

VILLAGE OF BOLIVAR

COUNCIL MEETING

March 4, 2019

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

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

The Mayor read the total for the bills for the month of **February which totaled \$69,343.33**. Gettan moved, seconded by Lang, 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 – Mr. Jim Blake had a couple of questions. He asked if there has been any updates to our ordinance that pertain to a pop up camper or RV. He stated he was told by someone else that they were allowed. He received a cease and desist that he has to move his. About two weeks ago he counted 15 RV popup campers on this side of town. He wanted to know why is he the only one that has to move his. He stated that he is the only one that received a letter and there are 15 others in the corp. Dave Franks stated that issue was more for Zoning. Franks went on to explain to Mr. Blake if he looked at the map of their property line, the garage is actually sitting 2 feet on village property and that is why he was asked to move his camper because it was sitting on Village property. Mr. Blake stated that was not explained to him, and he wanted to know why others were not sent letters. Mr. Franks stated they will receive them. Mr. Blake asked if the house extension and the garage was done without the zoning permits. Mr. Franks stated the addition and new garage was permitted but it was before he was Zoning Inspector so he would have to check the files to see when it was permitted. The garage that sits on the corner near Sassafras Alley sits on Village property by two feet.

Mr. Blake went on to ask why the Village was going to tell Mr. Finlayson about the direction of the alley because he still goes down the alley. Mr. Blake stated that he is the one tearing up the alley. He stated that he knows that the trash trucks are going in the ruts, but he is the one who is tearing it up. He is not destroying his property but he is the neighbor's property. Mr. Blake wants to know why it is taking so long for the alley when the Village was so quick to hammer him about the about his trailer. Lang stated that the Village is going slow to have three readings and to allow everyone to have input. Mr. Blake asked about closing the alley by his house. Mr. Franks said there is a process where he would have to come to Zoning when he has the zoning book in front of him. Franks stated regarding that little piece of alley, there is a process of getting that alley closed and he would have to get the neighbor to the north of him on board, because half of that alley would go to him and the other half to the neighbor. There would also be a tax issue as well as everything would need done at that maps office. Mr. Franks recapped by stating there is a process but it would be a good question to bring to the Zoning board meeting on Thursday night.

Mr. Blake stated that the neighbors just moved in so he doesn't think they would be interested. Franks again stated there is a process to doing this but the neighbor would have to agree to it. Mr. Blake wanted to know what would happen if it is not theirs. If the property doesn't get voted, the Village would have to maintain it.

Franks continued to direct Mr. Blake to come to the Zoning meeting on Thursday night to discuss the process of doing that alley. Mayor Hubble added there is a public hearing on Thursday night for zoning (March 7) but there would be time if you would like to come. Otherwise you are welcome to come to the committees on March 18th at 5:30 for the Street and Alley committee. That is the time to discuss this.

Mr. Blake stated they wanted to do this but they weren't sure if the neighbor wanted to do it. Mr. Franks stated that the Village can send them letters. Dave can do it as Zoning Inspector and send a letter and explain the process to them. Mayor Hubble invited Mr. Blake to the Zoning meeting this Thursday at 5:30 and Street and Alley on the 18th at 5:30.

MAYOR HUBBLE – Mayor Hubble stated that there will be a Tuscarawas County District Advisory Council Annual Dinner meeting on Tuesday, March 19th, 2019. She goes as a representative of the Village. This is where it is talked about the monies and the different types of things that goes on in the health district. The Mayor stated she will have more information when she comes back from there. Hubble said she attended a drug forum today. She was with the county commissioners and other mayors in the area. They talked about the things they can help to take care of within our youth; what are some of the main problems in our youth as well as some drug problems with the youth. The general consensus was that it's truly more along the lines of alcohol and tobacco misuse that are the main problems in our area. A new thing that has come about is the use of marijuana. Unfortunately it's a very broad subject and deals with a lot of misconceptions such as things that are good and things that are not good. That was one of the main focuses today; the use of marijuana and the use of the new Medical Marijuana that has been passed in Ohio. The Ohio Medical Marijuana Forum will take place March 19th from 6:30-8:00 pm at Kent State Tuscarawas. There will be guest speakers. Dr. Lori Kuehne, M.D. is a hospice and palliative medicine specialist. Marcie Seidel is a member of the Ohio Medical Marijuana Advisory Committee. There will also be a time for questions and answers. If anyone would like to learn more or is interested in finding out more about this topic, this would be a thing to take care of and try and go see. It will be Tuesday March 19th.

Mayor Hubble stated she will be traveling to Youngstown in April and will taking whoever would like to go from Council in regards to Tree City USA. That is when we will be getting our Award this year. The event will be on April 23rd.

