

VILLAGE OF BOLIVAR COUNCIL MEETING July 2, 2018

The Bolivar Village Council met in regular session on **Monday, July 2, 2018**. Mayor Hubble was absent; Robert Lloyd (President Pro-tempore) called the meeting to order at 7:03 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 **June** totaling \$41,426.21. Vincent moved, 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: - Gerry Swigert was in attendance and inquired about the trees along the Towpath Trail. She asked if there's a certain time the trees get trimmed on Canal Street. Lloyd asked if the trees were between the sidewalk and street and she responded both. Gerry said there are people walking, and there are bikes trying to dodge the branches. She asked if there was some kind of protocol to get them trimmed.

Lebold said there isn't protocol that he knows of but they do need trimmed up and referred to Franks. Lebold acknowledged that Franks has been very busy but added that the trees near the cemetery also need trimmed. Franks said he will get to them.

Swigert went on to inquire about the status of the drain. Franks said they will be digging it up tomorrow. He also noted that it has already been jack hammered last Friday but there's been a delay in digging it up due to the rain. Swigert also asked if the drain ties into the Taylor's as well and Franks said yes.

MAYOR HUBBLE – Absent

FINANCE: - Vincent reported the finance committee met at 6pm this evening. She went on to list each of the attendees of the meeting. Vincent noted the Fiscal Officer provided a YTD fund balance comparison during finance; we are at an increase of about \$25,000 compared to the previous year at this time.

Finance reviewed GPD's proposed contract that they submitted. Vincent asked if Council had any additional questions or if they are ready to accept or reject the proposal. Lebold asked Franks and App if the anticipated price is within affordability. App said the quote is contingent on the project as a whole. They are in range with what the village believes the estimate will be for the project. Lebold went on to ask App, "Do we need to approve this to move this project ahead"? App responded, "Yes, you have to either accept it or reject it". Vincent asked if there was any further discussion. Lebold went on to ask about the two fees in the proposal; one for \$49,640.00 and the other for \$8,640.00. App said she did not go through the fine details of it as the proposal was sent to all of council to review. Lebold said he looked at it closely but asked the solicitor if

they needed to approve both those fees. Gardner said council would be approving it as a whole. Gardner went on to look through the proposal and clarified the scope of services at \$49,640.00 and the authorized amount is if the Village wants GPD to help with the EPA funding process, the additional funds would come into play. She added, "Council has the ability to accept or reject that extra amount. If Council accepts it as a whole it would include both fees".

Vincent moved, seconded by Lebold to suspend the rules. In a roll call vote, all members present voted yes.

Vincent moved to accept the GPD proposal as a whole as outlined in their proposal dated June 20, 2018 for professional engineering services; Village wide water meter project, as an emergency. Lang asked if there was a reason why we don't accept the services through RCAP. "I'm thinking it's kind of better but I wanted to talk about it". Lebold said we can use them and not use GPD. Gardner added that she didn't recall RCAP's scope of services under their contract because it's been so long. Lang said, "It will probably be better with GPD since RCAP serves so many different ones; whereas with GPD we are a paying customer and we are going to get...". Gettan asked if we can still change our mind. Gardner said this contract would be to authorize it now. Vincent added, if the contract is accepted in its entirety then they would be accepting it as a whole. Lang asked Franks if he had an opinion. Franks said he has talked with GPD regarding the downtown project as far as the metering is concerned. "They have contacted RCAP. RCAP has called me and needed a verbal of letting GPD get what RCAP has done for the Village. RCAP and GPD are going to work hand in hand". Lebold expressed he would like the project done as a whole.

Gardner added, "The other thing Council could do if they wanted to have a conversation with RCAP about the level of assistance; you could authorize the beginning stages of this now and then authorize the additional work later if you wanted to". Lang expressed not wanting to delay this another 30 days. Vincent asked if there was any dollar amount associated with RCAP. Lang said RCAP stated they could assist but the level of assistance is unknown. App said "Everything will come at a cost. When the Village did the rate study there was a cost; with the asset management, there's a cost". Gardner said she didn't recall anything in the RCAP contract that says they would prepare an EPA funding application for us. Lang recommends doing it as a whole with GPD doing the funding. Lebold added that GPD has a lot of experience with this.

Lang seconded Vincent's motion. Before taking roll call, Vincent recapped the motion she made to accept the GPD contract as a whole as proposed in the contract. App clarified that Lang seconded the motion as an emergency. In a roll call vote, all members present voted yes **to approve the ORDINANCE; #O-17-2018.**

Vincent stated she had a couple of additional items and asked for everyone on council to look at their calendars. The first thing is to look at having a work session of Council to discuss the Village water system. The second thing is, the September Council meeting falls on Labor Day. Vincent asked if Council would like to change the September meeting to the Monday before which is August 27 or the day after which is Tuesday, September 4, 2018. Lang preferred September 4th; Lebold agreed. Vincent went on to ask about a work session. Gettan suggested tabling it; Lebold agreed and thought more information needs to be gathered.

Vincent reported some additional good news from the Fiscal Officer. The Bureau of Workers Compensation issued the Village a rebate check totaling \$3,984.80. This reflects an 85% return from the 2016 premium.

