

VILLAGE OF BOLIVAR COUNCIL MEETING January 2, 2018

The Bolivar Village Council met in regular session on **Tuesday, January 2, 2018**. Mayor Hubble called the meeting to order at 7:00 p.m. The Pledge of Allegiance was said. Lloyd opened the meeting with a moment of prayer.

Before proceeding with the meeting, Mayor Hubble announced the next order of business. She asked both Richard Lebold and Tim Lang to stand so she can swear them in as council members. Their elected terms ends December 31, 2021. Both members signed their Oath of Office.

Lang announced the interview committee (Don Lapp, Mayor Hubble and Tim Lang) met with three applicants; all of which were quite impressive. Lang stated, primarily based on experience, Vincent and Gettan were the best suited at this time. He went on to state to Merrin that he did not want to discourage her; if there are any openings in the future to be involved he would encourage her to do so. Lang recommends appointing Vincent and Gettan to Council.

Mayor Hubble went on to appoint Vincent and Gettan to the two open seats on Council. She went on to add, she would like to appoint Marge Merrin to the open seat on Zoning.

Lang moved, seconded by Lapp to approve the Mayors appointment of Mary Vincent and Megan Gettan. In a roll call vote, all members present voted yes.

Next, Mayor Hubble had both Vincent and Gettan stand to be sworn in to their appointed seats of council with a term ending December 31, 2021. Both Vincent and Gettan affirmed and took their seat.

Before taking roll call, the Mayor invited Marge Merrin to stay for Council if she would like.

At 7:08p.m. roll call was taken; Gettan, Lang, Lapp, Lebold, Lloyd and Vincent all answered roll call.

Gettan moved, seconded by Lang 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 December totaling \$52,295.29. Lapp moved, seconded by Lloyd 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 – The next order of business consisted of the annual appointments.

Dave Franks was appointed as the Village Administrator /Street Superintendent for a period of six (6) months. He will be re-evaluated on June 1, 2018. At that time, there will be an appointment for the remaining six (6) months.

Dick Lebold will be the Planning Commission/Zoning Chairman; Dave Franks will remain the our Zoning Inspector; Randall Haugh our Police Chief; Chuck Williams will remain as our Water Operator; Heather Lecce as Income Tax Administrator; Maria App will be our Fiscal Officer; Dave Franks as our Regional Planning liaison for our Village.

For 2018, the committees are as follows. Copies will be place in council's mailboxes.

Finance: Mary Vincent (chair); Megan Gettan and Robert Lloyd
Street & Alley: Don Lapp (chair); Dick Lebold and Tim Lang
Safety: Megan Gettan (chair); Robert Lloyd and Mary Vincent
Parks & Rec: Dick Lebold (chair); Tim Lang and Don Lapp

The Solicitor, as previously approved, will remain as Jillian Gardner.

Next, the President Pro-Tempore will need to be selected. The Mayor opened it up to Council to make an election. Vincent nominated Robert Lloyd; Lang seconded her nomination. The Mayor asked if there was any further discussion; there was none. In a roll call vote, all members present voted yes to nominate Robert Lloyd as President Pro-Tempore for 2018.

FINANCE: - Lapp moved, seconded by Lloyd to approve an in-service training for the Police Chief on April 29-May 1, 2018 in the amount of \$630.00. The price includes two nights lodging and four meals. In a roll call vote, all members present voted yes.

Lapp concluded that's all he had for finance this month.

PLANNING – Lebold welcomed the new member, Marge Merrin, to the zoning board. He noted their regular meeting on January 4th has been cancelled. He

also noted he has put a call into the solicitor to start going through the sections of zoning in regards to some parking issues. He said he wants all types of parking situations to be addressed. Lebold noted they have Dover and Lawrence Townships zoning regarding parking.

Lebold invited Merrin to contact him if she has any questions. The Mayor also told Merrin that she will provide her a copy of the zoning book to start getting familiar with.

Lebold said their goal for 2018 is to resolve how they will handle these issues with utility trailers, boats and other vehicles.

SAFETY -

Lebold reported the police had 72 calls for the month of December; and a 2017 year to date total of 1,050 calls. Lebold asked if the Chief if he wanted to elaborate anything with the upcoming training session; Chief Haugh he didn't have anything additional; it's already been approved. He added the new auxiliary member is in training and doing well. Lebold went on to state the 2014 cruiser is having some idling problems.

He said the Chief has an appointment with Parkway to look at the cruiser. Safety is requesting a \$3,000.00 limit to fix the cruiser.

Lebold moved, seconded by Vincent to authorize the Chief to approve fixing the cruiser up to \$3,000.00. In a roll call vote, all members present voted yes.

CHIEF – The Chief wished everyone a Happy New Year.

STREET & ALLEY - Lloyd reported the street committee met on December 18. The committee's main discussion was in regards to getting some quotes for a parking area down in the canal behind the businesses and get some quotes on lighting with potentially some grants. The Mayor added, a business owner came to the office to discuss with her and Franks the same regarding parking; especially during the busy seasons. It's been crowded as it is.

The Mayor stated they would like to have a meeting with the downtown businesses to discuss parking and go over construction details. Zack Salapach offered having the meeting at his business. The Mayor went on to say the big concern is not just the paving aspect but the safety aspect of it.

Lebold added there are a couple things that definitely need addressed. The first thing is to get AT&T down to raise their power lines. He also said the access road by the Towpath Tavern needs to be re-addressed. When the downtown goes into construction, there will need to be some parking.