FINANCE – Gettan stated that we opened three (3) sealed bids for the paving project. The first one was from Newton totaling \$117,670. The next was from Central Allied at \$95,440. The third was NorthStar for \$84,980. All three are very reputable companies. Council needs to decide which one they want to go with. Mayor Hubble stated that the Village has worked with all of the companies and they are all very good. She added that Council needs to decide what is in the best interest of the Village. Gettan stated if they are all good companies, then we should go with the lowest in the amount of \$84,980. Gettan made a motion to award the bid to NorthStar, seconded by Lloyd. Lang asked how much we had in the fund. Mayor Hubble stated we are not sure if we will be able to fund all of them. The Fiscal Officer is currently out of town. The goal is to do them all. The reason why we didn't do any type of paving last year was so

we would have that money built up for this year so we can do more projects. Dave Franks stated, "The four streets that we talked about in the committee are Sassafras, Poplar, Cherry, and Tuscarawas; Poplar, Cherry, and Tusc. probably won't be done until after the downtown project is complete. There's no sense in grinding and adding new blacktop. We can't really do Sassafras Alley until we make a decision as to what we are going to do with it. Franks went on to say, "With the three main projects, we probably have enough money to do it." The Mayor said we have a first by Gettan and a second by Lloyd to award the bid for the paving project to NorthStar in the amount of \$84,980.00. In a roll call vote, all members present voted yes.

Gettan stated that approval is needed to amend appropriations in the Towpath Trail Fund. There is a \$669.23 that needs moved over. Gettan motioned, seconded by Vincent, to **Approve a RESOLUTION, R-4-2019, to amend appropriations in the Towpath Trail Fund in the amount of \$669.23.** In a roll call vote, all members present voted yes.

Gettan stated there is an invoice from Occupational Medicine in the amount of \$793.50 for an employment physical for Officer Stearns. It needs approved so it can be paid. Gettan motioned, seconded by Lloyd to approve paying the invoice. In a roll call vote, all members present voted yes.

Gettan stated there is a training expense that needs approved for the OACP Chief's training in May. The cost is \$640.00 that includes both the registration fee and the hotel. Gettan motioned, seconded by Vincent, to approve the OACP training expense. In a roll call vote, all members present voted yes.

Gettan stated that approval is needed to increase the library cleaning fee. This is a rate increase from \$30.00 to a cost of \$37.50 per trip. That is an annual increase of approximately \$210 per year. Gettan motioned, seconded by Lang, to approve the increase in library cleaning. In a roll call vote, all members present voted yes.

Gettan stated that the Spectrum phone and internet service order for the police department needs approved. Year one is \$109.96 a month, and \$149.96 for subsequent years. Currently we are paying \$193.00 a month with Frontier with 8 gigabytes. Gettan motioned, seconded by Vincent, to approve Spectrum as the new phone and internet service provider for the police department. In a roll call vote, all members present voted yes.

Gettan stated that Dave needs a new laptop for his department. It's been narrowed down to two choices ranging from \$656.00 to \$699.99. We are seeking approval for \$700 and is hoping it will go on sale next week and he can spend less. The expense would be split from water and street department, 75% would be from water, 25% from street. Gettan motioned, seconded by Lloyd, to approve \$700 for a new laptop for Franks. In a roll call vote, all members present voted yes.

Gettan stated the fiscal officer is seeking council approval to renew the Verizon purchase order for new phones at zero cost to the Village for either an iPhone 7 or Samsung 8. Gettan motioned, seconded by Vincent, to approve the annual purchase order with Verizon for free phones. In a roll call vote, all members present voted yes.

Gettan stated they would like to establish a special work session of finance on March 18 after the regular committee times. The Mayor added that Lloyd would not be able to attend; but believes they can still move forward with a work session. It will begin immediately following the committee meetings.

Gettan stated that for Street they would like to get some Stick-It graphics for the backs of the two trucks. The cost is \$1,235.00. Gettan motioned, seconded by Lloyd to approve the expense. In a roll call vote, all members present voted yes.

PLANNING- Gettan reported that there was not a meeting last month. They will be meeting this Thursday but Gettan stated she will not be there. There will be a public hearing at 5:30 on Thursday night in regards to the sign for Smith Outdoors. Mr. Smith called Dave to confirm the date and time.

