

# **VILLAGE OF BOLIVAR COUNCIL MEETING**

**February 6, 2017**

The Bolivar Village Council met in regular session on **Monday, February 6, 2017**. Mayor Hubble 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 & Vincent answered roll call.

The Mayor announced council will first hold a public hearing for the proposed zoning changes. (Note: there wasn't any public in attendance)

Armstrong presented the third reading of an Ordinance recommended by the planning commission. It's **AN ORDINANCE TO EDIT SECTION XIV, SUBSECTION D(2) OF THE VILLAGE ZONING CODE**. It relates to short term advertising. Basically it's providing an exception to the limitations on short term advertising for any non-profit or other organization holding or advertising an event of general interest to the local community. It grants them to make request of council for the ability to place signage advertising the event on village property; council would set the duration for the placement of the sign. Armstrong noted, although there isn't any public in attendance, it is a third reading and asked council if they have any discussion.

After a pause, the Mayor asked if anyone had any questions or further discussion. Since there weren't any questions, the Mayor stated she would need a motion to approve the Ordinance. Lebold moved, seconded by Vincent to approve **ORDINANCE O-6-2017**. In a roll call vote, all members present voted yes.

The regular session of council began at 7:07 p.m.

Lang moved-seconded by Lloyd 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 January, totaling \$58,959.33. 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 HUBLE** – Deferred to later in the meeting.

**FINANCE:** - Lapp reported finance met at 6pm and discussed the following items that need approval. First, item for approval is a **Resolution to amend the official certificate of estimated resources - certificate #1**. Lapp moved, seconded by Lebold to approve **RESOLUTION R-1-2017**. In a roll call vote, all members present voted yes.

Lapp presented a second resolution to amend the certificate of estimated resources due to extra resources received by the Village. Lapp moved,

seconded by Vincent to approve **RESOLUTION R-2-2017 to amend the estimated resources - certificate #2**. In a roll call vote, all members present voted yes.

Lapp moved, seconded by Lloyd to approve a resolution to amend the Appropriations. In a roll call vote all members voted yes to approve **RESOLUTION R-3-2017**.

Lapp moved, seconded by Vincent to approve the annual membership renewal for Ohio Rural Water in the amount of \$130.00. In a roll call vote, all members present voted yes.

Next, Lapp reported the Income Tax Department has had several mailings returned to the Village. There is a group called Lexis Nexis Risk Solutions; a company recommended by the Income Tax Administrator, Heather Lecce. The program helps track persons/businesses for returned mail and missing information. The company is waiving the standard monthly fee of \$25.00 for the first year. The cost of the service varies based on type of search. There is a nominal charge of .35-.50 per person depending on the type of search. This is still a cost savings based on the amount of returned mail and associated expenses. Lapp moved, seconded by Lang to suspend the rules. In a roll call vote all members present voted yes. Lapp moved, seconded by Lang to approve **AN ORDINANCE, O-7-2017, CONTRACTING WITH LEXIS NEXIS RISK SOLUTIONS AND DECLARING AN EMERGENCY**. In a roll call vote, all members voted yes.

Lapp moved, seconded by Lloyd to approve \$248.50 for the Tuscarawas County Homeland Security. In a roll call vote, all members voted yes.

Lapp moved, seconded by Vincent to pay OUPS the annual fee of \$50.00. In a roll call vote, all members voted yes.

Lapp moved, seconded by Lang to approve paying Scottsdale Insurance \$2,500.00 in deductibles for previous litigations. In a roll call vote, all members present voted yes.

Lapp announced the annual Ohio Auditor of State Local Government Conference is April 11-13, 2017. The Mayor and Fiscal Officer attend the conference. The Fiscal Officer was able to find a hotel rate of 130.00 per night which was significantly cheaper than the conference block rate. Registration for the event has not yet been released; details to follow in March. Other travel expenses include mileage, parking fees and food expense. Lapp moved, seconded by Gettan to approve the Fiscal Officer to secure the hotel rate at the lower cost. In a roll call vote, all members present voted yes.

Lebold moved, seconded by Lloyd to approve the annual bonding expense for Maria App, Stephanie Long and Heather Lecce, totaling \$250.00. In a roll call vote, all members present voted yes.

The Mayor interjected that council needs to look at raises for all positions. Currently there is a proposed ordinance for the full time employees; however, it will need to be amended to include the part time employee wages. Council needs to have discussion on this matter.

The Mayor stated if she understands correctly, according to our Chief, we are going to leave our part time patrolman at a starting rate \$12.00 per hour. After their probationary period, they would be raised .25 based upon their evaluation. Current patrolman will be raised accordingly per their evaluation at the pleasure of the Chief or Sergeant; whether it be .25, .35. 45. 50 or however they choose to base it. Gettan asked if the language should state, not more than a specific amount.

