

VILLAGE OF BOLIVAR COUNCIL MEETING

January 7, 2019

The Bolivar Village Council met in regular session on **Monday, January 7, 2019**. Mayor Hubble called the meeting to order at 7:00 pm. The Pledge of Allegiance was said. Robert Lloyd opened the meeting with a prayer. Gettan, Lang, Lawver, Lebold, Lloyd, and Vincent all answered to roll call.

Lloyd moved, seconded by Vincent to accept the previous meeting minutes. In a roll call vote, all members present voted yes.

The Fiscal Officer read the total for the bills for the month of **December which totaled \$64,572.22**. Vincent 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 – Fire Chief Shawn Lynch dropped off a copy last week of the contract that the Bolivar Fire Department has with the Village to provide fire and EMS protection to the Village. Nothing has changed. It is a one-year contract. It's a pass-through where council basically signs over the check to the Lawrence Township trustees and then they give it to the Village. The contract expires at the end of January. The new contract begins the first of January until December 31, 2019. It's already in effect. Maria asked for clarification on the term pass-through. Mr. Lynch stated the money will come directly from the county auditor and go to the trustees. Mayor Hubble asked if it was possible to take care of it sooner for the upcoming year. He stated that he hoped. There was some back and forth in getting the language straightened out with Lawrence Township trustees. Mayor Hubble stated that this would need to be passed as an emergency for the welfare of the citizens. She stated it would be great if the Village could have it in a timely fashion so they could do the three readings next time. The change in dates will not have any effect on the monies and if it is being paid this year or next year since we do not pay it. The last one did not have an end date specified, so it was the date of signature. It was signed January 30th of last year and the contract stated it would last for five years, this one is for a year. They were advised by their attorneys to make the end date concurrent with the calendar year. That is why it is the 31st, and not date of signature.

Vincent made a motion to suspend the rules, seconded by Lloyd. In a roll call vote, all members present voted yes. Vincent made a motion, seconded by Gettan to **pass AN ORDINANCE, # O-1-2019, AUTHORIZING THE MAYOR OF THE VILLAGE OF BOLIVAR AND THE CLERK OR FISCAL OFFICER OF THE VILLAGE OF BOLIVAR TO EXECUTE THE ATTACHED FIRE PROTECTION CONTRACT BETWEEN THE BOLIVAR VOLUNTEER FIRE DEPARTMENT, INC. AND TRUSTEES OF LAWRENCE TOWNSHIP, AND DECLARING AN EMERGENCY**. In a roll call vote, all members present voted yes.

Mr. Lynch plans on attending the next council meeting and will provide a year-end report of the number of runs and such. He wasn't able to have it available tonight as he planned. As far as having financial information, their accountant wasn't able to provide the year end expenditures at this time.

Mr. Lebold stated that the maintenance program that they have on their buildings makes them look very impressive. Mr. Lebold stated the way they keep the building and the blacktop around the buildings is impressive and they've done a great job. He said it was a nice color combination.

Lang had a question in regards to the rise in the capital fund. Mr. Lynch stated that Lawrence Township wanted to make sure they always had \$100,000 earmarked for reserves in the capital fund, and that is why it is in there. The levy was passed to provide fire and EMS protection to Lawrence Township as a whole. Lang asked if it was an operating levy; Lynch said yes.

MAYOR HUBBLE – Mayor Hubble stated that she needed to do some housekeeping duties like she does at the beginning of every year. She stated she would like to name the committees. They are as follows:

Finance: Megan Gettan will be the chair. Bruce Lawver and Robert Lloyd will be on the committee.

Street and Alley: Dick Lebold will be the chair. Tim Lang and Mary Vincent will be on the committee.

Safety: Bruce Lawver will be the chair. Megan Gettan and Robert Lloyd will be on the committee.

Parks and Recreation: Mary Vincent will be the chair. Tim Lang and Dick Lebold will be on the committee.

Those will be the 2019 committees.

Mayor Hubble is also naming Dave Franks the Village Administrator and Street Superintendent for the year 2019. He is also our Regional Planning Representative for the Village. He goes to all of the regional planning meetings and those types of things and takes care of that, and is a great help to us.

Mayor Hubble opened the floor to nominations for President Pro-tempore of Council. Lang nominated Bruce Lawver. Vincent nominated Megan Gettan. Lawver accepted the nomination. Lang made a motion to accept Lawver; Lebold seconded the motion. Lebold questioned whether it's a vote or a nomination. The Mayor clarified it's a nomination and there are two nominations on the floor. The Mayor started with Bruce and accepted the nomination by voting for himself. Lloyd asked Megan if she accepts her nomination and she replied yes. The solicitor interjected there are two individuals and now you are voting for which individual. Lloyd & Vincent voted for Gettan; Lang, Lebold, Lawver and Gettan voted for Lawver. Lawver accepted the nomination as President Pro Temp. Gettan congratulated him and said he would do a good job.

The Mayor added, the president of zoning is Megan Gettan. There will be no Strawberry Festival for 2019. This was a very difficult decision. The downtown will be torn up. It is slated to begin construction in June for the downtown project and won't be completed until October. They looked at two other locations and the possibility of having a scaled down version at the fire department and they also looked at Fort Laurens. Unfortunately, Fort Laurens is large enough but doesn't have adequate electric and potable water, and it would be too prohibitively costly to bring in potable water and electric. The fire department, they have facilities. Logistically trying to move large volumes of people from point A to point B, our streets would be congested, and it would just be a mess. The decision was made to cancel Strawberry Festival for 2019. The Festival will return in 2020, on June 17, 18, and 19. Dick Lebold stated that they have been very successful with the Strawberry Festival. He feels if we can't come back with as good a festival, and just throw one in to have one, you're going to decrease the nicety and understanding of the festival. You're going to have a bad year just to have it, it's better to not have it

and come back with a just as good or better festival, and prove that it will work and not taking a day out of it and not doing what Zoar is doing for Christmas in Zoar.

Mayor Hubble reported the recycling totals from last year. Last year our tonnage was very good. Last year was 82.07 for 2018. We are up 7.42 tons from the previous year. She stated it is great and is glad that the Village really takes it seriously in their recycling and she believes that we can do more. When she drives around on recycling days there are a lot of people who do not put out recycling totes. A lot of elderly find it is cumbersome. There are a lot of elderly who do not put their totes out. We do get a little bit of a grant from Kimble. They have cut it a bit, but we still get it. It goes to a nonprofit. It has gone to Bolivar Lyon's Club in the past couple of years to help buy eyeglasses and help the children in the schools.

Mayor Hubble stated she received a letter from Patrick Cadle who is a Mayor and Mayor Joel Day. They want to form an organization of Mayors and Administrators in Tuscarawas County area. The purpose is to keep up with what is happening. There is a lot of federal and state legislators that are doing things that we don't always know about. So, they want to form a forum to express our concerns and ideas. She thinks it is a great thing. They are going to meet January 15, 2019 at the New Philadelphia municipal building. She'll have some information to bring back to you at some other time. She thinks it will be a good thing for the Village.

FINANCE – Vincent reported the finance committee met at 6:00 pm this evening. As the Fiscal Officer already reported, the December bills were \$64,572.22.

As discussed last month, the Fiscal Officer has moved monies into the Star Ohio account. The interest for December was \$588.24. With that, we had a discussion regarding the option to add additional money to that account from the General Fund. The Fiscal Officer has been assured that those monies will be available on demand and that they will never generate a negative balance. With that in mind, Vincent made a motion, seconded by Gettan, to move \$100,000.00 from the General Fund to Star Ohio. In a roll call vote, all members present voted yes.

The Fiscal Officer discussed the revenue status balances from 2017 to 2018. We realized an approximate revenue increase of \$84,761.00.

We are looking at an additional Finance work session, possibly in February.

The Auditor (Fiscal Officer) and Mayor are looking to attend the AOS 2019 Conference Ohio Auditors conference in Columbus on March 6-8. The registration is \$200 per person, hotel is \$259, meals and mileage. Mileage is about \$132 based off of last year. It will be approximately \$725 for both of them to go. Whatever is not used would stay in the fund. Vincent motioned, seconded by Lloyd, to send the Mayor and Fiscal Officer to attend the AOS 2019 Conference. In a roll call vote, all members present voted yes.

The police department contract with Frontier expires in early February. The Fiscal Officer has been authorized to look at options that are more cost effect and more functional.

We need to initially start advertising for our asphalt work for the 2019 project. We would like to consider opening bids early March of 2019. The Street Superintendent wants it advertised for bids in the entirely and to see what they are separately so they can see what they can do. The language has to

specify that the bids will be open in Finance and not in the Council Meeting. Vincent made a motion, seconded by Lang, to **advertise for bids for the paving project**. In a roll call vote, all members present voted yes.

Our part-time summer help, who is also working this week, is Noah Carpenter. The Street Superintendent Dave Franks recommends that we approve a \$1 an hour raise since he has not received any pay increase since he started working for the Village. He is a very good worker. Vincent made a motion, seconded by Lloyd, to suspend the rules. In a roll call vote, all members present voted yes. Lang made a motion, seconded by Lloyd to pass **AN ORDINANCE, #O-2-2019, INCREASING THE RATE OF PAY FOR EMPLOYEE, NOAH CARPENTER; ESTABLISHING AN EMERGENCY**, to increase Noah Carpenter's rate of pay by \$1 to \$11 per hour. In a roll call vote, all members present voted yes.

There were discussions in both safety and finance regarding backgrounds checks for the Police Department personnel. Our process has been lacking. We are looking at a company to contract with called Good Hire. They have a \$49.99 initial fee, and then it's \$54.99 per background check. Vincent made a motion, seconded by Lang to pass **RESOLUTION R-01-2019 A RESOLUTION FOR THE MAYOR OF THE VILLAGE OF BOLIVAR TO ENGAGE THE SERVICES OF GOODHIRE.COM FOR EMPLOYMENT BACKGROUND CHECKS**. In a roll call vote, all members present voted yes.

Before moving forward, Lebold asked why finance reports on other committees and not the specific committee. There was some discussion as to what gets reported through finance versus the actual committee. App explained, that everything goes through the proper committee first and if it's financial related then it would go to the finance committee. The finance chair would then bring to council items that require approval of any expenses. All other committee specific items would be reported by that committee chair under their section.

PLANNING- There was an application for a variance come through that they approved. There will be a public hearing for it on March 7th. Dave is going to send out letters to the adjacent property owners for the public hearing and it will be advertised in the paper. There will be no zoning meeting in February.

SAFETY- Gettan reported that the Charger got new tires. They went over a few things including policies and procedures. The total calls for 2018 were 1,420.

CHIEF- Mayor Hubble stated that the Chief couldn't be here tonight but the new full-time patrolman who wants to introduce himself is. Jeff Stearns introduced himself. He wanted to put a face to the name since he hasn't had a chance to meet all of the council members. He thanked council members for the opportunity to work for the Village. He said he takes the job seriously. He also stated when he puts the uniform on, he represents the Village with integrity. The calls for December were 123.

STREET & ALLEY – none.

STREET SUPERINTENDANT/ADMINISTRATOR – Franks hopes that he can get the paving done and get it done first thing in the Spring.

SHADE TREE – nothing.

RECREATION – Lebold stated that nothing except they will finish the fence this year. There is several hundred dollars in Park and Recreation for whatever they can use it for on the Trail.

FISCAL OFFICER – none.

LAW DIRECTOR – She has two additional ordinances. The first one is the **third reading** by title only for **AN ORDINANCE TO AMEND THE CIVIL CITATION PROCEDURES TO INCLUDE ADDITIONAL OFFENSES UNDER THE VILLAGE OF BOLIVAR CIVIL CITATION SYSTEM. This would be ORDINANCE O-3-2019.**

Lloyd made a motion, seconded by Lang to pass the amended ordinance. In a roll call vote, all members present voted yes.

The next item is **an Ordinance that will need passed as an emergency. It's AN ORDINANCE CORRECTING ORDINANCE # O-30-2018 THAT REZONED PARCELS 37-00726.000 AND 37-00728.000 FROM AGRICULTURAL ZONING TO BUSINESS/COMMERCIAL DISTRICT AND DECLARING AN EMERGENCY.** These are the Massillon Materials parcels. We need to correct a clerical error that included the parcels owner title being Lake Region Development. We needed to include that. It was a clerical error. We just had Massillon Materials. These needs passed as an emergency. Lloyd made a motion, seconded by Vincent, to suspend the rules. In a roll call vote, all members present voted yes. Lloyd made a motion, seconded by Gettan to pass **ORDINANCE # O-4-2019**, and declare it an emergency. In a roll call vote, all members present voted yes.

Lloyd moved, seconded by Vincent to go into executive session for the purpose of personnel to discuss employment in the Police Department; action may be taken. In a roll call vote, all members present voted yes. All were dismissed except Council, the Mayor and Solicitor. Executive session was entered into at 7:48 pm.

Council reconvened at 8:32pm; no action was taken. There being no further business, Lang moved, seconded by Lebold to adjourn until the next regularly scheduled council meeting on Monday, February 4, 2019. In a roll call vote, all members present voted yes. Council adjourned at 8:35 pm.

Mayor Rebecca S. Hubble

ATTEST: Maria A. App, Fiscal Officer

Approved: February 4, 2019