

VILLAGE OF BOLIVAR COUNCIL MEETING April 7, 2014

The Bolivar Village Council met in regular session on **Monday, April 7, 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 & Vincent all answered roll call.

The Clerk read the bills received for payment. Lloyd moved, seconded by Lang to pay the bills for March, totaling \$44,172.00. In a roll call vote, all members present voted yes. There were no corrections or additions to the agenda.

PUBLIC SPEAKS: Dan Newsome expressed a concern about a new business that is going in next to his property at 408 Canal Street. He is concerned about additional truck traffic. He inquired about setbacks and asked if the property owner, Mr. Graef has the proper permits in place for the new business. Mr. Newsome doesn't want this property to look like the tenants property on Grand Street. Currently there is only a storage barn on the business site. Mr. Franks clarified the setbacks for specific to storage buildings. The Mayor suggested that Mr. Newsome create a list of concerns and present them at the next zoning meeting on May 1.

Joe Garrett was present to discuss the aggregation program that will be on the May ballot. Mr. Garrett passed out packets to council and gave a presentation about his company and how aggregation could possibly save the residents money. He noted, effective 2015 no one will be able to buy direct from AEP any longer. There are two types of programs; Opt-in and opt-out. An opt-out option will be on the ballot. There are no early termination fees with this plan. Mr. Garrett explained his program will put approximately \$100,000.00 back into people's pockets. Percentages and statistics were offered; 400 communities are already using an aggregation program. Lengthy discussions followed. The clerk questioned the breakdown of how the community would be saving substantial money as quoted. According to her calculations, based on the numbers Mr. Garrett provided, the cost savings could potentially equate to \$7.50 per month. A recap of aggregation benefits were addressed before concluding the presentation.

MAYOR HUBBLE – Discussed with council a **Resolution supporting Sole Source Aquifer Designation for portions of the Tuscarawas County River Basin including the Tuscarawas County Buried Valley Combined Aquifer**. Mayor Hubble stated this is a resolution showing our support and it will be sent on to the government agencies that be to protect our water aquifer. The Mayor is seeking the support of council for the resolution. Lang motioned, seconded by Marburger to approve **Resolution #R-7-2014**. In a roll call vote, all members present voted yes.

In other business, Mayor Hubble needs the support of council to send a letter of intent to RCAP (Rural Community Assistance Program) to apply for a grant as discussed earlier in finance. For those who weren't in finance, this program is through RCAP regarding a GPS data collection and GIS mapping proposal for ARC which wouldn't take place until 2016. Through this program we would be able to do all of our water lines and run-offs on a computer and get all the updated software. There is an in-kind labor portion for \$1,000.00. The Villages

share would cost \$3500.00 to map the water and storm water systems The local share wouldn't be due until 2016 and would be deducted from the water fund. The Village could also elect to receive the mobile equipment grant which would include a laptop or notebook. The Mayor asked for councils support to send a letter of intent to RCAP by April 30th to obtain grand funding. Vincent motioned, seconded by Lloyd to approve sending a letter of intent. In a roll call vote, all members voted yes.

The aggregation contract was presented to council for review. The option was between a 24 month or 36 month contract. Council members asked questions of Mr. Garrett regarding pricing. The Mayor asked council if they would like more time to review the contract before voting. The Solicitor interjected that she did not have the opportunity to review the contract yet. It was decided to wait until the next meeting to make any decisions.

FINANCE: - Lloyd moved, seconded by Slutz to pay Varney, Fink & Associates the remaining balance due from the 2010/2011 audit in the amount of \$2080.00. In a roll call vote all members voted yes.

Lloyd moved, seconded by Lang to approve the Clerk to attend the Mayors Court Clerk of Courts Training on April 23-25. The conference cost \$220.00 plus lodging and mileage. In a roll call vote all members voted yes.

Lang moved, seconded by Slutz to approve paying \$55.90 both to Robert and Maria in mileage for driving to the New Council Members training in Independence Ohio on March 29. In a roll call vote Cochran, Lang, Marburger, Slutz and Vincent voted yes; Robert abstained.

The Clerk interjected that she appreciated council attending the new members training. She stated, "It was a great meeting, we all learned a lot and I appreciate you guys going".

Lloyd reported a computer and printer will need to be purchased for the street and water department. The money has already been appropriated at the beginning of the year but he wanted to keep everyone informed.

PLANNING: Lebold reported there will be a zoning meeting this Thursday, on March 6th. Nothing new is happening expect for the committee is moving ahead reading and re-writing the zoning book. Once the book is complete there will be a public hearing for discussion and approval.

SAFETY – Lang reported the police department responded to and cleared 85 calls in the month of March.

Lang reported there is an old light bar that needs disposal. Lang motioned, seconded by Lloyd to dispose of the light bar. In a roll call vote, all members present voted yes.

Lang motioned, seconded by Vincent to pay OACP (The Ohio Association for the Chief of Police) in the amount of \$195.00 for the 2014 membership. All members present voted yes.

Lang reported the Police Levy is coming up for renewal this fall and council will need to start looking at this in May.

Administrator/Chief – Chief Haugh reported he and Dave attended two (2) classes in March sponsored by Ohio Rural Water.

Street & Alley – Slutz reported 8 lime safety cones are being ordered to conform with new ODOT standards and 8 plastic barricades; 2- 24"x24" signs and 2 plastic road closed signs totaling \$1,136.24.

STREET SUPERINTENDANT – Franks talked to John Levengood from the Baseball Association regarding the Gordan-Seldon sign; it will be going underneath the existing Waterworks Parks sign.

Reminder, hydrant flushing will take place on Friday, April 18th. In addition, composting pick up will begin next week (April 14, 2014) as well. Franks reported he can only take grass clippings, small twigs and flowers where he is dumping. Larger sticks have to be separated so he can go around and pick up with the chipper. If the items for pick up are in plastic bags, have dirt mixed in or contain trash, they will be left at the curb. He said, "We don't want to mess this up. We can at least do this one more year until we can find out if anyone else can get funding to do this. We need to watch what we do here". The Mayor interjected that she has tried her best to find somewhere to take our composting for the village because it is a wonderful service. Unfortunately every avenue turned out to be a dead end. She ended up calling the administrator at the Village of Navarre. The administrator was willing to allow us to dump the composting there. In addition, the Mayor stated she has been working with Township Trustee, Matt Ritterbeck and the Village Clerk to apply for some grant funding.

Franks reiterated composting will pick up regular composting on Mondays. He will pick up larger branches at a different time as he sees accumulation throughout the village.

Lebold asked for clarification about composting. Franks said no roots or sod; grass clippings, leaves, flowers and small branches are acceptable. Composting can be placed in smaller garbage cans.

Franks stated there will be a free training hosted by Columbia Gas from 9-noon at the Alliance Middle School on April 21st that he plans to attend with the Village Administrator. The training topic concerns the safety of lines.

SHADE TREE – Mayor Hubble reported that she will be attending Tree City USA with Dave Franks in Cambridge on April 22. She noted the Village of Bolivar did receive the growth award for the second year in a row.

Hubble said Arbor Day will be celebrated on May 1 at 10:15a.m. With the Wesleyan Preschoolers this year.

RECREATION – Mary reported dust control issues were discussed in recreation meeting regarding the dragging of the field. Dave contacted baseball association to address these issues.

The Bolivar Streetscape was also discussed at the recreation meeting. No new news at this time.

Lebold asked if street closures were approved for festival yet as well as the car show in July.

Hubble reported there will be a Queens Ball on June 7th honoring our former Queens and little Princesses over the years. The Ball will be at the Wilshire Banquet Center. Hennis will be catering the event and a band will be present. Tickets price is \$25.00 per person; queens and princesses will be free. The Strawberry Festival will be on June 12-14, 2014. Mayor Hubble recapped what is new this year at the festival.

CLERK/TREASURER – Clerk brought an issue to the Police Chief's and Council's attention regarding a business owner that recently requested a civil assist. The business owner offered to pay for the assist and it was the Clerks impression there is no charge for that service. The Clerk asked the Chief to clarify what an assist means and to explain why there wouldn't be a charge for this type of service for Village businesses and/or residents. The Chief stated the police provide that service at no charge to any business owner, resident, tax payer etc as long as they are not already on another call or get a priority call out such as a domestic. Calls are handled in order of priority. Basically a civil standby is for preventative measures; so a fight does not develop which would turn into a criminal issue.

The Clerk presented **Resolution R-8-2014** that needs approved by Council. **It is a Resolution of Approval to realign the permanent appropriation resolution by modifying the appropriations from one account to another.** (see attached amended appropriations) Lloyd motioned, seconded by Slutz to approve **Resolution R-8-2014**. In a roll call vote, all members present voted yes.

The Clerk brought up an issue with her appointment Ordinance #O-77-2013 and turned it over to Attorney Daisher to explain. Daisher explained there were a couple typos in the Clerks ordinance; the revised ordinance only corrects the errors but doesn't change anything else. There needs to be a motion to suspend the rules to correct the errors. Lloyd motioned, seconded by Lang to suspend the rules. In a roll call vote all members voted yes. Lang motioned, seconded by Lloyd to approve the **revised Ordinance #O-77-2013** as an emergency. In a roll call vote all members voted yes.

AN ORDINANCE, O-88-2014 PROVIDING FOR THE CONTRACTUAL SERVICES OF LEGAL COUNSEL FOR THE VILLAGE OF BOLIVAR AND DECLARING IT AS AN EMERGENCY. This Ordinance needs approved retroactively to January 1, 2014 for the prosecution and solicitor contract with Fitzpatrick, Zimmerman and Rose for a term of one year commencing on January 1, 2014 through December 31, 2014. The terms are all the same. Marburger motioned, seconded by Slutz to suspend the rules. All members voted yes. Lloyd moved, seconded by Vincent to approve Ordinance O-88- 2014 as an emergency. In a roll call vote, all members voted yes.

AN ORDINANCE, O-89-2014 AUTHORIZING A REALLOCATION OF FUNDS COLLECTED BY THE VILLAGE OF BOLIVAR AS A RESULT OF THE ENACTMENT OF THE BOLIVAR INCOME TAX; DECLARING AN EMERGENCY. Lloyd motioned, seconded by Vincent to suspend the rules. All members voted yes in a roll call vote. Lang motioned, seconded by Marburger to approve Ordinance O-89-2014 as an emergency. In a roll call vote all members present voted yes.

AN ORDINANCE, O-90-2014 ESTABLISHING A CREDIT/DEBIT CARD POLICY FOR THE VILLAGE OF BOLIVAR; ESTABLISHING AN EMERGENCY. Slutz motioned, seconded by Marburger to suspend the rules. All members voted yes to roll call. Lloyd motioned, seconded by Vincent to approve Ordinance O-90-2014 as an emergency. In a roll call vote all members present voted yes.

AN ORDINANCE, O-91-2014 ESTABLISHING A TRAVEL POLICY FOR THE VILLAGE OF BOLIVAR, OHIO. Lang motioned, seconded by Lloyd to suspend the rules. Before taking a vote, Vincent initiated discussion about specifics of the policy. The Clerk read a summary of what is included and excluded in policy. In a roll call vote all members voted yes. Cochran motioned, seconded by Marburger to approve Ordinance O-91-2014 as an emergency. In a roll call vote, all members present voted yes.

AN ORDINANCE, O-92-2014 IMPOSING A RATE INCREASE ON EACH USER'S UTILITY BILL FOR THE PURPOSE OF PROVIDING NECESSARY FUNDS FOR THE REFUSE AND RECYCLING COLLECTION; DECLARING

AS AN EMERGENCY. Vincent motioned, seconded by Lang to suspend the rules. All members answered yes to the roll call vote. For Clarification, **this Ordinance will take effect retroactively to April 1, 2014.** Slutz motioned, seconded by Vincent to approve Ordinance O-92-2014 as an emergency. In a roll call vote all members present voted yes.

AN ORDINANCE, O-93-2014 TO ACCEPT THE BID OF A NEW FIVE (5) YEAR REFUSE AND RECYCLING CONTRACT WITH THE KIMBLE COMPANIES; ESTABLISHING AN EMERGENCY. The five (5) year contract was previously approved by the vote of council on May 6, 2013 and the contract began on June 1, 2013, however, an Ordinance was never put into effect. Ordinance O-93-2014 contains the actual language of the Kimble contract. Approval of this Ordinance is needed to stay in compliance with the Auditor. All specifics are the same as what was approved by council in 2013. Slutz motioned, seconded by Vincent to suspend the rules. All members answered yes to the roll call vote. Lloyd moved, seconded by Slutz to approve Ordinance O-93-2014 as an emergency. All members present voted yes. The Clerk reminded Council this Ordinance is retroactive to June 2013.

LAW DIRECTOR – None

There being no further business, Lloyd moved, seconded by Lang to adjourn until May 5, 2014. In a roll call vote, all members voted yes. The meeting adjourned at 8:15 p.m.

Mayor Rebecca S. Hubble

ATTEST: Maria A. App, Clerk Treasurer

Approved: May 7, 2014