Armstrong clarified the amended raise structure. They would get their base rate of \$12.00; after their six month probation they would receive an additional .25 provided their evaluations check out. After their annual evaluation, they would increase not to exceed .50. The Chief added, "It's whatever you guys set. I think it goes off of the limit that Maria says we can't financially go beyond." App said, "And this is why I have the same discussion every January, February and March. We need to get these things nipped up and that's why I brought it up in October, November and December to get on pace. Now I'm working on annual permanent appropriations and everyone is asking 'what do we have'. In turn, I have to go back through the budget to go over what we have." The Fiscal Officer did state, while forecasting for the future, she automatically adds .50 per person per year every year while thinking forward to be safe, so yes, we could increase .50 per person.

The Mayor then addressed the Street Laborer. Based on their evaluation, their raise also would not exceed .50. Council asked what the base rate is. Armstrong reviewed the Ordinance. The base rate is \$11.00 per hour. Armstrong asked if it's the same idea as the police at up to .50 per hour.

The Mayor went on to discuss the Income Tax Administrator position. The base rate in 2016 was set at \$13.00 per hour. There was continued discussion as to whether each position would have an established base rate or set a flat rate by the individual. Lloyd stated the Administrator would need vested. One idea was to keep the base rate at \$13.00 with an increase of .50 after a successful performance evaluation. Lloyd asked the Fiscal Officer for any advice. App stated she would need \$630.00 per month to remain vested with OPERS. App went on to add, during the income tax season the work load will be heavier. In addition, the Administrator also has several changes to make based on new tax law, etc. App also wanted to let council know the Administrator is very time conscious. The recommendation was \$13.00 per hour at 12.25 hours per week. After the probation period, her increase would be up to .50 per hour; based on the evaluation when the time gets closer.

After rates were cleared up and edited, Armstrong went on to give the second reading of **AN ORDINANCE TO SET THE CURRENT RATES OF PAY FOR EMPLOYEES OF THE VILLAGE**. There have been additional discussions tonight which will be incorporated into the third reading for next month.

Before moving forward, the Mayor added she would like to discuss the rate of Stephanie Long. Her rate was previously established at \$13.00 and reduced to \$12.00 based on position change. Lebold said we should just go

ahead and set the rate now. App added Stephanie has worked very hard here for the past 3.25 years. Stephanie has been very dedicated, organized and hard working. Lebold asked what her rate should be. App said her rate never should have dropped; she recommends making her rate for 2017, \$13.00 per hour.

App said she still has an issue with the patrolman at only \$12.00 per hour.

Gettan stated she would also like to address the Fiscal Officers wages before voting on anything. Gettan said in light of information that App does not take health insurance, the village needs to consider that. App interjected she was going to leave this segment of the meeting because she feels Council could talk more openly.

(App left the meeting)

Lebold asked what does App make now. The Mayor said with the proposed full time raises, it would be \$16.50 per hour. Gettan interjected, from her point of view, she surprised honestly that's all she makes. Someone who does that much; it doesn't seem like enough. The Mayor added that App does not take insurance which is saving the Village around 3.00 per hour. Gettan suggested giving half that as an increase in lieu of not taking the insurance. Lebold asked Lapp his thoughts. He asked how it will impact the village. The Mayor said it would actually help the budget because she is entitled to insurance. In the event App would want insurance, the Village would have to pay that. Lebold agreed, if we had to pay the insurance it would cost twice as much. Armstrong added that App works very hard for the Village; Lebold agreed. Armstrong went on to state every time App calls her, "she's always on point".

Discussion continued as to how the raise would look. The Mayor clarified, App would have been on pace for \$16.50 with the annual raise; she's currently at \$16.00 prior to the raise. Factoring in that she is willing to deny insurance, the additional increase would be 1.50 per hour. Gettan wanted to make sure there is language in place clarifying that the increase would be in lieu of insurance so there's no confusion down the road.

Armstrong added to the proposed Ordinance would include 18.00 per hour, in lieu of health insurance.

**PLANNING** – Nothing to report; no meeting in February.

**SAFETY** – Lebold passed around a letter of resignation from Mason Perry. Lebold moved, seconded by Vincent to accept Mason's resignation effective February 20, 2017.

Lebold reported that an auxiliary officer, Jeremy Shaver, is no longer with us. We were notified by the State that he did not meet the annual requirements.

