

VILLAGE OF BOLIVAR COUNCIL MEETING February 16, 2015

The Bolivar Village Council met in a special session on **Monday, February 16, 2015**. Mayor Hubble called the meeting to order at 6:00 p.m. The Pledge of Allegiance was said. Lloyd opened the meeting with a moment of prayer. Cochran, Lang, Lapp, Lloyd, Slutz & Vincent answered roll call.

PUBLIC SPEAKS: Dick Harvey was the only guest. He stated he would have liked to have reviewed the proposed zoning book prior to the meeting, but he didn't know it was put together yet. The Mayor stated it was advertised as such in the paper. Harvey said he didn't see the paper.

Harvey asked if there was an environmental impact study requirement in this book for businesses or not. The Mayor said, no, not that she's aware of. He thought it would be wise to have one done. Daisher explained that State and National environmental regulations would always super-cede local regulations. Daisher provided a detailed answer.

LAW DIRECTOR – Daisher stated there is one thing she wants to bring to everyone's attention, there are four issues that need filled in by council and that's because of the dates. The first thing is the effective date of the zoning code. Obviously the reason it was left blank is because the zoning committee couldn't fill them in because they didn't know when council was going to hear it. 2) The amount of the plan approval fee; to approve plans. 3) The zoning compliance certificate fee. 4) The signed compliance date. All those things would need filled in. The effective date would be the date of passage.

Daisher went on to explain in greater detail items 1-4 to include fees. The topic of variances were also discussed.

Slutz asked about the Industrial Manufacturing section. He wanted to confirm there are no IM Districts next to the roadway. Daisher confirmed the downtown district is commercial not industrial. She also noted again there is no change in anyone's property classification. No property will be under a different zone with the new code. No ones property will go from commercial to residential or vice versa. "There is no change. That's important to know".

Lebold provided a zoning map to Slutz and clarified the different zoning codes. Franks and Jillian pointed out the only area in the village that have the Industrial classification, which is where the Fire Department is located. Lebold said, they basically took the old zoning book which was very simple and it has been upgraded for those who like to read between the lines. Daisher stated the real problem is the old book lacked a lot of specifics. Now there is a nice definition section and more specifics and that was the goal. Lebold interjected some of the areas are better explained.

Lang asked about the oil and gas industry. He wanted to know if there are any state regulations that prevents them from drilling wells right next to or inside of village limits. Daisher said village limits don't matter, assuming you're talking about a shale well. They need a certain amount of acres. Daisher said the village can't outright ban it. We can require them to send us copies and test results; especially if close to a water well. Discussion continued about the well industry and state regulations.

Lang asked about the \$20.00 building permit fee per \$10,000.00 project costs. It was clarified the fee would apply to structures and fences, not items such as new siding for a home.

Harvey asked if the adult entertainment has been banned in our zoning; the response was yes, "it's been banned". In addition, so the games of skills type of businesses have also been banned.

The Mayor asked council if they had any extra comments and questions. Council felt comfortable with the new language in the book.

The effective date will need determined and the compliance date will apply thereafter. This will depend on whether council chooses to pass this tonight or wait. Council engaged in additional discussion and reviewed the impact on whether they pass as an emergency or have three readings. Until this Ordinance is passed, the old zoning guidelines would be applicable.

Cochran had questions on three readings vs. emergency. Daisher explained the significance of the two and how it would apply in this situation.

Harvey weighed in that they worked on their zoning book for three (3) years and they utilized three readings. He just wanted to share his opinion.

Vincent pointed out they too have worked on this for a long time. She went on to say tonight was the opportunity for the public to come out and you're it. Vincent, Daisher and Lebold also pointed out over the past couple years a few people have come out to some zoning committee meetings.

The Mayor stated we have now heard the pros and cons of having three readings vs an emergency. What is the pleasure of council"?

Slutz motioned, seconded by Lang to suspend the rules to approve the new zoning book. In a roll call vote, all members present voted yes.

Slutz motioned, seconded by Lang to approve as an emergency **Ordinance O-6-2015, an Ordinance to repeal and replace the zoning code of the Village of Bolivar**. In a roll call vote, all members present voted yes.

Daisher stated she would insert the effective dates in the book and send out the final copy to everyone.

Vincent wanted to acknowledge and defend the former zoning book. For those who were previously involved in creating and enforcing the zoning book, she felt they did a good job. She said when that book was created many years ago, it was from a different period in time. If someone had a question, they could just go to Dick, Gary or Dave for answers. Times have changed and that's why it was so important to get the zoning book updated.

Before adjourning and going into the special finance work session, a couple items need approved, as previously announced in the Times Reporter.

FINANCE: App presented to council some furniture and filing cabinet quotes as previously discussed on the February 2 finance meeting. The total cost for two (2) L-shaped desks with a hutch and utility light, one (1) FireKing fireproof filing cabinet and new tables with casters for the council room is \$4780.00. For comparison sake, the normal price of the filing cabinet alone is typically between \$2600.00-3300.00. The furniture is from Total Office Solutions

in Akron; offering a business grade quality and more durable. The existing desks in the Clerk/Treasurers office are very small, boxy and of cheap quality.

Lloyd moved, seconded by Cochran to approve the \$4,780.00 office furniture expense. In a roll call vote, all members present voted yes.

Lapp moved, seconded by Vincent to approve purchasing a new chair for Sergeant Hilty's office. His current chair is falling apart. In a roll call vote, all members present voted yes.

The Clerk/Treasurer presented council with the permanent appropriations and asked if they had any questions prior to voting.

Cochran moved, seconded by Lang to suspend the rules for **Ordinance O-7-2015, An ORDINANCE to make annual appropriations for Current Expenses and other Expenditures of the Village of Bolivar, State of Ohio, during the fiscal year ending December 31, 2015.** In a roll call vote, all members voted yes.

Lloyd moved, seconded by Cochran to approve **Ordinance O-7-2015.** In a roll call vote, all members present voted yes.

Daisher **read, by title only, an Ordinance to edit section 10.2 of and to add section 10.1.4 to the policies and procedures manual.** Whereas the Village Council for the Village of Bolivar wishes to provide for additional paid time off, providing for a Village holiday for Good Friday and one extra paid time off day for each Village employee.

There being no further business, Lang moved, seconded by Cochran to adjourn until Monday, March 2, 2015. In a roll call vote, all members present voted yes.

Mayor Rebecca S. Hubble

ATTEST: _____
Maria A. App, Clerk Treasurer

Approved: _____