfield land off at a cost of \$383,976.60. In a roll call vote, all members voted yes.

Mariani moved-seconded by Slutz to suspend the three reading rule for O-63-2013. An ordinance accepting the annual appropriation ordinance. In a roll call vote, all members voted yes. Mariani moved-seconded by Vincent to adopt O-63-2013 as an emergency measure. In a roll call vote, all members voted yes.

Mariani moved-seconded by Vincent to suspend the three reading rule for O-57-2013. An ordinance to accept the amount and rates and determined by the auditor. In a roll call vote, all members voted yes. Mariani moved-seconded by Haueter to adopt O-57-2013 as an emergency measure. In a roll call vote, all members voted yes.

Mariani moved-seconded by Slutz to purchase a vacuum for the library at a cost not to exceed \$300.00. In a roll call vote, all members voted yes.

Mariani moved-seconded by Lloyd to reimburse Mayor Hubble for any cost associated with her trip to Washington DC. In a roll call vote, all members voted yes.

Mariani moved-seconded by Lloyd to pay \$535.00 to repair the light over the door at the police station and to add one on the Village hall. In a roll call vote, all members voted yes.

Mariani moved-seconded by Haueter to pay GPD \$1500.00 for drawing on the trail. In a roll call vote, all members voted yes.

Mariani moved-seconded by Slutz to give M. Myers and C. Hilty \$1.00 per hour raises and to suspend the three reading rule for ordinance O-64-2013. They have not had a raise in over two (2) years. In a roll call vote, all members voted yes. Mariani moved-seconded by Haueter to adopt O-64-2013 as an emergency measure. In a roll call vote, all members voted yes.

PLANNING COMMISSION – The GPD quote was discussed.

Bolivar Baseball/Softball also has requested use of our fields. Vincent moved-seconded by Lloyd to allow them to use the fields. In a roll call vote, all members voted yes.

SAFETY - There were two (2) applicants for crossing guard. Slutz moved-seconded by Mariani to hire Rachel Tolley at a cost of \$9.00 per day and to pass ordinance O-61-2013 as an emergency measure. In a roll call vote, all members voted yes. Slutz moved-seconded by Lloyd to adopt O-61-2013 as an emergency measure. In a roll call vote, all members voted yes.

ADMINISTRATOR/CHIEF – NONE

STREET & ALLEY – Hydrant flushing will be May 3rd.

STREET SUPERINTENDENT – NONE

SHADE TREE – NONE

RECREATION – The trail money needs to be spend by September for us to get our match.

CLERK/TREASURER – NONE

LAW DIRECTOR – Atty. Daisher received a time-stamped request for annexation from Massillon Materials. It was filed today. It is a very technical annexation procedure. We are required to pass an ordinance if we accept or reject annexation within a specific time period (25 days). There are specific requirements to NOT accept the annexation; otherwise, the Village MUST accept the annexation. Atty. Daisher went through each requirement. We cannot legally object to this annexation. Atty. Daisher’s opinion is we do not have standing to object so we must pass Ordinance O-58-2013 to accept this annexation. Haueter moved-seconded by Slutz to pass O-58-2013, AN ORDINANCE APPROVING THE ANNEXATION OF THE MASSILLON MATERIALS, INC. PROPERTY INTO THE VILLAGE OF BOLIVAR, OHIO; ESTABLISHING AN EMERGENCY. In a roll call vote, all members voted yes. Haueter moved-seconded by Slutz to adopt O-58-2013 as an emergency measure. In a roll call vote, all members voted yes.

Resolution R-59-2013 needs to be passed to state what services the Village will provide to Massillon Materials. Police and Fire are the only services being requested. Dick Harvey asked if we can add road maintenance. Atty. Daisher said that is a given when any public road is included in the annexation. Mariani moved-seconded by Haueter to suspend the three reading rule for R-59-2013. In a roll call vote, all members voted yes. Mariani moved-seconded by Haueter to adopt R-59-2013 as an emergency measure. In a roll call vote, all members voted yes.

An ordinance to determine a buffer zone to be put in place must be adopted. A recommendation of 50’ set back with no activity or building on this will be allowed but landscaping and/or a road is permissible. Haueter moved-seconded by Slutz to suspend the three reading for ordinance O-60-2013. In a roll call vote, all members voted yes. Dick Harvey said the Mayor promised them there would be a 200’ buffer zone and there would be a berm put in place. A short discussion followed. It was noted that this land is still agriculture and no mining can be done without a zoning change. This buffer can be changed if the zoning is changed. Haueter moved-seconded by Slutz to adopt ordinance O-60-2013, AN ORDINANCE TO ESTABLISH A BUFFER ZONE FOR THE MASSILLON MATERIALS, INC. ANNEXATION TRACT PURSUANT TO OHIO REVISED CODE SECTION 709.023; ESTABLISHING AN EMERGENCY. In a roll call vote, all members voted yes.

February committee meetings will be moved to Thursday February 21st at 7:00 p.m. so that Finance can have a work session this day at 6:00 p.m.

There being no further business before the Council, Mariani moved-seconded by Haueter to adjourn until March 4, 2013 at 7:00 p.m. In a roll call vote, all members voted yes. The meeting adjourned at 7:55 p.m.

BILLS PAID: Huntington National Bank	\$67.81
IRS	1,282.29
Huntington National Bank	56.00
MS Crowe	943.80
DL Franks	2,318.68
RD Haugh	1,980.74
CD Hilty	239.25
MD Myers	1,033.12
RT O’Connor	152.02
HK Sears	414.32
RS Hubble – cell phone	20.00
Campbell Oil	1,116.36

Bolivar Marathon	\$34.50
Staples	220.70
Huntington National Bank	949.30
Vicky Gross	30.00
Frontier	351.71
Enger Auto	173.33
HK Sears – postage	8.13
Galls	137.98
Staley Tech.	503.80
Ohio Child Support	470.76
Treasurer State of Ohio	350.00
Republic Industrial Maintenance	346.34
Express Press	583.40
Tuscarawas County Treasurer	1,237.88
OUPS	50.00
Fitzpatrick Zimmerman	4,260.00
Columbia Gas	275.40
GPD	1,500.00
Ream & Haager	1,318.00
Tuscarawas County Treasurer	2,310.37
City of New Philadelphia	1,009.00
HSBC Business Solutions – Menards	207.88
Tuscarawas County Sewer	70.50
Verizon Wireless	182.45
AA Hammersmith Insurance	12,300.00
Tuscarawas County Sheriff	110.00
Tuscarawas County Emergency	248.50
Campbell Oil	252.09
AEP	3,229.41
RS Hubble	434.72
CD Williams	512.45
Bolivar Income Tax	43.00
Miscellaneous	668.96
Bolivar Income Tax	109.80
Treasurer State of Ohio	259.86
OPFP	314.93
OPERS	1,908.44
OPFP	440.90
RS Hubble – mileage to DC	<u>407.93</u>
TOTAL:	\$47,446.91

Rebecca S. Hubble, Mayor

ATTEST: _____
Michelle S. Crowe, Clerk/Treasurer