

The Bolivar Village Council met in a regular session on Monday, August 19, 2013. The August 5th council meeting did not have a quorum and therefore had to be rescheduled to the 19th. Mayor Hubble called the meeting to order at 7:01 p.m. The Pledge of Allegiance was said and a moment of silent prayer was held.

Bill Huth immediately questioned the mayor about the fire code and asked how many people were permitted in the council room. The mayor replied that she wasn't going to go there with them because they always twist everything she says around.

Haueter, Lloyd, Mariani, Slutz and Vincent answered roll call. The meeting minutes from May 21 and August 5th 2013 were approved. Lloyd moved, seconded by Slutz to accept the minutes. In a roll call Haueter, Lloyd, Slutz and Vincent voted yes; Mariani abstained.

MAYOR HUBBLE - Read the resignation of Dante Mariani. Haueter moved, seconded by Vincent to accept his resignation. In a roll call vote, all voted yes; Mariani abstained. Dante left the meeting.

The next order of business is to bring on a new council member to replace the open seat left by Maria App. Andrew Marburger was recommended for council. Haueter moved, seconded by Vincent to accept Marburger as a council member. In a roll call vote all members voted yes.

Marburger was sworn in by the mayor then took his seat on council.

The mayor proceeded to call Tim Lang forward to replace Dante Mariani's vacated seat. Lang had previously been interviewed for council and is on the November ballot to run in the election. Haueter moved, seconded by Lloyd to accept Lang on council. In a roll call vote all members voted yes.

Lang was sworn in by the mayor then took his seat on council.

The Clerk read the bills received for payment. Slutz moved, seconded by Lloyd to pay the bills as read. In a roll call vote, all members voted yes.

PUBLIC SPEAKS –

Kay Huth – None

Marty Glasserman - Asked several questions about the purchase agreement of the Burfield property. He is concerned about potential use. Currently it's zoned agricultural but he read in the agreement that council would support mixed use of residential and light commercial. His greatest concern is whether or not the village would allow low income housing on the property.

The mayor stated, until the company applies for a zoning change, nothing can be done. She reiterated the property is currently zoned agricultural, but council would support residential. Mayor Hubble went on to say the village would be specific if and when a variance is applied for.

Attorney Daisher interjected that the Declaration of Covenants and Restrictions refers to our "sale property". She said the Declarations have been filed with the county and include stipulations with the land the village sold. The Declarations state the only uses that will be considered are residential and light commercial and those are the only requests the Village will consider.

Mr. Glasserman would like to see in writing restrictions prohibiting low income uses. Attorney Daisher said we aren't changing it from agriculture at this time. She went on to say it can't be done right now. There would have to be a hearing at a later date if applicable.

Linda Harvey – Asked when does council have discussion on items voted on in council because there is never any discussion in the council meeting. Attorney Daisher said council members have committee meetings in advance to discuss items to be brought to council. These meetings are all open to the public.

Attorney Daisher said she will email legal information to council in advance to review before meetings if applicable. She said it's also pretty typical not to have discussion on mundane issues.

Mrs. Harvey asked the mayor what “false information” she was referring to in the letter that was mailed out to the residents. Mayor Hubble clarified the property in question will not be used for sand and gravel. There seems to be some confusion between the 65 acres the village sold and the other property.

Dick Harvey – He apologized for the way he has acted in meetings. He also wanted to publically applaud Dwayne Flickinger for getting the lawsuit in action for the landfill and for getting the petition on the ballot regarding the sand and gravel. Harvey questioned the emergency ordinance and asked why it wasn't discussed.

Carl Hartline – He attended on behalf of his mother who lives on Parkview. He wants to know what the village is going to do to repair the holes in his backyard from water runoff. The water flow is caused from township water flow. The mayor may attend township meeting to discuss this water problem. The main concern is will it be an open ditch once repaired. Dave Franks said there is no decision yet that only the piping has been priced.

Mr. Copen said he has the same problem at his house which is a Graef property in the canal area.

MAYOR HUBBLE – Commended Dave, Bob, Randy & Chad for storm damage clean up. She also thanked David Cipar with D&N Tree Services for bringing out his crew and equipment to assist removal and clean up from large tree down across Rt. 212 during the storm.

Trick or Treat – Learned there will be a Tusky Valley football game on Thursday, October 31. Typically Halloween is observed on the 31st. The mayor asked council when they would like to schedule for this year. Haueter moved, seconded by Marburger to have Halloween on Wednesday, October 30th from 6-7p.m. In a roll call vote all members voted yes. The Lions club party will follow at the school.

Mayor met with Kimble regarding trash collection. Some residents asked if the trash container could be smaller. Yes, the trash container can be switched out to a size equal to the recycle tote. There will be a collection and replacement date announced in the paper and newsletter.

Recycling has increased by approximately 300%. We would like to have a committee with some residents to participate with recycling grants and determine where the money should go.

FINANCE – Mayor Hubble restructured the finance committee. Robert Lloyd was appointed as finance chairman. Marburger and Slutz were also appointed to the

committee. The safety committee also has a couple vacancies. Slutz remained as chairman; Vincent and Lang were appointed to the two vacant seats.

Lloyd moved, seconded by Marburger to pay \$2,475.00 to Country Signs for the trail signs. In a roll call vote, all members voted yes.

Haueter moved, seconded by Marburger to pay \$1446.51 to GPD for the trail. In a roll call vote, all members voted yes.