SAFETY- Lawver stated that he and the Chief interviewed a candidate for a part-time officer. He is a very strong candidate, very mature and experienced. He works part-time for Waynesburg PD and works security for SARTA in Canton. The Village is using Good Hire for background checks. The system is taking longer than what was expected. The Chief is anticipating getting him on sooner rather than later. We would like to take an emergency matter and hire him. Lawver made a motion to suspend the rules, seconded by Gettan, for an emergency measure. In a roll call vote, all members present voted yes. Lawver motioned, seconded by Lang, to pass as an emergency a conditional offer of employment, based on the report from Good Hire, for Laurice Mans a police officer's position with the Village of Bolivar. In a roll call vote, all members present voted yes to approve an **ORDINANCE, # O-11-2019, TO HIRE LAURICE MANS AS A PART-TIME POLICE OFFICER FOR THE VILLAGE OF BOLIVAR; ESTABLISHING AN EMERGENCY.**

The Chief is beginning the part of the process of Lexipol with policies. He intends to lead to becoming a State accredited police department for the Village. Lawver told the Chief that he thinks that's exceptional and is glad he was doing that.

CHIEF- The Chief stated brought up the untraditional schedule and would like to get that handled. Mayor Hubble said although they talked about it in Safety, Safety really needs to figure out what they're doing with the Ordinance so they can bring it forth to council. They may need to talk to Tara to get the wording right before they begin to pass this or have a first reading on it.

STREET & ALLEY – Lebold was absent. Dave stated, "There's a thorn in the side with the catch basin down at Lawrence and Canal. The County was in and jetted it. We found another obstruction. We marked the road to where we need to jackhammer it and dig it up. When we do that, they will bring the jet truck back. We put a dye in the catch basin for when the water goes in. It turns lime green so we can actually see where it is seeping out. We will have to go from there. We are taking baby steps to try to rectify this problem without having to spend a lot of money to replace something. It is in the works. They did that last Wednesday. That's where we are at."

STREET SUPERINTENDANT/ADMINISTRATOR – nothing

SHADE TREE – nothing.

RECREATION – nothing.

FISCAL OFFICER – Maria was absent.

LAW DIRECTOR – Tara asked if it was intended for the there to be a first reading by title only to make Sassafras Alley a one-way street. She couldn't tell by reading the meeting minutes. The Mayor stated it is still being talked about and letters were sent out to the residents. Vincent stated that she had it marked as a first reading was done, February 4. Tara stated that was the intention, we knew we were

going to make it three readings to give people time to go to the February and March committee meetings. Tara stated she was going to put a pen to it.

The Solicitor went on to state that Council already passed Resolution 4-2019 for the permanent appropriations. She has **ORDINANCE O-9-2019**, for permanent appropriations. At the last meeting it was passed as Resolution 3. She stated that she misspoke, it should have been an Ordinance. She missed the detail that it was the permanent appropriations. Ordinance 9 reads that it is rescinded and replacing Resolution 3 that was dated February 4, 2019. This ordinance is to make your annual appropriation for current expenses and other expenditures for the Village of Bolivar in the State of Ohio for the fiscal year 2019 ending December 31, 2019. This ordinance is being passed by emergency to be effective as of February 4, 2019. The purpose of that is to ensure that all of your appropriations for all of this year are in place as you continue on for the year. Lang motioned, seconded by Gettan, to suspend the rules. In a roll call vote, all members present voted yes. Lang motioned, seconded by Lawver to pass **ORDINANCE O-9-2019 (replacing Resolution 3) to make annual appropriations for Current Expenses and other Expenditures of the Village of Bolivar, State of Ohio, during the fiscal year ending December 31, 2019** and declaring it an emergency. In a roll call vote, all members present voted yes.

The Mayor added one of the things we have been working on is the Water Regulations Book. The committee would really like to have a first reading by title only tonight. All of Council has copies of the changes that were made. This gives them an opportunity to look at these and see if there is anything else they would like to change or take care of at their next meeting on March 18. The Mayor asked Council if they could have this as the first reading. She went on to encourage all of Council to review the regulations to make sure that the changes that have been made meet with their approval. There was a first reading **by title only of ORDINANCE #O-10-2019 – AN ORDINANCE ADOPTING THE AMENDED RULES AND REGULATIONS GOVERNING THE USE OF MUNICIPAL WATER IN THE VILLAGE OF BOLIVAR.**

After having a moment to look into it, it was determined there was a first reading by title only in February for Sassafras Alley. There was a second reading **by title only of ORDINANCE #O-8-2019 – AN ORDINANCE TO MAKE SASSAFRAS ALLEY FROM POPLAR TO BOLIVAR ONE-WAY GOING NORTH.**

Mayor Hubble reminded everyone of the Finance work session after committee meetings on March 18.

There being no further business, Gettan motioned, seconded by Lang, to adjourn until the next regularly scheduled council meeting on Monday, April 1, 2019. In a roll call vote, all members present voted yes. Council adjourned at 7:35 pm.

Mayor Rebecca S. Hubble

ATTEST: Maria A. App, Fiscal Officer

Approved: