

VILLAGE OF BOLIVAR COUNCIL MEETING June 5, 2017

The Bolivar Village Council met in regular session on **Monday, June 5, 2017**. Mayor Hubble called the meeting to order at 7:00 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.

Lloyd moved, seconded by Vincent 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 May, totaling \$41,779.56. Lebold 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: - A resident, Gerry Swigert, attended regarding an issue they brought up at the May council meeting. She recognized the hydrant was serviced; but the same day it was out of service again. She also asked about the status of the pipe for the drainage problem. The Mayor deferred her questions to Franks.

Franks stated the hydrant was repaired but when they turned it back on, and left the valve on, later that day they detected there was a problem somewhere in the valve. Instead of digging up your yard, Franks said he has to schedule with the county to see where it's leaking before having to dig it up. Franks went on to explain the issue with the size of the pipe that's currently there which is a 6" pipe going into an 8". He said they are in the process of getting this corrected. Franks continued to explain the process of where things currently stand and what the next steps are to replace the pipe. At this point everything is contingent on the County's schedule as to when they can come in with their equipment.

The Taylors who were also in attendance; re-iterated they continue to have problems with water coming into their basement. It's always worse after bad storms. The Mayor reassured this situation is being addressed, it's just a process.

Discussions continued as to the hydrant and drainage problem. The Mayor reiterated the hydrant will be addressed right away and the drainage issue will also be addressed.

MAYOR HUBBLE – The Mayor read a letter from Township Trustee, Matt Ritterbeck regarding ODNR, Ohio Water Trails. The letter is a Tuscarawas Water designation request. They are seeking a submittal letter from the Village requesting this designation.

The Mayor read the content of the letter for the Tuscarawas River water trail designation. In summary it states, " We support the potential local benefits it could bring to our local community such as job growth, economic development, quality of life, public awareness, environmental stewardship", etc. It also

discusses the Tuscarawas River making a great addition to the Mohican and Muskingum State designated water trails. Basically they are wanting to make the Tuscarawas River the same type of designation. In order to do that, it has to be petitioned by different groups; different legislative bodies.

The Mayor passed the letter around to council to see if council wanted to take any action; to send a letter to ODNR. The Mayor stated the positives are all listed, but are there any negatives we are committing to before knowing all the details. These are things to think about. Armstrong's concern is whether or not there would be increased EPA regulations or concerns that we need to be aware of in advance.

FINANCE: -

Lapp brought up the income tax program has been installed on the tax administrators computer. There is a cost of \$500.00 to finish converting from the former software to the current one being installed. Lapp, as the committee chairman, recommends tabling this for the time being.

Lapp moved, seconded by Vincent to approve the purchase of Antivirus software for the police computers and the Mayors. The cost is \$59.99 per year for a multi license bundle, up to five computers. In a roll call vote, all members present voted yes.

Lapp moved, seconded by Lang to purchase Microsoft software in the amount of \$100.00 for a computer in the police department. In a roll call vote, all members present voted yes.

The Fiscal Officer is seeking permission of council to seek better interest rates through Star Ohio for the Villages bank account. Lapp moved, seconded by Lloyd to grant the permission. The Fiscal Officer added, "more specifically I'd like to check with Star Ohio to see what tools are available to invest in". In a roll call vote, all members present voted yes.

Lapp deferred to Lebold for the next item of finance. Lebold brought forth a topic of part time police hours dating back to 2010. Lebold is proposing an emergency Ordinance. In 2010 the hours were approved by a vote, but not as an ordinance. Would like an Ordinance for an additional 8 hours per week for the Police Department for a period beginning April 1 through November 1 each year; subject to budget allowance.

Lebold moved, seconded by Lang to suspend the rules for the proposed ordinance. In a roll call vote, all members present voted yes. Lebold moved, seconded by Lang to approve **AN ORDINANCE, O-23-2017, TO AUTHORIZE ADDITIONAL HOURS FOR THE VILLAGE POLICE DEPARTMENT; ESTABLISHING AN EMERGENCY**

In a roll call vote, all members present voted yes.

Lapp moved, seconded by Lebold to approve the purchase of a new taser, to replace the outdated model, in the amount of \$1,400.00. There are funds available in the police capital to allow for the purchase. In a roll call vote, all members present voted yes.

PLANNING – Lebold reported they had a meeting this month. He said they had a family attend that was asking permission to build a garage that extended two feet into the street. Lebold advised them to re-draft their plan where it wouldn't be on Village land. Planning also discussed future expansion and growth within the corporation.

SAFETY – Lebold reported the police had 94 calls in the month of May.

CHIEF – Chief Haugh reported an auxiliary officer never submitted his letter of resignation and has since moved out of state. Since he was auxiliary and not a paid officer, he will be removed in the State system.

STREET & ALLEY - The committee met at 5:30 on May 15th. Will be sending guys up to Yant and Grand to get it measured up for a quote for paving. Lloyd reported the hydrant on Canal Street had been repaired but there are remaining issues that still need addressed. The concrete pad at the Bike Trail and Waterworks field are completed. In 2018, it is proposed to have new black top on Canal Street. In 2019 there is a possibility for a new deck for the I-77 bridge.

STREET SUPERINTENDANT / ADMINISTRATOR - The catch basin a Tusc and Canal by Dereks building is done. The Parkview Drive project is underway; the pipe is in, they are just finishing up top soil and final details.

SHADE TREE – none

RECREATION - Met at 6p on Monday, May 15th. The Tuscarawas County Public Library system is partnering with the Village of Bolivar to apply for local grants to replace the HVAC system at the Bolivar branch. We will start discussions for the library contract renewal in 2020 not 2019.

Regarding the juvenile soccer fields; Lang and Franks looked at new areas between the Trail and the house sitting on the property. Lang will be contacting the Soccer Associations regarding applying for a grant.

The Bolivar Baseball Association is applying for a grant to construct a concession stand with restrooms at the Waterworks Field.

The Mayor added, in regards to the matching grant money we received from Ohio Erie Canal Coalition, the Bolivar Lions Club donated 500.00. As a result of the matching funds, the 500.00 became 1000.00. The Lions Club wanted a memorial for Stan Koehlinger. Stan did so much for our community; was very active with the Trail systems. He did free engineering work and design work for a lot of the Trails, especially in the Zoar area.

The Stan Koehlinger dedication was on Saturday, May 27th. The Mayor stated she did a proclamation and it went very well. The family was so appreciative. We were able to get a tree and bench with the Lion's Club money. Franks also worked on a nice planting with some flowers put in it. There are approximately twenty (20) photos posted on the Bolivar Lion's Clubs Facebook page of the event plus a copy of the proclamation.

Vincent also announced the street department trimmed all the trees along the walking path for Memorial Day.

Lebold wanted to thank Franks for anchoring the bike racks, bench and trash can on the new 16x9' concrete pad. He also thanked Franks for refurbishing the old Simon Bolivar sign and recognizing Fort Laurens

FISCAL OFFICER – Brought forth two items that were skipped in finance. The first item is in regards to the income tax seminar in July with the Ohio Municipal League. The 1st choice is to contact the OML and purchase the seminar materials, hopefully at no cost or at a minimum the actual cost of the materials. Lloyd moved, seconded by Gettan to purchase the documents to the income tax seminar. In a roll call vote, all members present voted yes.

The Fiscal Officer also asked council what they choose to do with the option for an employee group policy with Aflac; at no cost to the Village. There would need to be a minimum of three people to sign up to form a group. We don't need to decide in the meeting as to who wants to sign up; we just need to know if this is something council wants to allow. Lang moved, seconded by Gettan to allow for Aflac payroll deductions for a group policy plan for employees and public officials. In a roll call vote, all members present voted yes.

The Mayor added that next will is the 13th annual Strawberry Festival on June 15-17th. She is encouraging all residents to come out and support the festival.. We have a full entertainment schedule plus we are totally full with vendors, food vendors and crafters. It's going to be very busy next week. There will be some street closings. Parking will be scarce so please be patient with one another. Walking is highly recommended.

Lebold added, this year there will be a lot of entertainment. He elaborated the type of music being featured this year. The beer garden will also be open until midnight.

LAW DIRECTOR – There was a third reading by title only for an **ORDINANCE to edit Section 17.4 of the Policies and Procedures manual**. This is the section that basically elaborates on how to make a records request. Gettan moved, seconded by Lang to approve **AN ORDINANCE, O-24-2017, TO EDIT SECTION 17.4 OF THE POLICIES AND PROCEDURES MANUAL**. In a roll call vote, all members present voted yes.

Armstrong presented a first reading by title only, an ordinance regarding door to door solicitation in the village. This is something Council requested to look into at the last meeting due to reports of scammers and some criminal activity. Armstrong stated we wanted to get something to protect the residents. It's a very lengthy ordinance that the solicitor sent previously to council to review. The solicitor asked council if they have any questions or concerns with the ordinance proposed. She went on to state it's up to council as to whether or not they want to approve it as an emergency.

Vincent asked if there was a reason it would not be a first reading. The solicitor stated usually in the summer, there are more canvassers out in the community. Council could go the three reading method, but it wouldn't become effective until September. Gettan thinks it should be passed as an emergency.

Gettan moved, seconded by Lloyd to suspend the rules. In a roll call vote, all members present voted yes. Gettan moved, seconded by Lang to approve **AN ORDINANCE, O-25-2017, REGARDING DOOR TO DOOR SOLICITATION**

IN THE VILLAGE AND DECLARING AN EMERGENCY. In a roll call vote, all members present voted yes.

Armstrong stated the other two items that need discussed are personnel issues and is recommending an executive session. Council would need to make that recommendation. If any action will be taken, it would be after coming out of executive session. Lapp moved, seconded by Lloyd to go into executive session for the purpose of personnel issues. In a roll call vote, all members present voted yes. All present were asked to stay with the exception of the reporter. Went into executive session at 7:43.

Came out of executive session at 8:20 P.M.

The solicitor brought forth an ORDINANCE before council TO EDIT SECTION 3.3.3 AND SECTION 3.6.3 OF THE POLICIES AND PROCEDURES MANUAL to correct an error in the procedures manual. This is to correct an error in the manual that lists the police chief and village administrator as salaried positions when they are not; they are not exempt positions per the FLSA. In order to get this in place, it would require a motion of council.

Gettan moved, seconded by Lapp to suspend the rules. In a roll call vote, all members present voted yes. Lang moved, seconded by Vincent to approve **AN ORDINANCE, O-26-2017, TO EDIT SECTION 3.3.3 AND SECTION 3.6.3 OF THE POLICIES AND PROCEDURES MANUAL, ESTABLISHING AN EMERGENCY.** In a roll call vote, all members present voted yes.

The second ordinance before council is to edit section 4.1 and add section 4.6 to the policies and procedures manual. This is regarding accurate time keeping and the requirements under the FLSA and Ohio law for the 6 minute rule for clocking in and out. Lang added it should specify who it applies to. The solicitor added that it would apply to all non-exempt employees, including the police officers.

Gettan moved, seconded by Lebold to suspend the rules. In a roll call vote, all members present voted yes. Vincent moved, seconded by Gettan to approve **An ORDINANCE, O-27-2017, TO EDIT SECTION 4.1 AND TO ADD SECTION 4.6 TO THE POLICIES AND PROCEDURES MANUAL, ESTABLISHING AN EMERGENCY.** In a roll call vote, all members present voted yes.

Prior to adjourning, the Mayor asked if we will be having our regular council meeting on Monday, July 3, before the holiday. Council discussed options and agreed on keeping the regular date of the 3rd.

There being no further business, Lebold moved, seconded by Lloyd to adjourn until the next meeting on **MONDAY, July 3, 2017.** In a roll call vote, all members present voted yes.

Mayor Rebecca S. Hubble

ATTEST:

Maria A. App, Fiscal Officer

Approved: July 3, 2017