

# **VILLAGE OF BOLIVAR COUNCIL MEETING November 2, 2015**

The Bolivar Village Council met in regular session on **Monday, November 2, 2015**. Mayor Hubble called the meeting to order at 7:01 p.m. The Pledge of Allegiance was said. Lloyd opened the meeting with a moment of prayer. Cochran, Lang, Lapp, Lebold, Lloyd & Vincent answered roll call.

Lang moved-seconded by Vincent to accept the minutes from the previous meeting, bills paid, and financials. In a roll call vote, all members present voted yes.

The Clerk read the bills for the month of October, totaling \$48,770.99. Lloyd motioned, seconded by Lapp to approve the bills. In a roll call vote, all members present voted yes. There were no corrections or additions to the agenda.

**PUBLIC SPEAKS:** - none

**MAYOR HUBBLE** – Reported she attended the Ohio Municipal League meeting with the Clerk/Treasurer on October 21-23, 2015. "We learned a lot of information. There was a lot of talk regarding HB 5. It's going to be a lot for municipalities with changes that are taking place". The Mayor also announced we, the village, will have until December 31, 2015 to get the tax ordinance approved.

As discussed in the finance meeting, last year the Mayor met with Sherry from RCAP. They had discussed getting some Omega grant funding for the actual GIS Mapping Project in our development district. It is a multi community GPS data collection and GIS mapping project. The Village did receive the grant. It's a matching fund grant and the Village will have to pay \$3,500.00 including \$1,000.00 of in kind labor. From that, we will get a wonderful system that will record geographic locations and well positioning systems.. It will also do all of our above ground drinking water, storm assets and water assets. It will be a wonderful program and great valuable resource for us. Included in the package is a stipend for equipment. The Village will also receive a tough notebook for Dave and he will be able to have this program downloaded into this notebook to use throughout the village.

The Mayor also talked to Pam Ewing from RCAP and she helped us gather a plan that we need for our water line and infrastructure need replacements. "I felt we have accomplished a lot this month as a result of that".

**FINANCE:** - Lloyd stated it was brought to the villages attention that a resident had passed away and the family asked for an exemption for water and trash since the house has been vacant. Lloyd moved, seconded by Lang to approve a water/trash exemption. In a roll call vote, all members present voted yes.

Lloyd moved, seconded by Lang to approve \$3,500.00 to work with the grant data mapping project as discussed. In a roll call vote, all members voted yes.

Lloyd moved, seconded by Lapp to approve a **Resolution, R-14-2015, to amend appropriations**. There is money available in the Income tax fund balance, but \$5,000.00 needs to be appropriated for contractual services . In a roll call vote, all members present voted yes.

Lloyd brought forth discussion on the Tuscarawas County Healthcare Consortium. Lang clarified the village would need to opt into the healthcare plan. The Mayor clarified this will need to be done by emergency because the deadline is this month to opt in. If the Village does not opt in, the employees would not have health insurance. We don't have any facts or figures yet because the county doesn't have any yet. We will not know anything until the beginning of December. We do have to pass it tonight, we don't a choice.

The Clerk clarified there is two parts to the Healthcare Ordinance. One portion is to approve the bylaws and the second part is to opt into the healthcare consortium. Lang motioned, seconded by Lloyd to suspend the rules to opt into the Tuscarawas County Healthcare Consortium. All members present voted yes in a roll call vote.

Lloyd moved, seconded by Vincent to approve as an emergency, **ORDINANCE O-22-2015, AUTHORIZING THE VILLAGE OF BOLIVAR TO ENTER INTO AN AGREEMENT FOR PARTICIPATION IN A REGIONAL COUNCIL OF GOVERNMENTS AGREEMENT REGARDING HEALTH BENEFIT PROGRAM AND DECLARING AN EMERGENCY**. In a roll call vote, all members present voted yes.

**PLANNING** – Lebold stated he talked to zoning inspector and there aren't any issues for zoning. Therefore, they are cancelling the zoning meeting scheduled for November 5.

