

VILLAGE OF BOLIVAR COUNCIL MEETING FEBRUARY 3, 2014

The Bolivar Village Council met in regular session on **Monday, February 3, 2014**. Mayor Hubble called the meeting to order at 7:01 p.m. The Pledge of Allegiance was said and a moment of silent prayer was held. Cochran, Lang, Lloyd, Marburger, Slutz and Vincent answered roll call. Slutz moved-seconded by Lloyd to accept the minutes from the previous meetings on January 9th, bills paid, and the financials. In a roll call vote, all members present voted yes. The Clerk read the bills received for payment. Lloyd moved, seconded by Slutz to pay the bills for **January**, totaling \$70,011.08. In a roll call vote, all members present voted yes. There were no corrections or additions to the agenda.

PUBLIC SPEAKS: Dick Harvey said his best interest is for this town and recapped his history of living in Bolivar. Great times have been had by many in this town. His desire is to maintain a small town atmosphere. He loves this town, the water supply and what this town has been to him. Harvey said he will do everything in his power to keep Bolivar, Bolivar.

Will Russman announced where he and his wife live and publicly stated they are seeking a commercial zoning classification. He said they want to keep his business in Bolivar and do not want an eye sore.

Dick Lebold said he is glad we have a mixed group of people here of higher intelligence. He hopes people here keep one thing in mind; nothing stays the same. Communities grow and expand by accommodating new people and encourage growth in Bolivar.

Steve Mauer inquired about leaf and brush pickup. The Mayor said she will be addressing it shortly.

MAYOR HUBBLE – The Mayor felt it was imperative that residents in the village have a good understanding of what has happened throughout the past year. The Mayor expressed her sincere appreciation to Bolivar and the people for placing their trust in her. She reported the current state of Bolivar is good, but she added caution. “We must be realistic and provide a proper vision for our future by watching our monies and understand that some spending is a necessity”.

The Towpath Trail downtown has been completed this past year. Part of the vision is to connect the trail but the Mayor doesn't know if and when that will happen. Mayor Hubble publicly thanked Dick Lebold for his hard work and dedication that he has invested in the community.

The Mayor continued to provide an overview of 2013 conferences and meetings she attended. The village also began curbside recycling this past year. Within that time, to date, the village has recycled over 50 tons of recyclables.

Other accomplishments in 2013 included: the Roy Parks library had a new roof installed; the Burfield property, including the home, had been sold; the garage expansion was completed; Officer Chad Hilty was hired full time in May and promoted to Sergeant in October.

The age of the village water lines dating back to the 1930's were discussed. Due to the cost of replacing lines, it is imminent at some point to have water meters installed. Discussion followed as to the impact of the increasing sewer rates and how it relates to the water being metered. Mayor Hubble met with Mike Jones from the Tuscarawas County Water & Sewer Dept. Options are being reviewed as to what grant resources are available to Bolivar.

In other news, new businesses are moving into the area to include: Island Palm Winery, Bellstores and the Towpath Tavern which is reopening soon.

This year marks the 10 year anniversary of the annual Strawberry Festival.

The Village of Bolivar needs to look to the future, but not forgot our past. Our oldest resident will be 103 years old and on the opposite end, new babies are also being born. Mayor Hubble said although she was not born here, she embraces Bolivar. The mayor gave a heartfelt speech and vision for Bolivar. Part of the vision is to have a museum here in Bolivar. She would like to see some type of cataloged system to be housed here in Bolivar. Through grant efforts and program donations, there is an opportunity to have a museum. Some of our elders here in the community have artifacts from as early as the 1800's. The Mayor is hoping that council and residents get on board with here to celebrate Bolivar. Soon, Bolivar will be celebrating 200 years.

Before closing, the Mayor initiated several expressions of thanks to the following groups of people: council, Chief Randy Haugh, Dave Franks (street superintendent), Maria App (Clerk/Treasurer), Jillian Daisher (solicitor) and last but not least Dick Lebold. Personal gratitude was expressed individually to each person and/or groups of people.

FINANCE: - Lloyd moved, seconded by Vincent approve payment to the Bolivar Fire Department (from 2013) in the amount of \$4308.80. In a roll call vote, all members voted yes.

Lloyd moved, seconded by Lang to approve the quarterly UAN (Uniform Accounting Network) payment for \$645.00. In a roll call vote all members voted yes.

Lloyd moved, seconded by Lang to reimburse Chad for a fuel purchase in the amount of \$6.01. In a roll call vote all members voted yes.

Lloyd moved, seconded by Vincent to approve the Mayor and Chad to attend the Ohio Municipal League Mayors Court Conference in Columbus. The registration fee for both of them is \$350.00 and two (2) hotel rooms for two nights totaling \$600.00. In a roll call vote all members voted yes.

Lloyd moved, seconded by Vincent to approve \$600.00 for the Clerk and Mayor to attend the State Auditors Local Government training in Columbus on March 4-6th. This includes the conference fee for both at 175.00 per person and two (2) nights in a hotel. The Mayor clarified to the public there are a number of classes offered and the Clerk can't attend all of them. Therefore, the Mayor will be attending opposite classes of the Clerk to maximize as many training's as possible. In a roll call vote all members voted yes.

Lloyd moved, seconded by Slutz to pay \$248.50 to FEMA for the 2014 agreement. In a roll call vote all members voted yes.

Lloyd moved, seconded by Marburger to pay \$30.00 for the Village domain name for two (2) years. In a roll call vote all members voted yes.

Lloyd moved, seconded by Vincent to reimburse the Mayor \$25.00 for a conference she attended at Kent State. In a roll call vote all members voted yes.

Lloyd moved, seconded by Vincent to pay \$143.43 to USA Blue Book. In a roll call vote all members voted yes.

Lloyd moved, seconded by Lang to pay \$32.55 to the Repository for a legal notice in paper for the public hearing on February 17th, 2014. In a roll call vote all members voted yes.

Lloyd moved, seconded by Slutz to pay \$3,474.50 to the City of New Philadelphia for court costs in 2013. In a roll call vote all members voted yes.

Lloyd moved, seconded by Slutz to pay \$551.95 to Mary Ellen Gooding for visiting clerk services. In a roll call vote all members voted yes.

Lloyd moved, seconded by Marburger to dispose of the copier in the street department's office. In a roll call vote all members voted yes.

Lloyd moved, seconded by Vincent to reimburse the Clerk \$120.17 for postage and office supplies. In a roll call vote all members voted yes.

Lloyd moved, seconded by Slutz to pay Cinta's (rug service) \$348.00 (divided over the year) In a roll call vote all members voted yes.

Lloyd moved, seconded by Marburger to pay \$169.58 to Staples (police digital recorder and toner). In a roll call vote all members voted yes.

Lloyd moved, seconded by Marburger to pay \$605.66 to the Tuscarawas County Treasurer for the Village property taxes. In a roll call vote all members voted yes.

Lloyd moved, seconded by Lang to pay \$218.71 to Cross Truck for the replace the cutting bar on the snow plow. In a roll call vote all members voted yes.

Lloyd moved, seconded by Lang to waive the water bill at the Ft. Laurens Museum. Discussion followed to review the waiver on an annual basis. The Mayor clarified how and why the request was made to the Village. In a roll call vote all members voted yes.

Lloyd moved, seconded by Lang to pay \$140.00 to Martel Electronics for a camera mount for the cruiser. In a roll call vote all members voted yes.

Lloyd moved, seconded by Lang to spend \$360.00 for six (6) council members to attend the Ohio Municipal Leagues new council member's training on March 29, 2014. Mayor Hubble said we have a lot of new council members and she highly encourages all to commit to attending. In a roll call vote all members voted yes.

Dick Harvey wanted the Village to commend Dave Franks for his hard work and dedication into this town. Harvey feels council should take a look at his wages and consider a raise for him. The Mayor said we will be looking at wages; usually in April.

PLANNING: Dick Lebold didn't have anything new. Mayor Hubble announced there would be a special meeting on February 17, 2014 at 7pm to address the Russman petition to rezone their property. Public comments would be taken. Vincent said the regular zoning meeting will be this Thursday on February 6th. Lebold said they will be addressing the zoning book at this upcoming meeting.

SAFETY – Lang would like to get approval for a traffic template in the amount of \$10.00. Lang motioned, seconded by Lloyd to approve the expense. In a roll call vote all members voted yes.

Lang moved, seconded by Vincent to approve \$24.00 for two (2) safety vests to keep in the cruisers. In a roll call vote all members voted yes.

Lang reported that the Village received the new cruiser. We need to put the cruiser up for bid. Lang made a motion, seconded by Lloyd to advertise to sell the cruiser through a sealed bid process; closing the bids on February 28th, 2014. Vincent interjected they would be opened at the March 3rd meeting. Mileage and specs would be specified in the advertisement. In a roll call vote all members voted yes.

Lang reported things are going better at the school. The Mayor said things are cautiously better with busing at school.

Administrator/Chief – The Chief reported during the winter months the Village has a 2" parking ban and is requesting that people pay attention to the ban. The Chief said Dave is doing a great job pushing snow; both the police and street departments have been keeping busy.

Street & Alley – Slutz moved, seconded by Lloyd to pay \$2,000.00 for a concrete pad in front of the new village garage. In a roll call vote all members voted yes.

Slutz moved, seconded by Marburger to pay Dave Cipar \$4,200.00 for the removal of twenty-five 25 pine trees by the ball fields. This price includes tree and stump removal. In a roll call vote all members voted yes. Bill Huth questioned where these trees are located and if we own the property. The Mayor clarified it's within the thirty acres the Village of Bolivar still owns from the original Burfield property.

Slutz moved, seconded by Vincent to pay \$1,800.00 to Lyn Urfer for the removal of three (3) trees and the stumps. In a roll call vote all members voted yes.

Slutz moved, seconded by Vincent to pay up to \$5,000.00 for the repair of the dump truck seal. In a roll call vote all members voted yes.

Slutz moved, seconded by Lang to pay \$755.00 for a new electric pump which burned up during the last water line break. In a roll call vote all members voted yes.

Slutz moved, seconded by Vincent to pay \$845.00 for stencils and paint to address issues such as the 10 minute parking in front of the post office. In a roll call vote all members voted yes.

Slutz moved, seconded by Lloyd to approve trading in three (3) of our mowers and purchase two (2) new John Deere mowers and one (1) John Deere Gator in the amount of \$12,979.94. (Our net trade in value was \$13,500.00) In a roll call vote all members voted yes.

STREET SUPERINTENDANT – Franks thanked council for their vote of confidence in him. He encouraged council to call him if they ever have any questions for him. Franks also reported he had a hydrant hit North of town which is now back in service. He went on to thank Chief Haugh for helping him plow snow and with the hydrant repair.

SHADE TREE – Franks reiterated the trees that are coming down. He proceeded to report he is planning for new trees to be planted. The Mayor announced she spoke with David Held from the Joint Solid Waste District and they have done away with the composting aspect in the district because they do not have money for the service. She said those who live in the village cannot open burn; however the township can burn. She went on to recap the services the village does offer the residents such as the leaf pick up and composting. Steve Maurer asked where does the village take the leaves. Franks addressed his question. The Mayor went on to say she also contacted the landfill to see if we can take it there. We are awaiting a response; ultimately it will be up to the EPA if the village can dump there or not. Other options are being evaluated with Kimble and/or other facilities. The Mayor is exercising every option available to get this resolved.

RECREATION – Vincent announced they really don't have anything new. She reviewed items discussed in the previous committee meeting. The Mayor interjected that there are some monies set aside for the downtown beautification project. The estimated cost of the project is approximately \$400,000.00. There are remaining grant monies available to use and estate tax money; however, the estate tax money can't be touched until 2016. Efforts will be underway to retain grant monies available to municipalities. Lebold said there is a lot of momentum in 2014 which began as early as 2000. He also commented on the connection of the Trail and the Strawberry Festival status. It will be the 10th year of the festival. The Bolivar Idol went over well last year and Kynsey Wilson will be in charge of it this year. The Gospel quartet will also be back again this year. The beer tent will be the same but the sound will be turned down. One thing new for this year is a Strawberry Queen and Princess ball & dinner dance the Saturday before the festival. He also extended an invite for others to get involved.

Bill Huth referenced the estate tax money and suggested the village look at a loan and use the estate money as collateral.

CLERK/TREASURER – The Clerk asked Franks if the village has an ordinance regarding residents leaving their trash cans out at the curb after the day of pick up. Franks said we can put trash cans out as early as 24 hours in advance of pick up and remove them that evening if possible.

The Clerk also requested a work session of finance for all of council members to attend. The budget will be reviewed and questions of council are encouraged. Council discussed which date would work best for everyone. It was decided, council would meet on Thursday, March 13th at 6:00pm. When asked if it was a public meeting, the Clerk responded that anyone is welcome to attend but would not be taking public input.

LAW DIRECTOR – Attorney Daisher announced she recently learned from the Clerk that the Village had previously completed income tax returns on behalf of the residents. Although this service may be helpful to the residents, it is a liability and she advises against completing their taxes for them. The Clerk interjected it's not that she is uncomfortable completing tax returns, but village officials and/or employees are not tax preparers especially when factoring in business losses/gains, etc. Attorney Daisher recommends, since it is tax season and it needs addressed now, that council pass an ordinance by an emergency prohibiting village officials and employees from assisting both residents and non-residents in filing a tax return.

Slutz motioned, seconded by Lang to suspend the rules to pass **AN ORDINANCE TO PROHIBIT THE VILLAGE FROM HELPING ANY RESIDENT OR NON-RESIDENT FILE A TAX RETURN; ESTABLISHING AN EMERGENCY**. In a roll call vote all members present voted yes to suspend the rules. Lloyd motioned, seconded by Marburger to pass **ORDINANCE # O-83-2014** as an emergency. In a roll call vote all members voted yes.

There was a 3rd reading by title only, **AN ORDINANCE TO ADD ARTICLE 21: RULES OF CONDUCT IN OPEN MEETINGS TO THE POLICIES AND PROCEDURES MANUAL**. Lloyd motioned, seconded by Lang to approve Ordinance #O-84-2014. In a roll call vote all members present voted yes.

Attorney Daisher announced that Randy and Dave have pointed out that Dave will need some part time help this year. They have recommended Mark Myers as a part time laborer based on his experience with heavy equipment. The Village would need to hire him as a street employee and contribute to OPERS, but not health care benefits since it would still be considered a part time position. There would be a six month probationary period at a rate of \$10.00 per hour.

Lloyd moved, seconded by Vincent to suspend the rules to pass **AN ORDINANCE TO HIRE MARK MYERS AS LABORER FOR THE VILLAGE OF BOLIVAR; ESTABLISHING AN EMERGENCY**. All members present voted yes to suspend the rules. Lloyd moved, seconded by Vincent to pass **ORDINANCE #O-84-2014** as an emergency. All members voted yes upon roll call.

Andrew moved, seconded by Lloyd to go into a short executive session for a pending legal matter. No action will be taken. All members present voted yes.

Council came out of executive session at 9:02 p.m.; no action was taken.

There being no further business, Lloyd moved, seconded by Vincent to adjourn until March 3, 2014. In a roll call vote, all members voted yes. The meeting adjourned at 9:03p.m.

Mayor Rebecca S. Hubble

ATTEST: _____
Maria A. App, Clerk Treasurer

Approved: _____