STREET SUPERINTENDANT / ADMINISTRATOR - Franks said he would keep an eye on the area once things start to thaw out; he can start hauling stone down there to keep the mud down once the ground starts getting soft. He talked to some contractors to address the ingress/egress once it warms up. They will be measuring and grade accordingly. He added they can always add stone until the black top is afforded.

Lebold asked if Franks if GPD and his committee has discussed the black topping. The Mayor said no, that would be an added cost in addition to the downtown project. He went on to address concerns with the sidewalks through that area.

SHADE TREE – Franks stated they have taken down several trees in the past couple of years but haven't planted much. He asked if anyone hears of anyone that would like a tree planted by their house to bring it to his attention; not a monster tree but a decorative.

Lebold asked about the Trail area and the fencing Franks has installed in addition to the benches. He wanted to add that it looks really nice through there.

RECREATION - Vincent reported their committee met on December 18. She noted the Waterworks Park sign has been refurbished by Franks and it has been re-hung. Other topics discussed was a tree replacement program for 2018; concentrating on grants and local businesses. They had a brief discussion regarding the Bolivar Baseball Association. Learned they have decided not to remove all of the sod at the Burfield's field.

FISCAL OFFICER – none

The Mayor added, she has a resolution that needs passed. She spoke with Alan Knapp from Omega who is working on our ARC application. He noted he couldn't find that we passed a resolution to approve the grant funding for the downtown project. He provided the Mayor with a sample resolution.

The Mayor proceeded to read the proposed Resolution in its entirety. (See attached)

App noted, this Resolution will replace the one Council previously approved in October (R-16-2017). When the financials changed with the funding with OPWC and

ARC, then it changed the resolution. Factoring in the updated proposals, this Resolution would replace the old financials with the updated ones.

Lebold moved, seconded by Gettan to approve the Resolution R-1-2018 (replacing R-16-2017). In a roll call vote, all members present voted yes.

LAW DIRECTOR – Gardner announced she is going to start the year off with some good news. There was a last minute injunction in the tax case so the tax code is not changing. It's a temporary injunction; there's not going to be the centralized collection. However, they are still fighting over whether the law is going to be permanently enjoined from being enforced. The court agreed there's enough there to at least issue the temporary injunction. For 2018, until we hear otherwise from the court, there will be no changes to the Village Tax Code; everything will remain the same as it was for the past tax year. That's good news for everyone.

Garner added, basically it says the municipalities do not have to reconcile their ordinances. Lang asked if this was in front of the Supreme Court. Gardner responded it is in the Franklin County Court of Common Pleas.

There was a **third and final reading of AN ORDINANCE AMENDING ORDINANCE # O-90-2014, ESTABLISHING A CREDIT/DEBIT CARD POLICY FOR THE VILLAGE OF BOLIVAR.** Gardner added the State is really cracking down on credit card abuse and its policies. This ordinance basically tightens up our existing policy so it can confirm with the potential new regulations that will be starting shortly. Since this is the third reading there will need to be a vote.

Gettan moved, seconded by Vincent to **APPROVE AN ORDINANCE, O-1-2018, TO AMEND ORDINANCE O-90-2014; ESTABLISHING A CREDIT/DEBIT CARD POLICY FOR THE VILLAGE OF BOLIVAR.** In a roll call vote, all members present voted yes.

The next item for discussion was in regards to an Ordinance approved at the last meeting. Gardner stated that App pointed out the probationary rate of pay for the Income Tax Administrator was listed on the Ordinance versus that actual new rate of pay.

App left momentarily to retrieve the former Ordinance number that was approved in December. While gone, Gardner elaborated on the tax ordinance and how the process works in the courts. She said we would know by the March meeting if any further action is needed.

App returned with the Ordinance, O-41-2017, which was the Ordinance that set the current rates of pay for the employees of the Village, establishing an

emergency. This would need amended as an emergency so the Income Tax Administrators rate of pay reflects the correct hourly rate of \$14.00 per hour.

Lang moved, seconded by Lapp to suspend the rules. In a roll call vote, all members present voted yes. Lang moved, seconded by Gettan to approve **AN ORDINANCE, O-2-2018, AMENDING O-41-2017 TO SET THE CURRENT RATES OF PAY FOR EMPLOYEES OF THE VILLAGE; ESTABLISHING AN EMERGENCY.** In a roll call vote, all members present voted yes.

Next, the ordinance that is specific to the Tax Administrator will also need amended. Lang moved, seconded by Lloyd to suspend the rules. In a roll call vote, all members present voted yes. Lang moved, seconded by Lapp to approve **AN ORDINANCE, O-3-2018, AMENDING O-46-2017 TO APPOINT HEATHER LECCE AS VILLAGE OF BOLIVAR TAX ADMINISTRATOR; ESTABLISHING AN EMERGENCY.** In a roll call vote, all members present voted yes.

Lloyd made a motion, seconded by Lang to go into executive session to discuss current and pending litigation. In a roll call vote, all members present voted yes. Lloyd requested Council, the Mayor and Solicitor to stay; App, Franks, Haugh and Limbacher were dismissed.

Came out of executive session at 7:59p.m.

Lang moved, seconded by Vincent to authorize the Solicitor to take all actions reasonable and necessary to defend the litigation. In a roll call vote, all members present voted yes.

There being no further business, Lang moved, seconded by Gettan to adjourn until the next regular Council meeting on **Monday, February 5, 2018.** In a roll call vote, all members present voted yes.

Mayor Rebecca S. Hubble

ATTEST:

Maria A. App, Fiscal Officer

Approved: February 5, 2018