Discussion was initiated regarding a proposed lot split for the former Verna Maurer property. Lebold supplied details, square footage and setbacks regarding the property and split. All utilities entering into this house would be within the lot split; none crossed over the lot split. The solicitor we could make this a first reading of an Ordinance to approve the lot split at 356 Park Avenue SW. This is the first reading by title only. Council can revisit it again at the next meeting. Lebold will provide the solicitor a copy of the map. Mayor Hubble interjected that she already provided copies of the map to everyone.

**SAFETY** – Vincent reported the Police had 110 calls and cleared 109 calls; 1 is still pending. Safety also had a visitor tonight from a company called Opto-Traffic. The representative presented a program called Dragon King. There are minimal upfront costs to the village. It is an opportunity to generate money. It is a camera that has to be, by law, operated by a full time officer. They generate those images and send them to the village. Vincent went on to explain the process of how the system works. Safety still has several questions for the company. Safety is early in the discussion stage with the proposal. Lebold asked the Chief how he felt about this proposed program. The Chief stated there are still a lot of questions to weigh out. Lang advised that he asked the representative to provide a list of other agencies who currently use the program.

Basically the "Dragon King" is another tool to generate income for the village. The Chief and Mayor provided more details as to how the program would work. The Mayor stated the committee will continue to look at the program in depth and ask more questions. Opto-Traffic will be coming back next month to safety. The Chief extended an invite to any council member to come and ask questions. The Mayor re-iterated again there will be continued discussion at the next safety meeting.

**Chief** – none

**STREET & ALLEY:** Lebold wanted to recognize Franks for going to a Tuscarawas County meeting on emergency procedures. Franks stated anytime there is any kind of activity whether it's a chemical spill, a tornado, snow fall, high winds, etc; If the village doesn't have a policy in place then we would go by the county policy. It's getting all kind of data for our village; it would be put in the policy so if something does happen we would know who to call and how fast it would happen.

Lebold also wanted to recognize Tim Lang for going to the grant session.

**STREET SUPERINTENDANT / ADMINISTRATOR** – Franks stated there is a property on Grand Avenue, the addresses are 449 and 465 which is a duplex. The water has been shut off; to no avail the Clerk and I have talked to the owner several times and no payments have been made in quite some time. We would like to put a lien on that property. The owner is getting ready to sell so we would like to get a lien on it. The solicitor told the Clerk she could send a letter to the auditor's office. Allegedly, the property is going to a sheriffs auction. The solicitor will look into it to see the progress of the foreclosure.

Franks stated the village is without numerous signs and posts. He also said he got a price on a directional industrial park sign for the three-way stop that would have an arrow on it. The total for all signs, posts and freight would be \$3,722.96 which includes the industrial sign. Lebold motioned, seconded by Lang to approve the expenditure. In a roll call vote, all members present voted yes.

Franks also reported the street department is swamped with leaves; they will get to all the houses as soon as they can.

**SHADE TREE** – Franks reported he has to have a tree taken down on Park Avenue across from Cody Kahlers. A resident has a leak in their basement with their water. The shut off to their water is at the base of the tree. Franks is contracting Dave Cipar to get a quote. He will have the quote for the next street and alley meeting.

**RECREATION** – Lang stated the only thing he has for tonight is the second reading of the trail. He deferred to the solicitor to read the proposed ordinance. Lang also stated he will be drafting up a letter so it can be sent to the effected residents by the end of the week. There will be a third reading of the Ordinance for the trail at our special meeting on November 18th. Franks suggested doing the special meeting at 5:30 prior to regular committees. Lang reiterated he would draft the language for the letter and have it submitted by the end of the week.

Franks reminded Christmas on the Canal will be on November 28th. Lebold distributed flyers. Lebold also reported that the Canal Street Diner will be donating hot chocolate and providing "elves"; Hennis Care is donating 400 cookies; Lebold-Smith Funeral Home is donating coffee and bottled water and

Haueter Landscaping will be running the wagon. Lebold said Dawn Timberlake will be donating her time and singing on the patio in front of the sled.

**CLERK/TREASURER** – none

**LAW DIRECTOR** – The solicitor read the second reading for the **AN ORDINANCE TO APPROVE PHASE THREE OF THE TOWPATH TRAIL PROJECT**. If council would like to have discussion tonight they may, or wait until the 3<sup>rd</sup> reading at the next meeting.

Lang initiated discussion regarding the current income tax credit of 1%. After working with accounting firm and discovering we are in need of increasing our revenue. He is proposing the village eliminate the tax credit up to ½% which will help us increase revenue. Lang gave an example, using himself as a template as to how the reduced credit would have an impact.

The solicitor laid out what it would entail to amend section 15 of the existing income tax ordinance. The solicitor read a first reading by title only, **AN ORDINANCE TO EDIT SECTION 15 OF VILLAGE ORDINANCE 1996-615 BOLIVAR INCOME TAX**. Armstrong stated this Ordinance would need to be in place prior to the end of the year. Lang stated he would like to do a second reading at the special meeting on the 18<sup>th</sup> of November. In addition, there would be a third reading for the Towpath Trail Project on the 18<sup>th</sup> as well. Armstrong pointed out the time line for passing the proposed Ordinance for editing section 15 of the income tax.

The Mayor interjected that she would like to see three full readings on each of the Ordinances to allow the public the opportunity to attend and ask questions.

Due to conflict in schedules with two council members, council needs to look at an alternate date for the December meeting. Members discussed different options for dates that would fit everyone's schedule.

Vincent moved, seconded by Lapp to change the regular council meeting scheduled for December 7<sup>th</sup>, back one week to November 30<sup>th</sup> 2015. In a roll call vote, all members voted yes.

Armstrong read the third reading for **AN ORDINANCE TO APPROVE THE PETITION OF THE BOLIVAR WESLEYAN CHURCH FOR A LOT SPLIT**. Lang moved, seconded by Vincent to approve **ORDINANCE O-23-2015**. In a roll call vote, all members voted yes.

Armstrong read the third reading for **AN ORDINANCE TO EDIT SECTION 4.4 OF THE POLICIES AND PROCEDURES MANUAL**. The solicitor reviewed the specifics of the proposed officer and how lunches are to be handled with the police department. Lang moved, seconded by Lloyd to approve **ORDINANCE O-24-2015**. In a roll call vote, all members voted yes.

The Chief wanted to clarify that the Ordinance wouldn't take effect for 30 days after passage.

Before moving on, the Clerk brought to councils attention that they need to start reviewing procedures for the Bolivar income tax review board. The Clerk distributed the procedures to each of the members. In addition, council needs to start considering candidates to be appointed to the review board.

The solicitor updated council with recent developments regarding the proposed sale of Sassafras Alley. As discussed at the previous special session of council (Oct 27, 2015), the advertising costs for the legal notice to sell the property exceeds the minimum bid price. The question councils needs to decide, and it doesn't have to be tonight, is to either raise the bid or determine if it's not profitable to sell the property. The vote can be rescinded if that's what council chooses. Lebold interjected that council already voted to rescind the minimum at the last meeting. Council discussed several options as to how to set a selling price. It is recommended that all costs involved with the sale should be factored into the minimum bid. Lang stated, to be good stewards of our money, we should not be covering the costs for the sale. After lengthy discussion, the solicitor stated the minimum bid would have to be the 500.00, plus all advertising, transfer taxes and fees and all closing costs.

Council said the proposed sale of a portion of Sassafras Alley would be revisited for discussion at the special council meeting on November 18<sup>th</sup> and to advertise accordingly. Council also directed the solicitor to consult with the proposed buyers attorney to see where he stands before the village expends money to advertise for the sale of the property.

Mayor Hubble had a question for the attorney regarding the status of the parcel of land abutting the Village property. The solicitor said the paperwork has been filed. It is a slow moving process. She will update council with statuses as they become available.

There being no further business, Cochran moved, seconded by Lapp to adjourn until Wednesday, November 18, 2015 for a special session of council at 5:30. The next regularly scheduled council meeting (for December) will be on Monday November 30, 2015. In a roll call vote, all members present voted yes

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Mayor Rebecca S. Hubble

ATTEST: \_\_\_\_\_  
Maria A. App, Clerk Treasurer

Approved: \_\_\_\_\_