

VILLAGE OF BOLIVAR

COUNCIL MEETING

February 4, 2019

The Bolivar Village Council met in regular session on **Monday, February 4, 2019**. The meeting was called to order by President Pro-tempore, Bruce Lawver at 7:00 pm. The Pledge of Allegiance was said. Gettan, Lang, Lawver, Lebold, and Vincent all answered to roll call. Lloyd was absent, as well as Mayor Hubble.

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

The Fiscal Officer read the total for the bills for the month of **January which totaled \$81,773.18**. Gettan 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 – none

MAYOR HUBBLE – Mayor Hubble was absent.

FINANCE – Gettan stated that the Star Ohio account for the month of January generated \$621.17.

Gettan stated that appropriations needed amended retroactively for 2018 in the amount of the \$71,144.75 to the capital fund and \$15,376.25 to the water fund. Lang asked why we are retroactively appropriating. The Fiscal Officer explained during the year end close out and she was having casual conversation with the visiting clerk. App was telling her about the OPWC grant and asked if the grant money from OPWC and ARC needed to be included in the year end notes. App further explained there were two distributions from OPWC direct to GPD totaled the amounts Gettan provided. App further explained she didn't realize it first needed appropriated in order to do a memo entry; even though the Village didn't actually receive or directly spend the money. App learned we were supposed to do a memo entry in the books. App sought advice from both the auditor and local government services to assist in how to enter the transactions. She stated she was advised to first ensure resources were available; appropriate the money followed by a memo entry showing how it was paid out. The two transactions would result in a zero balance which would negate the transactions. In summary, App clarified, "We aren't actually using it, and we aren't actually spending it". Lang asked, "This is money that is basically securing our grant, correct?" App replied, "Its money we have for our grant but they are bypassing sending it to us and having it come out of our funds. They are paying GPD direct. We never had the money, we never spent the money. This is the politically correct way of showing a flow-through and memo entry of an inter-governmental transaction. We are really the benefactor of it, but it goes through a funnel".

Gettan motioned, seconded by Lang to **amend appropriations as Resolution R-2-2019**. In a roll call vote, all members present voted yes.

Gettan motioned, seconded by Vincent, to pass the permanent appropriations for 2019. The grand total of all funds is \$822,292.04. In a roll call vote, all members present voted yes to approve a **Resolution to make appropriations for Current Expenses and other Expenditures of the Village of Bolivar, State of Ohio, during the fiscal year ending December 31, 2019. App provided the Resolution number as R-3-2019.**

PLANNING- Gettan reported last month on the Zoning meeting because it happened prior to last month's meeting. There has not been a Zoning meeting in between last meeting and now, and there will not be a Zoning meeting in February. The next meeting for Zoning will be in March. Maria told Gettan that she will be advertising for the public hearing for Zoning on Thursday, March 7 at 5:30. It's a public hearing of Zoning, not a public hearing of council because it's a variance versus a rezoning.

SAFETY- Lawver stated that there have been two resignations of part-time officers from the Police Department; Officer Chad Hudson and Officer Connor Bailey. We have copies of their resignation letters. They parted on good circumstances. They both had other opportunities. We discussed that the Chief will have the opportunity now to start putting out information through various sources in order to start advertising and recruiting for part-time officers.

CHIEF- The Chief stated that the resignation of Connor's is good until the 1st of March.

Gettan motioned, seconded by Lawver, to accept the resignation of Officer Chad Hudson. In a roll call vote, all members present voted yes.

Gettan motioned, seconded by Lawver, to accept the resignation of Officer Connor Bailey. In a roll call vote, all members present voted yes.

The calls for the month of January were 92.