Marburger moved, seconded by Lang to pay \$600.00 to Leads. In a roll call vote, all members voted yes.

Exemption for water at 216 Poplar was discussed due to not having a renter in the main house. Normally council would exempt trash, but this property can't have water split. Council questioned why a second tap wasn't put in. Haueter moved, seconded by Lang to give an exemption for three (3) months. In a roll call vote, all members voted yes.

Attorney Daisher suggested she can look into creating a policy for this.

A resident on Dale Avenue would like the late charges for her water bill to be waived. She said she never received the bill. A short discussion followed. It was noted she has not been late for one year. Vincent moved, seconded by Lloyd to waive the late fee of \$16.00 this one time only. In a roll call vote, all members voted yes.

Haueter moved, seconded by Lang to approve a \$40.00 membership for the Mayor's Association.

Vincent made a motion to suspend the rules for Resolution R-4-2013, seconded by Slutz to approve the Amended Certificate #2. In a roll call vote, all members voted yes. Vincent moved, seconded by Slutz to adopt Resolution R-4-2013 for the Amended Certificate #2. In a roll call vote, all members voted yes.

Lloyd moved, seconded by Haueter to approve \$2800.00 for street signs (phase 2 of reflectivity rule). In a roll call vote, all members voted yes except Lang abstained.

Vincent moved, seconded by Lloyd to purchase a new chain saw from Leppo Equipment in the amount of \$500.00. All members voted yes in a roll call vote.

Franks reported Mr. Cipar with D&N Tree Service brought his whole crew out to assist village with storm damage clean up and tree removal on Rt. 212. Franks asked council if village would be willing to pay Mr. Cipar \$200.00 to help offset his fuel and labor for helping the village. Lloyd moved, seconded by Haueter to approve the expense of 200.00. In a roll call vote, all members voted yes.

PLANNING – NONE

SAFETY – There were 134 calls in July

ADMINISTRATOR/CHIEF - Reported Dave is doing a great job and his officers are doing great as well. Officers are writing a lot of tickets.

STREET – NONE

STREET SUPERINTENDENT – NONE

SHADE TREE – NONE

RECREATION – Vincent asked Lebold about the status of the bidding process. A short discussion followed. Nick from GPD will be meeting with Lebold and Mayor Hubble to get the best price. Lebold said we should probably bid it in January.

The last report has been filed to close the Trail Grant. September was the deadline to close the grant. The Trail finished up for less than anticipated. Approximately \$110,000 will be reimbursed and can be used towards the downtown project. It will take around 2-3 months to receive the money.

CLERK-TREASURER – NONE

LAW DIRECTOR – In regards to authorizing bids and getting bids ready, there was a 1st reading by title only AN ORDINANCE TO ADVERTISE FOR BID THE DOWNTOWN REVITALIZATION PHASE OF THE TOWPATH TRAIL PROJECT.

MAYOR HUBBLE – The next council meeting would be on September 2, which is labor day. The mayor suggested the council meeting be moved to Thursday, September 5th in observation of the holiday on Monday. Lloyd moved, seconded by Lang to change the next meeting to September 5 at 7p.m.

There being no further business, Haueter moved, seconded by Lang to adjourn until September 5, 2013. In a roll call vote, all members voted yes. The meeting adjourned at 7:55 p.m.

BILLS PAID:

Internal Revenue Service	\$ 1,482.04
Huntington National Bank	57.75
Ohio Public Employees Retirement System	3,258.95
Ohio Police & Fire Pension Fund	3,393.54
MA App	837.21
MS Crowe	945.20
DL Franks	2,170.10
RD Haugh	1,879.96
CD Hilty	1,776.95
MD Myers	399.14
RS Hubble – cell phone	20.00
Fitzpatrick, Zimmerman & Rose	480.00
RA Williams	960.00
Frontier	375.65
RS Hubble - reimbursement	18.05
Ream & Haager Laboratory, Inc.	171.00
Fitzpatrick, Zimmerman & Rose Co.	4,470.00
Crowne Chemical Corp.	154.00
GPD Group	7,461.79
Campbell Oil	1,725.62
J.F. Farr Concrete Inc.	2,507.00
Hanley Print & Promotions	135.22
Newton Asphalt Company	14,531.57
Staples Credit Plan	432.15
MS Crowe	87.70
Ohio Child Support Payment Center	470.76
David Warrick	71.27
American Electric Power	2,483.82

American Legion Post	60.00
Columbia Gas	37.53
Republic Industrial Maintenance	655.68
Capital One Commercial	116.50
Lowe's	59.29
Environmental Management & Development	609.06
Kimble Recycle & Disposal	819.87
HD Supply Waterworks	2,397.37
Vicky Gross	90.00
Vicky Gross	21.28
Verizon Wireless	182.47
Oster Sand & Gravel	66.78
Tuscarawas County Auditor – health insurance	2,137.64
Mayors Association	40.00
PNC Bank	21.28
D&N Tree Service	200.00
RS Hubble	434.72
CD Williams	513.75
The Country Sign Co.	2,475.00
Treasurer State of Ohio	600.00
RS Hubble	26.53
Bolivar Service Center	51.30
M&K Engraving	27.00
Bolivar Income Tax	122.91
Treasurer State of Ohio	<u>279.54</u>

TOTAL: \$64,801.94

Rebecca S. Hubble, Mayor

ATTEST: _____
Michelle S. Crowe, Clerk/Treasurer