Vincent referred back to last month's council meeting where there was discussion and a vote for adding up to a maximum of 10 hours per month for clerical assistance for typing meeting minutes or anything else deemed necessary. However, the vote should have been either a first reading or an emergency vote. Gardner stated she understood it as starting the process for looking for one then obviously once we find someone it would be approved as an ordinance. Lloyd asked if it's done the same way as a subcontractor. Gardner said yes, because council is authorizing that person. "We don't just create a position and not fill it as part of an ordinance". Gardner went on to add, "The way I understood it, was you guys were saying yes we want to do this; let's go ahead advertise for this person and start the process of finding one; which doesn't need to be an ordinance. If you start looking for somebody; then when you get someone you want, you would do that as an ordinance to engage them as a contractor". Lebold recapped what the next step would be. Vincent recapped that there would be no further action at this point. It was recommended that Barb put it in the paper with a timeline. App suggested having resumes submitted by July 27th; interviews would be completed by the following Friday.

Lastly, Vincent stated the Fiscal Officer has been working with Huntington Bank to implement more modern ways. There were no other committees to bring items to finance.

PLANNING – Franks announced the next zoning meeting will be this Thursday, July 5, 2018 at 5:30p.m. There is some stuff coming up with Massillon Materials that needs discussed.

SAFETY - Gettan reported the Police Department had 109 calls for the month of June. Gettan was also happy to announce their policy & procedure manual is ready for review. The committee will start reviewing it in addition to the solicitor.

CHIEF – none

STREET & ALLEY - Lapp reported street & alley didn't have a meeting in June.

STREET SUPERINTENDANT / ADMINISTRATOR - . Franks reported they will be digging up the storm sewer tomorrow.

SHADE TREE – Franks announced if anyone has a small fruit tree (their own private tree); look at them. The Japanese beetles are bad this year. Franks said they bought some tree food today to put on the roots of our trees. He advised to keep an eye on your trees; especially if they are smaller.

Franks also reported the rest of that tree on Tuscarawas and Lovers came down last Sunday. He added that he was called out by the FD. Franks went up and cut it off the road and came back on Monday to chip it up. In other news Franks said he has a few trees that are dead. He has a call into Dave Cipar to give him a price to take them down. Lastly, he said he will also get the trees trimmed (referring to the Trail trees).

RECREATION - Lebold reported they did not have a committee meeting last month. Vincent asked about the car show and chicken BBQ. Lebold said he will be placing the sign at the three-way stop tomorrow. The car show will be Saturday, July 21, 2018. There will be several trophies; Lebold detailed out the number and type of trophies. Lebold asked if he should ask for the use of the

gator. It was reported that Noah Carpenter will be there for the event, using the gator and taking care of the trash as well.

Lebold noted the registration is from 3-5:00 p.m.; the car show is from 5-7:00 p.m. There will also be a chicken BBQ sponsored by the Bolivar Lion's Club from 5-7:00. The cost of the chicken dinners are \$12.00 the day of the show and its \$9.00 to register a car for the event.

Lebold also reported there were between 115-120 cars last year.

Franks asked Lebold the time to shut down the roads for the show. Lebold suggested around noon.

FISCAL OFFICER – none

LAW DIRECTOR – Gardner reported she sent info to Council regarding the civil citation system. She highly recommends for the committee to discuss and review the options.

In addition, Gardner reminded Council that she will be out of the country for the next meeting so if anyone has anything they would need to get it to her before July 26, 2018.

Lapp asked about the citation process; if there is anything Gardner could provide in advance of their next committee meeting. Gardner said she already sent out some information but can also send some sample ordinances. It's basically setting up some mechanism through the village where you can have a due process option here at the village if they choose to exercise it. That's really the only extra work that would be needed. They are tickets; it's unlikely we would use the option very much but they need to have the option. Gardner reiterated that she can send some information. The solicitor added this would be, in her opinion, an easy way to resolve some of the issues we have been having. Lebold agreed this looks a lot like something the Village would be looking for. He also liked the fact that it doesn't create a criminal offense. Gardner said it could also be certified to the county auditor and added to the tax bill which could also be the mechanism to collect it as well. She said it has been challenged by people before and upheld by the Attorney General as being a valid exercise of local power.

Lebold asked if the proposal would affect what zoning has. Gardner said she is not suggesting pushing this through as she wants council to review their options. This is something that is commonly used for zoning infractions, excessive grass heights, parking tickets, as well as the trash can issue. Gardner added, the Village wouldn't want to take these kind of things to court because you have courts costs and fees which turns into something much more expensive for both the Village and the resident. Lebold asked if the money generated from it would stay in the Village. Gardner responded yes.

Lebold thought there were two important points; 1) It doesn't create a criminal offense for the person; 2) The revenues generated would stay within the Village versus the municipal court. He thought it was a very good thing; and commented it would be good for zoning as well.

Gardner recapped that she will send some options so Council can look and see what other people have done with it and council can see what they may want to use it for here in the Village.

Lloyd asked if anyone had anything else to bring before Council. No one had anything.

There being no further business, Gettan moved, seconded by Vincent to adjourn until the next regularly scheduled council meeting on Monday, August 6, 2018. In a roll call vote, all members present voted yes. Council adjourned at 7:37 p.m.

Mayor Rebecca S. Hubble

ATTEST:

Maria A. App, Fiscal Officer

Approved: August 6, 2018