

# VILLAGE OF BOLIVAR COUNCIL MEETING June 4, 2018

The Bolivar Village Council met in regular session on **Monday, June 4, 2018**. 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. Gettan, Lang, Lapp, Lebold, Lloyd and Vincent answered to roll call.

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

The Fiscal Officer read the bills for the month of **May** totaling \$44,542.53. Lloyd moved, seconded by Vincent 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:** - Jessica Conley, Supervisor with the Tuscarawas County Library, Bolivar Branch was in attendance to provide the annual state of the library. She began by distributing a fact sheet for the branch.

Jessica announced today was the first day of summer reading. Out of the eight (8) weeks of summer reading, there are only four (4) days where there are no programs planned inside the library; three of those days coincide with the Strawberry Festival.

Last year the Bolivar branch circulated 52,509 books, DVD's, cd's and audio books; 31,793 people have visited the branch over the year. There were over 63,000 digital downloads which included audio books from their digital catalog or e-books. In addition, there were 168 programs offered which attracted 6,541 patrons over the year; which is an increase of approximately 2000 from the prior year

If anyone wants to visit the annual story time at the Strawberry Festival, they will be at the family pavilion at 5p.m. On Tuesday, June 12th, they have "Jungle Terry" coming which is an animal encounter. He will be bringing all sorts of exotic reptiles. It will actually be held at the fire station. The library has partnered with the station a lot to provide extra room. There will also be a magic show on June 28th at noon at the fire station.

Jessica invited everyone to the Community Days event on Tuesday, July 24. There will be a musical performer. It will be located at the pavilion on the back lawn of the fire station. There will be family games and food provided by Haueter Landscaping.

Jessica concluded by thanking everyone for allowing her to present. Lang acknowledged that Jessica was just awarded the Trojan Pride award at Tusky Valley. She acknowledged that she received the award in May. Everyone applauded her for her service.

Andrea Legg with the Tuscarawas Library also thanked everyone for their support. She added that Jessica is way to humble. Andrea added that Jessica has done an incredible amount of positive things at the branch; every year she keeps getting better and better with what she brings to the library.

Tom Graef was in attendance to inquire about whether the cat proposal has come up in support of that issue. He asked if it was going to be discussed tonight. The Mayor advised it would be brought up at the street and alley meeting.

**MAYOR HUBBLE** – Announced the Strawberry Festival is coming up on June 14, 15 & 16th. There are a lot of exciting things going on. She wanted to remind everyone to come out and support the festival. There are many unique food vendors this year. One of the big changes is they are not having an actual midway this year. Instead there will be inflatables, a hamster wheel and some different things to change things up a bit. There will also be a race on Saturday morning hosted by TC United soccer.

**FINANCE:** - Vincent reported the finance committee met at 6pm this evening. Vincent reported the fiscal officer brought up adding 3-5 hours per month for typing assistance. It would be subcontracted; someone from the community. Vincent opened it up for discussion or to table it for the moment. Lebold said he would like to see it increase from 3-5 hours to 5-10 hours per month. He didn't feel 3-5 hours was enough. The fiscal officer added to perhaps open it up to a certain amount but she felt 3-5 would be sufficient. App added, perhaps not in the first month while someone is learning, but felt it would be sufficient on the lower end as it's only for meeting minutes, not for financials. Gettan added to set a cap of no more than ten (10) hours and see what the candidate is capable of. Lebold added that he would like to see the full amount of hours now at the fiscal officer's discretion. Vincent wanted to clarify the reason for the additional need is based on the level of involvement the fiscal officer is going to have with the downtown project. Gardner added it should be titled clerical assistance. App said she's really hesitant because she doesn't want to have to exercise those options. App added, "I want to keep it down as low as possible but I am looking at future projects and things that are happening, different grants, etc". Tom Graef interjected "that's why you would manage it; up to ten hours and work your magic to use it". Lebold said, "You have proven to council that you are very frugal and a good manager with good foresight. I suggested that because I would like council to go along with it; because you have proven and you know how to schedule and run an office". Gettan agreed that she would like to see that as well.

Vincent made a motion that they are discussing adding 3-5 hours; up to a maximum 10 hours per month for clerical assistance, including meeting minutes at least for this period in time where the village has so many other projects. The motion was seconded by Lloyd. There was no further discussion. In a roll call vote, all members present voted yes except Lang who voted no.

Vincent presented a proposed resolution for "WSRLA" which stands for Water Supply Revolving Loan Account. It's a fund to help us with our asset management plan through RCAP. Right now we are looking at the cost of it to be in the \$20,000.00 range. The item we are looking at is a 50% grant; 50% loan type of situation. Vincent moved, seconded by Lebold to approve the WSRLA asset management fund as a **Resolution R-4-2018**. In a roll call vote, all members present voted yes.

Vincent reported the fiscal office has currently been using a flash drive and other back up materials. To replace the backup system, the fiscal officer has looked at Google Cloud with 1T costing 100.00 per year; a smaller 100 GB is 19.99 per year. App recommends 1T for the fiscal office and 100 GB for the police department if they need it. There is also a 15 GB free account for the street

department if they would like to use it. Vincent made the recommendation on behalf of the fiscal officer to approve proceeding with Google Cloud in the three different increments as a yearly payment. Lapp seconded the motion. In a roll call vote, all members present voted yes.

Vincent added that the Fiscal Officer has been in contact with the Tuscarawas County Health Department. They received grant funding for mosquito spraying this year which provides for spraying at no charge. App will be in contact with the health department to try to get the first spray lined up so it's still effective through the Strawberry Festival. Vincent added the Village residents need to call in if they notice periods of high population.

Vincent brought forth a resolution to amend appropriations; increasing the library fund by \$53.72 in order to pay the remaining balance to OHMS Law for an invoice totaling \$1,053.72. The work performed at the library was the replacements of ballasts and a new light/fan. Vincent moved, seconded by Lebold to approve the **Resolution, R-5-2018**. In a roll call vote, all members present voted yes.

The Ohio Municipal League (OML) is holding a conference in Canton. Normally conferences are located in Cleveland or Columbus. It's a one day event on June 29, 2018 at the Pro Football Hall of Fame. It is still being determined if the fiscal officer and a council person is going to attend. The cost is \$75.00 per person; the quantity is still pending. Vincent moved, seconded by Gettan to approve the expense. In a roll call vote, all members present voted yes.

Before concluding, Vincent added, "In the past the Village has had some very expensive audits in excess of the \$10,000.00 range. Since App has come on board as Fiscal Officer; because of the quality of the work she has been doing in the fiscal office, this year we were allowed to do "Agreed upon Procedures" compared to a full audit. That eligibility is based on clean prior audits. This one has come back and it was very positive". Vincent wanted to congratulate App on the record for a good job!

Before moving on, Tom Graef asked if App saved the Village a \$10,000.00 fee. Vincent replied yes; this one in fact cost \$3,750.00 due to the records she has established. App added due to the upcoming projects we will not be eligible for the Agreed upon Procedures because they will need to be independently audited each year versus every two years at a higher rate than the AUP; then hopefully resume the Agreed upon Procedures. Vincent stated it doesn't change the good news for now. App thanked Vincent and Council for their support.

**PLANNING** – The Mayor announced they didn't have meeting last month. The next zoning meeting will be on Thursday, June 7, 2018 at 5:30p.m.

**SAFETY** - Gettan reported there is an Ohio Tactical Shooters Training starting tomorrow. Chief Haugh and Sergeant Hilty will be attending. Gettan also reported the department had a very busy month with 130 calls for the month of May.

**CHIEF** – none

**STREET & ALLEY - Lapp** reported the committee met on May 21 for their street and alley committee meeting. He reported they had a guest that reported they are auctioning their property on June 13 and is requesting Pleasant Alley between Poplar and Pine to be blocked off for the auction. Lapp moved,

seconded by Lang to approve the request. In a roll call vote, all members present voted yes.

In other news, Lapp reported Tom Graef was in attendance at the committee meeting and submitted a proposal to help control the cat population. Lapp gave Gardner a copy of the proposal to review. Lang asked the solicitor to get back with the committee on that so they can move forward to see if they can get one of our employees, or one of us, to come open up the bay. Gardner asked if they are looking to use our facility. Lang said they are looking for a calming resting area for recovery. The Mayor said one of the things the committee discussed was to have waiver forms for those coming on to the property stating they wouldn't hold the Village responsible if they would fall or trip or those type of things. It's a simple release form that we would use similar to when people come to take wood. Gardner had a couple of questions that may already be included in the proposal. She wanted to clarify that the people are properly licensed; and that the doctor has proof of insurance. Lang said it's a mobile clinic. Gardner said based on the proposal, the village could put together a simple agreement stating what they are allowed to do; the things that will need signed and a time established so everyone knows the exact time.

Tom Graef provided his contact information prior to leaving. He added, this has been done twice before in the Village but not with the involvement of Council. They are trying to offer an option for the non-feral cats to be neutered or spayed for free. He didn't know how rigorous they needed to be to prove affordability for individuals. He added they would accept contributions from people who could not afford it to get their cat fixed. Lang wants to make sure the Village is not going to foot the bill for this. Gardner said the village can spread the news throughout town but could not bear the expense. As for as the policy to see eligibility for those to sign up, it would come down to "Operation Warm and Cozy" to determine what is appropriate; the village probably would not set the parameters. Gardner added there's been a lot of progress with this. Graef said the next step would be probably up to the vet as to what dates are available. He will then get a shorter list and work with Tim or someone here to see what day makes sense. Lang said we also need to talk about finance but that's the first step. Graef said he can guarantee the finance will be covered; he will either get the money from some local guys around or his family (inaudible). Lang clarified by stating we would have to have an employee open up the facility so the Village would basically need to have some sort of flex time or something. He added that the finance committee would have to weigh in on; some sort of special duty. Gardner said in regards to the dates, it could not be conflicting with the car show or some sort of big event downtown. Gardner concluded she will take a look at the proposal and let Council know.

Lapp reported there have been several complaints from residents in regards to trash receptacles being left out at the road. He added that he found the 2014 Ordinance where the Village can ticket offenders \$15.00 per occurrence. Lapp noted that he has done some research by looking up some villages or cities online. Some of them have some fines up to \$100.00. The committee talked about putting progressive fines in place and came up with a tier with the first occurrence being \$15.00; the second being \$50.00 and the third occurrence

being \$100.00. Gardner said they could amend that ordinance to reflect that. Lapp asked her to define what an occurrence is. Gardner suggested going by time period not per can. She said that it should be by occurrence and not by the can or by the day. Graef suggested adding a time period; Lang offered further clarification regarding the time frame for setting it out. Council reviewed the existing ordinance to include the timeline for setting it out the night before and having it removed by sunrise the following day after pick up.

Lapp asked how the fine would be assessed. Chief Haugh said he would need a completed copy of the ordinance for the judge to review with the completed fine structure. Haugh asked if they would be policing that. Gardner said that Franks and his workers can assist with that. She is not suggesting they drive around the entire village to seek out offenders. Lebold agreed the police and street can both keep their eyes out. Lang asked if Council or the Mayor can waive the fine if there are occurrences where someone is sick, etc. Another option is to provide a warning the first time which would be in the form of a letter advising they will get a citation unless they can provide within 24 hours a good reason as to why they didn't remove their cans.

Gardner suggested a form letter in case the resident didn't know; and one warning could be issued. There could be another letter stating they will get a summons if they can't provide a good reason why they weren't removed. Haugh asked if a copy of the ordinance could accompany the letter.

Lang said this is something that can be discussed further at street and alley but asked if this could be a first reading. Gardner said this can be a first reading; she will get some language together and review again next month. Lebold asked if the people involved in the enforcement of it would have a say so as to how this gets worked out. It was suggested to bring it to safety. Lang said it wouldn't necessarily have to go to the police, it could always go to the zoning inspector. Lang added that's another thing that needs figured out to see which avenue we are going to pursue. If it goes through muni court obviously it would go through the police. If it goes through some other avenue in which the council and the mayor can waive it then it needs to go through the inspector. The Mayor said they would consider this the first reading and move forward. Graef asked if the municipal court would add court costs to the \$15.00 fine. Lang reiterated this would require additional discussion. Gardner agreed that the mechanism for enforcement needs discussed further and that a \$15.00 fine is just not enough for people to care. Graef asked if there are currently any unique provisions for fines to be paid. Lloyd asked if an assessment could be added to the individual's water & trash bill. Gardner said there are certain statutory requirements to create an assessment and she will look into that as well. That may be the way to go that will be easier for everyone. The Mayor recapped that the solicitor will get more information for Council.

Lapp brought up that Franks mentioned in committee that the mowing ordinance and open burn ordinances should probably be reviewed. Franks said they need to discuss the mowing; making it from 12" to 6" or 8" but that will need discussed in street and alley to see the consensus.

Lapp reported that Franks brought up the composting; that some of the cans were too heavy to lift; as well as no trash bags, sticks, shrubs or thorns. If they are not able to lift the cans or if there is improper compost material then they won't pick it up. A note would be left, or some other means of notifying the resident as to why their composting wasn't picked up. Vincent suggested some kind of form to be left right on the can.

**STREET SUPERINTENDANT / ADMINISTRATOR** - Franks reported he was combining the shade tree and administrator reports into one. He said he had a tree come down across Tuscarawas Street last Tuesday and he wanted to thank council for the new chipper as it was a real Godsend. "If we would have had that old chipper, we would still be chipping. We were running 6" and 8" stuff through this chipper. It was a good \$10,000.00 well spent".

**SHADE TREE** – refer to Administrators report

**RECREATION** - Lebold reported they are working on being able to finish up the fencing on the Trail. Lebold stated he finished up a grant for 990 feet of split rail fencing with the Blair Ann Zimmerman Foundation. The grant was due the first of June. It's a \$3800.00 grant. He is hoping the committee can see about working on playground equipment. He said the Canal group is tentatively planning to help fund it. He is putting funding together on it by getting pricing and looking at grants. Vincent asked where the equipment would go. Franks said they are talking about up by the baseball fields since we have the soccer association there too. Lebold said it would all be put together for council approval but they are going to start working on it now. The one question that comes up is the type of playground equipment that is very expensive. He has found lately they are coming out with playground equipment that is made of wood with a huge amount of difference in price. Lebold said with the wood we would run into some splintering whereas the other one would get installed and that's it; nothing is perfect. Lebold said he is working on that with the parks and recreation committee. Hopefully this winter we can get this put in. Lebold is attributing this to the Ohio Erie Canal Towpath Trail that we worked on for years; that last half mile of section that comes around the ball field and now the soccer fields.

**FISCAL OFFICER** – none

**LAW DIRECTOR** – none

There being no further business, Lang moved, seconded by Lapp to adjourn until the next regularly scheduled council meeting on Monday, July 2, 2018. In a roll call vote, all members present voted yes. The meeting adjourned at 7:47p.m.

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Mayor Rebecca S. Hubble

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ATTEST: Maria A. App, Fiscal Officer

Approved: July 2, 2018