

# VILLAGE OF BOLIVAR

## COUNCIL MEETING

**April 1, 2019**

The Bolivar Village Council met in regular session on **Monday, April 1, 2019**. The meeting was called to order by Mayor Hubble 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.

Gettan 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 bills for the month of **March which totaled \$63,529.00**. Lloyd moved, seconded by Gettan, to approve the bills. In a roll call vote, all members present voted yes.

The Fiscal Officer stated there were two corrections to the previous meeting minutes. The actual expense for "Stick-it-Graphics was \$1,235.00, not \$2,210.00. App clarified, the expense was in regards to the decals for the back of two trucks, not three trucks. The second correction was in regards to when Council rescinded resolution R-3-2019 and passed Ordinance O-9-2019. There was a language issue in the Ordinance. It was not effective as of December 31, 2018, it was effective as of February 4, 2019. Gettan moved, seconded by Vincent to approve the corrections. In a roll call vote, all members present voted yes.

**PUBLIC SPEAKS** – Mr. Jerry Blake had a couple of additional questions regarding recreational vehicles in the Village ordinance. He received a letter stating his camper is on "city" property and claims it is incorrect because he had it surveyed. Mr. Blake went on to state that the Village went by Google maps and his surveyor (company name inaudible) went by the actual pins and "the camper was actually on my property for once". Mr. Blake recapped that he has counted 17 RV popup campers on this side of town. The Mayor stated the reason he received a letter is because according to the Village records, his camper was on Village property. Mr. Blake stated he has a surveyor report and the Mayor stated "we need to see that". The Mayor added, "The proper avenue is for you to come to Zoning which will be this coming Thursday night". Lang added, "You were told last time to come to Zoning". Blake responded that he was waiting for his surveyor to make sure he had...(inaudible).

Mr. Blake continued to express his concerns as to how it got to this point by referring to another resident who almost hit his property. He went on to refer to the Village Ordinance regarding pop up campers and how he is the only one having to pay fines, fees and the surveyor. The Mayor asked, "Have you paid any fines or fees"? Mr. Blake responded, "No but I had to pay to have my unit moved, I have paid surveyors and I have had to come here several times wasting my time". He went on to point out other areas in the Village that had campers. He concluded, "We are going to get this straightened out or we are going to seek further action because this is a violation of my rights now". Gettan interjected the next Zoning meeting will be on May 2nd. The Mayor added the April 4th Zoning meeting has been cancelled. Lebold asked Mr. Blake if he had a copy... Mr. Blake interrupted by saying, "I would prefer, since you all won't do nothing I will just contact my attorney".

The next guest in attendance was Mr. George Workman. He had questions in regards to the proposed one-way changes to Sassafras Alley. The Mayor stated at the last committee meeting there was a big discussion on that topic which will be brought up shortly. The third reading of that ordinance will be tonight with additional discussion. The committee may have another solution to that problem.

Lebold addressed the solicitor with updates from the Street & Alley committee. He said the committee would like to table the Ordinance. Lebold explained the committee recommends keeping Sassafras Alley North and South. However, the people that face Park Avenue would place their trash on Sassafras

Alley. Those facing Canal Street; their trash would move to the front for pick up. Although Sassafras Alley would not change to one-way, we can try to reduce the trash truck traffic on that alley.

The Solicitor added a procedural suggestion since the Ordinance is due for its 3rd reading. Council should read the third reading and if it fails it fails.

There was some additional comments to include announcing Sassafras Alley is on the schedule to be paved this summer.

The Solicitor presented the third reading **by title only of ORDINANCE #O-8-2019 – AN ORDINANCE TO MAKE SASSAFRAS ALLEY FROM POPLAR TO BOLIVAR ONE-WAY GOING NORTH.** Upon the third reading, no-one made a motion to approve the vote. In a roll call vote, all members present voted no.

Additional guests included Jessica Conley and Andrea Legg with the Tuscarawas County Library. Jessica Conley introduced herself and stated she is Supervisor at the Bolivar branch. This is her 8th year serving the Bolivar Library. Ms. Conley said the summer reading program starts the second week of June through the first week of August. This is the 20th year of being in the building on Water Street. They have been a member of the County system since 1940. They appreciate the Village support to maintain the building. Conley referred to the handout she provided everyone which is an annual report on the county system as a whole. She briefly recapped the stats by pointing out there were over 46,000 people in the county system have used the Wi-Fi; 852 people have attended their public meetings and 1,668 programs within their entire five (5) buildings and six (6) locations which includes their mobile service system.

A couple of new items the library system as a whole has added are steam kits inside the library. There are a lot of math and science kits that can be requested and used inside the library. She added they are hoping by the end of the current calendar year they can be requested to take home and use. They have also added museum passes. With the free library card, they now have the option of checking out a pass to the Akron for two adults and two children for two weeks; as well as the Canton Museum of Art. These services are free with your library card.

Conley continued to provide stats that included checking out over 60,000 books, cd's, DVDs, magazines and audio books this year. Those were physical items housed inside the library. They have also done over 79,000 digital of those same exact copies from our location alone. The library is well loved and used in this community. This past year, we did 174 programs with over 3,500 people attend those programs both inside and outside the library. Conley said she still does a monthly story-time for the Wesleyan Preschool; now the Bolivar Community Church Pre-school. She still goes to the Tusky Valley Primary School for an outreach program. There is now a Dairy Queen story-time; which will stop during the busy season of the summer and resume in the fall.

Conley said if anyone has any questions for her, she is there to answer them. In conclusion she thanked Council for allowing her to speak.

Lawver asked about the pamphlet that stated for every \$1.00 invested in our library system it returned \$9.77 to the community. He was curious how those numbers were reached. Andrea Legg said their library uses a state report that breaks that down for them.

**MAYOR HUBBLE** – Provided a report from Kimble with recycling totals for the first quarter which were down 2.02 tons since last year. The recycling totals for the first quarter of 2019 was 18.46 tons. She highly encouraged the residents to really think about recycling. We are really blessed to have curb side pickup.

The Mayor proclaimed May as Motorcycle Awareness Month in the Village of Bolivar. Motorcycles are all around and people need to be cautious. It is awareness month all over the state of Ohio, but would like to proclaim Bolivar as well.

The Mayor reported that Bolivar Ohio was named the 2018 Tree City USA by the Arbor Day Foundation. She presented the release form. The Mayor, Dave Franks and Tim Lang will be accepting the award in Youngstown on April 23, 2019.

Arbor Day will be set in May and announced at the next Council meeting.

**FINANCE** – Gettan announced the Star Ohio interest for the month of March, 2019 was \$851.01. The year to date interest with Star was \$2,212.37 which is incredible. We are on pace to earn about \$10,000.00 in interest for 2019.

Gettan presented a quote for \$1,450.00 for new furniture in the police office. Gettan moved, seconded by Lloyd to approve the expense. In a roll call vote, Gettan, Lawver, Lebold, Lloyd and Vincent voted yes; Lang voted no.

Gettan brought forth an expense for approximately \$450.00 to update the carpet and paint for the Chief's office. Gettan moved, seconded by Lawver to approve the expense. In a roll call vote, Gettan, Lawver, Lebold, Lloyd and Vincent voted yes; Lang voted no.

**PLANNING**- Gettan stated she had nothing to report except they are cancelling the April 4th meeting. The next Zoning meeting will be on Thursday, May 2, 2019.

**SAFETY**- Lawver reported according to the OPATA roster, there are a total of five (5) officers with the Village; 2 full time and 3 part time.

Lawver reminded everyone the Chief will be in Columbus at the Chief's conference May 5-7, 2019 and will not be at the next Council meeting.

**CHIEF**- none

**STREET & ALLEY** – Lebold reported the car show will be in July at Fort Laurens due to the downtown project. The Museum will be free. The Canal Street Diner will provide food with their self contained food trailer and the Bolivar Lion's Club will also be having their chicken BBQ. The date is July 20, 2019 from 5-7:30.

Lebold announced the Ohio Erie Coalition is sponsoring an annual centennial bicycling event from Akron down to Dover on June 8-9, 2019. Every year the Village has allowed permission for them to post five (5) signs. Lebold listed the different locations for the sign placement. The name of the event is called, Century Ride 2019. Lebold moved, seconded by Vincent to allow permission to place and remove the signs for the event. In a roll call vote, all members present voted yes.

**STREET SUPERINTENDANT/ADMINISTRATOR** – Franks reported he will be attending a Core program, provided by Ohio Utility Protection on April 10. It is for administrators, fire departments and police departments setting up safety zones if a gas line ruptures. It will be in Canton and free of charge.

Franks stated he will be out of town on Monday, April 15 so they will begin compost pick up on Tuesday, April 16. He also reminded everyone fire hydrant flushing will begin at 7a on April 26.

**SHADE TREE** – Franks said he will start looking at trees to plant.

**RECREATION** – Vincent reported that Franks had been in contact with the Tusky Valley Baseball/Softball Association regarding their certificate of insurance. Franks has a formal written request from Nate Clemmons, President of TVBSA, requesting permission to use Waterworks Fields number one and two. Vincent proceeded to read the agreement requirements to use the fields. The certificate of insurance will be submitted once they confirm their player head count. Vincent moved, seconded by Lebold to authorize the Tusky Valley Baseball/Softball Association to use Waterworks Fields number one and two for the 2019 season, pending the insurance certificate. In a roll call vote, all members present voted yes.

**FISCAL OFFICER** – App noticed another correction that stemmed from the public speaks segment. The gentleman's name is Jerry, not Jim as interpreted in the previous meeting minutes. Gettan moved, seconded by Lloyd to correct the name to state Jerry Blake, not Jim Blake. In a roll call vote, all members present voted yes.

App announced she will be resuming taking the meeting minutes.

**LAW DIRECTOR** – The Solicitor presented the **second reading by title only for AN ORDINANCE ADOPTING THE AMENDED RULES AND REGULATIONS GOVERNING THE USE OF MUNICIPAL WATER IN THE VILLAGE OF BOLIVAR.**

Lawver made a motion to go into an executive session for personnel for the purpose of discussing employment and compensation of a public employee; action may be taken. Lloyd seconded the motion. In a roll call vote, all members present voted yes. Council went into executive session at 7:39pm.

The Mayor announced they came out of executive session at 8:14pm and asked Council if there is any action they would like to take at this time prior to adjourning.

Lang proposed making App an independent contractor starting May 5 for a period of sixty days; to be reinstated at the end of the period as the fiscal officer. In addition, he proposes an additional

independent contractor for the purposes of assisting with multiple projects going on to include the downtown project for ten (10) hours per week through the end of the year.

Lang moved, seconded by Gettan to suspend the rules. In a roll call vote, all members present voted yes. Lang moved, seconded by Lloyd to approve **AN ORDINANCE, O-12-2019, PROVIDING FOR THE TRANSITION OF THE FISCAL OFFICER POSITION FROM A VILLAGE EMPLOYEE TO AN INDEPENDENT CONTRACTOR AND DECLARING IT AS AN EMERGENCY**. In a roll call vote, all members present voted yes.

Lang moved, seconded by Gettan to suspend the rules. In a roll call vote, all members present voted yes. Lang moved, seconded by Lloyd to approve **AN ORDINANCE, O-13-2019, PROVIDING FOR THE CONTRACTUAL SERVICES OF FISCAL SUPPORT FOR THE VILLAGE OF BOLIVAR AND DECLARING IT AS AN EMERGENCY**. In a roll call vote, all members present voted yes.

There being no further business, Gettan motioned, seconded by Vincent, to adjourn until the next regularly scheduled council meeting on Monday, May 6, 2019. In a roll call vote, all members present voted yes. Council adjourned at 8:20 pm.

---

Mayor Rebecca S. Hubble

---

ATTEST: Maria A. App, Fiscal Officer

Approved: **May 6, 2019**