STREET & ALLEY – Lebold stated they had a Street and Alley meeting. It was a good meeting. They talked about the black topping. The committee approved a copy of the bid that was going to be put in the paper. It has already been put in the paper. It has been discussed the way the bid was structured we would be able to remove some streets if the cost of the project went over what we had available. We discussed with Dave about the storm drain problem on South Canal Street by the Taylor's down by Bolivar Service. Dave had spoke with a company but they couldn't do the work. Therefore, Franks will have to go back to the County and talk to Mike Jones. If the County says they need an x amount of dollars to do it, then that's what we will have to do. Lebold stated that it is a situation where it has been corrected enough with normal rainfall that we don't have any flooding, but if we have some heavy downfalls, then it floods. We're thinking there's a partial blockage that we're looking for. Lebold stated he hopes the public understands that we're just like the big cities of Canton, Cleveland, Dover and New Philadelphia. Our storm drains are built to handle water, but they're not built big enough to handle major downpours, so we are going to have some flooding irregardless of how we try to correct our problems. We're trying to do the best on that. I talked to Dave about upcoming potholes. He has some cold mix now. Dave stated that he has a bobcat bucket ready to go tomorrow.

Lebold went on to mention there was an issue here on Sassafras Alley. You all should have received a letter that was prepared where we are anticipating getting Council's approval. The discussion on Sassafras Alley pertains to the alley behind the bank that's on Poplar Street. Because the weight of the garbage trucks, it is simply destroying that road. We have some other pretty good size trucks that use it

as a pass-through or to go to their property. It's been discussed and looked at by the committee. It's our feeling that we would like to have Council support our decision to make Sassafras Alley one way going North from Poplar Street across from the bank and at that point would go North until it dead ends into Bolivar Street. We figure that would eliminate the problem. Kimble has also been contacted. All we need to do is let Kimble know if Council decides to approve it and the trash pick-up would be re-routed for the homes affected. They would no longer take their garbage trucks down Sassafras Alley, therefore, the people who have their trash cans on Sassafras Alley would eventually take them to the front of the property. This would eliminate the heavy trucks. We anticipated a cost to rebuild the road to handle that type of truck traffic and tonnage, would be far more than what we have funds for. We thought a simple way to solve it would be to just ask council to approve making Sassafras again from Poplar Street North on Sassafras to Bolivar Street making it one way going north. A letter would be sent out to the effected residents. We are not asking for this to be done as an emergency. We want to have three readings and give the residents a chance to come in and talk.

Lang asked to have this as a first reading by title only to make Sassafras from Poplar to Bolivar one way was done. Dave said he wrote it up and Maria worked her magic on it. He would like to have it typed up and put on letterhead and get it out to the residents that way they have an opportunity to come to Street and Alley in February and March and council meeting. He would like to have the homeowners who will be affected give as much input as possible.

Lebold stated it wasn't on the agenda, but the Water Board had a meeting. Lebold made a promise as of 2019 to acknowledge various areas for years, and he had talked to the Mayor about how to get them cleaned up and stop dragging our feet. There was a meeting in 2018 which was a brief meeting for organizing. They had another Water committee meeting last month on their committee night.

A year or more ago there was a copy of the Rules and Regulations that existed for years. This was when we had a Board of Public Affairs. That Board has been dissolved and the Water Board now comes under Council. That was dissolved almost ten years ago. Then it was discussed that the Rules and Regulations book was quite outdated. Now we are getting ready to do meters, so we need to upgrade this book. Previously, App and Franks worked on several edits and supplied a copy to all of council. So, it was passed around with a lot of upgrades that was worked out with a lot from Maria and Dave. Then tonight the topic of deposits and liens came up in finance that will need discussed and changed in the book.

The committee also discussed that the 2018 flat water rates were approved as an ordinance in 2017. Lebold added that the committee feels that we do not have the knowledge or figures to determine what the meters rates should be, so that will have to be determined once we get the meters in place and have a working model to know what a meter will be and that will replace the flat rate. The flat rate has already been passed. Something that hasn't been discussed was our fees for water taps. The committee has went through and drafted some edits. App interjected by asking Lebold, "Is this something the committee should be going through then presenting to Council their changes?" Lang stated the committee already made their changes and they would like to present it to Council as a first reading. Lang further stated they have made their changes and would like to get this out to the rest of Council. App asked if the updates could be sent to her.