There is another prospect, James West, that safety is recommending to hire as a part time officer. Lebold moved, seconded by Lloyd to suspend the rules to hire West. In a roll call vote, all members present voted yes. Lebold moved, seconded by Lloyd to hire James West at a rate of \$12.00 per hour; after six

months probation he would be evaluated for a raise. In a roll call vote, all members voted yes to approve **AN ORDINANCE, O-8-2017, TO HIRE JAMES WEST AS PART TIME POLICE OFFICER FOR THE VILLAGE OF BOLIVAR; ESTABLISHING AN EMERGENCY**

Lebold also reported there were 77 calls cleared in the month of January.

**CHIEF** – Haugh wanted to let Council know they have been extremely busy. He also wanted to recognize Hilty and Mason for saving a suicidal person's life. The individual later came and thanked the police.

Heroine, cocaine and every drug imaginable has been coming through the area.

Our police need to be recognized for saving people's lives. For making contact with people and observing the surroundings.

Haugh recognized Mason for his outstanding service. Mason's one year anniversary would be this Saturday. He wanted to let everyone know he has done a great job. The Mayor interjected that he will be greatly missed.

**STREET & ALLEY:** Lloyd reported they had their regular committee meeting. There will be repairs coming up. The bed of the 2006 dump truck will need replaced. Franks is still working on prices. Lloyd reported Franks couldn't make it tonight so we don't have any other quotes.

#### **STREET SUPERINTENDANT / ADMINISTRATOR - Absent**

**SHADE TREE** – Our Tree City USA meeting is normally in April; The Mayor has not received anything yet.

**RECREATION** - Recreation met on January 16 at their regular meeting. The Mayor announced that Bolivar Lion's Club donated \$500.00 to be used on the Trail project to purchase a tree and a bench in honor of Stan Koehlinger. Other Trail amenities were discussed such as bike racks, etc. Franks will be following up with the Baseball Association regarding insurance information.

#### **FISCAL OFFICER – none**

**LAW DIRECTOR** – Armstrong presented an **ORDINANCE TO APPOINT DONALD LAPP AND TIM LANG AS VOLUNTEER PEACE OFFICERS' DEPENDENTS FUND BOARD MEMBERS; ESTABLISHING AN EMERGENCY**. Lapp moved, seconded by Lang to suspend the rules. In a roll call vote, all members present voted yes. Lloyd moved, seconded by Vincent to approve **ORDINANCE O-9-2017 as an emergency**. All members present voted yes.

The next ordinance for discussion was **AN ORDINANCE TO REPEAL AND REPLACE THE VILLAGE OF BOLIVAR'S MUNICIPAL INCOME TAX ORDINANCE; ESTABLISHING AN EMERGENCY**. Discussion amongst council took place as to the changes. Lapp moved, seconded by Lang to suspend the rules. In a roll call vote, all members present voted yes. Lapp moved, seconded by Lebold to pass **ORDINANCE O-10-2017 as an emergency**.

Council discussed edits **AN ORDINANCE TO AMEND ORDINANCE # O-32-2015 APPOINTING TAX REVIEW BOARD MEMBERS; ESTABLISHING AN EMERGENCY.** Vincent moved, seconded by Lapp to suspend the rules. In a roll call vote, all members voted yes. Vincent moved, seconded by Lang to approve **ORDINANCE O-11-2017 as an emergency.** In a roll call vote, all members present voted yes.

Armstrong presented a third reading for **AN ORDINANCE TO APPROVE THE PETITION OF KEITH AND LAURIE CARRETTA FOR A LOT SPLIT.** Lebold moved, seconded by Lang to approve **ORDINANCE O-12-2017.** In a roll call vote, all members present voted yes.

Armstrong read a third **reading** for **AN ORDINANCE TO ADOPT POLICIES PERTAINING TO HONORARY STREET DESIGNATIONS WITHIN THE VILLAGE OF BOLIVAR.** Gettan moved, seconded by Vincent to approve **ORDINANCE O-13-2017.**

In other news, regarding the Police Dependency Board, the Chief asked Tim Lang to be President and Don Lapp to be Secretary. Haugh needs to submit their names when filling out paperwork with the State. They will be having a committee meeting this month.

Prior to adjourning, Lloyd made a motion to go into executive session to discuss pending legal litigation. Robert asked council, the Mayor and Fiscal Officer can stay. Lloyd moved, seconded by Lang to go into executive session at 7:57 p.m. In a roll call vote, all members present voted yes. There will be no action taken.

There being no further business, Lebold moved, seconded by Lang to adjourn until the next meeting on **MONDAY, MARCH 6, 2017.** In a roll call vote, all members present voted yes.

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Mayor Rebecca S. Hubble

ATTEST: \_\_\_\_\_  
Maria A. App, Fiscal Officer

Approved: March 6, 2017