

# VILLAGE OF BOLIVAR COUNCIL MEETING June 2, 2014

The Bolivar Village Council met in regular session on **Monday, June 2, 2014**. Mayor Hubble called the meeting to order at 7:01 p.m. The Pledge of Allegiance was said. Lloyd opened the meeting with a moment of prayer. Cochran, Lang, Lloyd, Marburger, Slutz & Vincent answered roll call.

Lloyd moved-seconded by Slutz to accept the minutes from the previous meeting, bills paid, and financials. In a roll call vote, all members voted yes.

The Clerk read the bills received for payment. Lloyd moved, seconded by Marburger to pay the bills for May, totaling \$64,389.64. In a roll call vote, all members present voted yes. There were no corrections or additions to the agenda.

**PUBLIC SPEAKS:** Don Lapp asked Dave Franks about status on Yant street with barricades. The Mayor explained the weather and part time status has been an issue but assures it will be addressed.

**MAYOR HUBBLE** – Reported she spoke with Amy from Kimble Recycling. Learned the village met their goals towards recycling therefore we are eligible for the recycling grant money. The money can be used towards a specific project such as the downtown beautification project as previously discussed. The Mayor added in our recycling we can now take all cartons. The milk cartons and apple cartons etc that are specially marked can now be taken.

**FINANCE:** - Lloyd brought items discussed in finance to council. One of the items discussed was the option to provide Mark Myers with a uniform allowance for the street department at a rate of .15 per hour worked. Vincent motioned, seconded by Slutz to pay the uniform allowance. In a roll call vote all members present voted yes.

Lloyd announced the Village of Bolivar received a reimbursement check from the insurance (bonding) company in the amount of \$4,439.26 for the over payment of health insurance premiums. (2012-2013)

Lang brought up that council has been using Robert Lloyds personal video camera to record meetings. Finance discussed purchasing that camera from him in the amount of \$175.00. Lang reviewed a few camera specs before making a

motion. Lang motioned, seconded by Marburger to purchase the video camera in the amount of \$175.00. In a roll call vote, all members voted yes except Lloyd. Lloyd abstained.

The Clerk brought forth a couple items that needed council's approval. **The Amended Official Certificate of Estimated Resources, Certificate #2 needs passed as a Resolution R-10-2014.** Lloyd motioned, seconded by Marburger to approve the Resolution. In a roll call vote all members present voted yes.

In addition, **The Amended Official Certificate of Estimated Resources, Certificate #3 also needs passed as a Resolution R-11-2014.** Lloyd moved, seconded by Marburger to approve Resolution 11. In a roll call vote all members present voted yes.

The topic of energy rates were discussed in finance. The Clerk reviewed some specifics about Direct Energy with the Solicitor. Key points discussed with Attorney Daisher included: no contracts, no early termination and an average savings of approximately 350.00 per month. Lloyd made a motion to allow the clerk to negotiate rates for the electric and gas utilities with Direct Energy or equivalent to get the best rate. The motion was seconded by Slutz. In a roll call vote all members voted yes. Jillian interjected if Direct Energy tries to get the Village to sign a contract with different terms then council would need to revisit the topic. The Clerk noted the village would save approximately \$4,000.00 per year with the electric alone.

Lloyd made a motion to suspend the rules, seconded by Vincent to allow flex time to be used within 30 days which would amend our current policy of having to use within a pay period. In addition, flex time cannot exceed four (4) hour increments unless approved by the Mayor.

Lloyd motioned, seconded by Marburger to approve **AN ORDINANCE O-95-2014 to EDIT SECTION 4.5 OF THE POLICIES AND PROCEDURES MANUAL; ESTABLISHING AN EMERGENCY.**

Marburger motioned, seconded by Slutz to suspend the rules to establish a rate for a public records request requiring a dvd or cd. In a roll call vote all members voted yes.

Marburger motioned, seconded by Cochran to approve **ORDINANCE O-96-2014 TO SET THE PRICE OF DVD'S; ESTABLISHING AN EMERGENCY.** In a roll call vote all members present voted yes.

The Clerk addressed some findings when auditing records for the upcoming audit. It was discovered that Mark Haueter, who left employment in March 2012 had 428 hours of unused sick time on the books. The State statute allows up to 240 hours or 30 days to be paid out; the Village policy is ¼ the unused sick leave balance. He will have 107 hours of unpaid sick time due to him. The rate of pay when he resigned is still being looking into; the village will owe approximately \$2,000.00 to him.

Lloyd moved, seconded by Marburger to appropriate the funds to pay out Mark Haueter's sick pay balance due to him. In a roll call vote all members present voted yes.

**PLANNING:** Lebold referenced the new DQ that opened. He said the landscaping looks great and they certainly lived up to doing what they said they were going to do. He has no negative comments on the project.

**SAFETY** – Lang reported the police department received and cleared 93 calls in the month of May. It was brought up in Safety there is a need for auxiliary police officers. The Chiefs 2010 cruiser is also in need of repair in the amount of \$626.10 to replace the upper ball joints and control arms that are going bad. The Department has been alternating between Bolivar Service and Bolivar Performance for repairs. This time the work would be done at Bolivar Service. Lang motioned, seconded by Lloyd to have the cruiser repairs done in the amount of \$626.10.

Lang stated the only other item to discuss is the first reading of the police levy language for the ballot issue this fall. Attorney Daisher read by title only, **A RESOLUTION DECLARING THE NECESSITY TO LEVY A TAX IN EXCESS OF THE TEN-MILL LIMITATION (ORC 5705.19, ORC 5705.191, ORC 5705-25, ORC 5705-26.**

The Clerk questioned the difference between the two police levies on the village books. Daisher will look into the language of the two types of levies and update council. Members of the public were asking questions; wondering if the police levy generates enough revenue to pay for the wages.

**Administrator/Chief** – Dave and Mark are doing great.

**Street & Alley** – The 2014 Street Paving bids were opened during the meeting. There were two bids submitted. The first one opened was Newton Paving in the amount of \$61,700.00. The 2<sup>nd</sup> bid was submitted by Central Allied in the amount of \$79,455.00 plus an additional \$1500.00 in repairs. Newton's price already includes the additional repairs. The Clerk passed the bids out for council to review before voting.

Slutz stated, based on the bids, he would like to make a motion to accept Newton's pricing in the amount of \$61,700.00. Lloyd seconded the motion. In a roll call vote, all members present voted yes.

**STREET SUPERINTENDANT** – Franks reported they are trying to get everything done, such as the Yant Street Project. Between the Strawberry Festival and the weather, they have had some delays.

**SHADE TREE** – Replaced a tree on S. Park that was dead. He could get a flowering tree to replace the one that was run over by a car. Mayor Hubble said there are at least five trees that need replaced due to the bad winter. Franks will get a price from Gooding's and Menards.

Lebold interjected he was pretty satisfied with the trees on the canal that were purchased from Gooding's Nursery.

**RECREATION.** – Vincent reported they met on the 19<sup>th</sup> and mostly discussed projects Dave and Mark are preparing; Memorial Day Parade, Strawberry Festival, mowing and mulching, etc. Mark Myers covered both parades in Bolivar and Zoar for Memorial Day. The next event will be the Summer Spectacular which will be the car show, chicken BBQ and the movie. She turned specifics of Strawberry Festival over to Dick. He began by thanking Becky Hubble for all her hard work in planning the festival. He reported there will be a lot more food vendors and crafters. Lebold reminded Council the Queens Ball will be on June 7, for \$25.00 per person. Vincent inquired about the attendance. Hubble reported there were approximately 100 confirmed for the Ball.

Hubble reminded everyone the dates for the festival are June 12-14, 2014. The times are 4-close Thursday, 4-close Friday and Saturday is noon to close.

**CLERK/TREASURER** – None

**LAW DIRECTOR** – None

Slutz moved, seconded by Lang to go into an executive session for personnel issues. In a roll call vote all members present voted yes. Action will probably be taken. Council went into executive session at 7:41 p.m.

Council came out of executive session at 8:54. The Mayor turned the next segment of the meeting over to Attorney Daisher to explain a few things before voting.

Attorney Daisher raised the potential ordinances up for discussion. The first ordinance up for discussion pertains to Stephanie Long our current income tax consultant. The new proposed rate of pay would be \$12.00 per hour for a one year term which can be renewed by Council if they wish. She would not receive benefits since she is an independent contractor.

Marburger motioned, seconded by Cochran to suspend the rules to approve **ORDINANCE O-97-2014; AN ORDINANCE TO HIRE STEPHANIE LONG AS AN INDEPENDENT CONSULTANT FOR THE VILLAGE IN THE POSITION OF TAX ADMINISTRATOR; ESTABLISHING AN EMERGENCY.** In a roll call vote, all members present voted yes. Lloyd moved, seconded by Marburger to approve Ordinance O-97-2014 as an emergency. All members present voted yes.

Attorney Daisher reported the Village previously had an ordinance establishing caps and minimums for each of the departments. However, only the current rates of pay at the time were listed in the former ordinance, not the actual caps/minimums. Daisher reported Council needs to pass a new ordinance to set those caps and minimums. If council wants it to take effect now, it would need to be passed as an emergency. Since this was previously discussed several years ago, it has been ongoing.

**AN ORDINANCE O-98-2014 TO SET CAPS AND MINIMUMS FOR EMPLOYEES OF THE VILLAGE; ESTABLISHING AN EMERGENCY** would replace O-11-2011. (refer to ordinance book for full listing of wages)

Marburger motioned, seconded by Vincent to suspend the rules. In a roll call vote all members present voted yes. Marburger moved, seconded by Lloyd to adopt Ordinance O-98-2014 as an emergency. All members voted yes in a roll call vote.

There being no further business, Marburger moved, seconded by Vincent to adjourn until July 7, 2014. In a roll call vote, all members voted yes.

\_\_\_\_\_  
Mayor Rebecca S. Hubble

ATTEST: \_\_\_\_\_  
Maria A. App, Clerk Treasurer

Approved: \_\_\_\_\_