Lebold said the feeling is that we have been playing with this book for a year or two years, it's been hard to do. We are at a point where we need to get it or some of it approved. So what the rest of Council doesn't have knowledge on are the new service charges for tap in fees. We have a new service or tap in

fees, and a ¾-inch line to install it is \$400 and we want to raise it to \$600. If you put a 1-inch meter in we wanted to raise it from \$450 to \$700. Lebold wanted to get it entered now so Dave and Maria can get all of this reprinted so Council can look at the book as it's all brought up to date. App stated that's what she was previously. "I'm all for moving forward with this book but it's a little hard for anyone to follow when we're going through a meeting and you are just talking about numbers. No one has it in front of them to see what the changes are. I'm not trying to over step but I would suggest getting me the changes and I can mark it up with the changes in red. I could then send it back to the members and have the committee meet. If everything looks good then bring it back to Council to do a first reading". Lebold stated that is what he had hoped for; he just wanted to give a report from the committee of what they are trying to get finalized. Lang suggested they could make next month a first reading after everyone has a hard copy. Lebold agreed that he would prefer all of Council to have a hard copy before having a first reading. The Solicitor agreed. Lebold concluded by next month there should be a draft of the new water rules and regulations.

STREET SUPERINTENDANT/ADMINISTRATOR – nothing

SHADE TREE – nothing.

RECREATION – They met briefly Monday, the 21st of January. For the Village of Bolivar ballfields looking forward, we are looking into the possibility of installing some playground equipment at the fields.

Trail and specifically fencing: Dave and his crew installed additional fencing at the Canal walkway. There is now 180 feet completed with a balance of 220 feet.

FISCAL OFFICER – none.

LAW DIRECTOR – She has **ORDINANCE O-5-2019, AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF BOLIVAR AND THE CLERK OR FISCAL OFFICER OF THE VILLAGE OF BOLIVAR TO EXECUTE THE ATTACHED CONTRACT BETWEEN THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION AND THE VILLAGE OF BOLIVAR, AND DECLARING AN EMERGENCY.** This is the project consisting of streetscape to include curb and sidewalk replacement with bump outs and ADA ramps at various locations within the Village. App interjected, this is basically so we can pay Central District and get the ball rolling and meet the deadlines. Vincent motioned, seconded by Lang, to suspend the rules. In a roll call vote, all members present voted yes. Lawver motioned, seconded by Lang to pass **ORDINANCE O-5-2019** and declaring it an emergency. In a roll call vote, all members present voted yes.

ORDINANCE O-6-2019, AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF BOLIVAR TO EXECUTE THE ATTACHED AGREEMENT FOR USE OF ANNUAL LAW ENFORCEMENT POLICY MANUAL AND DAILY TRAINING BULLETINS SUBSCRIPTION MATERIAL BETWEEN THE VILLAGE OF BOLIVAR, OHIO AND LEXIPOL, LLC, AND DECLARING AN EMERGENCY. This is a contract where the Police Department can use manuals or training bulletins. It is a twelve-month contract for \$1,503.00. Lang motioned, seconded by Vincent, to suspend the rules. In a roll call vote, all members present voted yes. Lang motioned, seconded by Lawver, to accept **ORDINANCE O-6-2019**, and declaring it an emergency. In a roll call vote, all members present voted yes.

ORDINANCE O-7-2019; AN ORDINANCE APPROVING, ADOPTING AND ENACTING LEGAL PUBLISHING'S OHIO BASIC CODE, 2019 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF VILLAGE OF BOLIVAR, OHIO, AND DECLARING AN EMERGENCY. This is the subscription for the basic code. It's

what law enforcement uses. It's an annual subscription. We are asking that it be passed by emergency. Lang motioned, seconded by Gettan, to suspend the rules. In a roll call vote, all members present voted yes. Lang motioned, seconded by Gettan, to pass American Legal Publishing's Ohio Basic Code Edition as **ORDINANCE O-7-2019** and declaring it an emergency. In a roll call vote, all members present voted yes.

There being no further business, Gettan motioned, seconded by Lang, to adjourn until the next regularly scheduled council meeting on Monday, March 4, 2019. In a roll call vote, all members present voted yes. Council adjourned at 7:31 pm.

Mayor Rebecca S. Hubble

ATTEST: Maria A. App, Fiscal Officer

Approved: