

# VILLAGE OF BOLIVAR COUNCIL MEETING November 3, 2014

The Bolivar Village Council met in regular session on **Monday, November 3, 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 Vincent to accept the minutes from the previous meeting, bills paid, and financials. In a roll call vote, all members present voted yes.

The Clerk read the bills for the month of October, totaling \$43,588.16. Lloyd motioned, 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:** Brandy Monroe from the Ragon House is requesting permission to put signs at the 3-way stop for the upcoming warehouse sale on November 15-16 and November 22-23. They would like to put up on the evening of the 12<sup>th</sup> and remove by the evening of the 23rd. Vincent moved, seconded by Slutz to grant permission. In a roll call vote all members present voted yes.

Brandy also asked if they have to continue coming to meetings to ask permission or could they request permission in the future via email. The Mayor suggested they come in May to get permission for the year.

**MAYOR HUBBLE** – The Mayor thanked Slutz for taking over the meeting last month when she was absent. She also announced the Village has been working on obtaining a grant through the Muskingum Watershed to address the cost of the Parkview Storm Drain Project. Dave Franks met with the Army Corp of Engineers, as well the township, to see exactly what size pipe is needed. The engineer with the Army Corp has assured Franks that a 36" pipe should hold all that water. Quotes were obtained based on the recommendation of the engineer. Without this grant, the residents in that area would have to come up with the money to correct the problem.

The Mayor requested council to approve a **Resolution, R-25-2014**. It's a resolution of authorization that the Muskingum Watershed Conservancy District administers financial assistance for conservation purposes through the Partners

in Watershed Management Project Assistance Program and the Village of Bolivar desires financial assistance under the Partners in Watershed Management Project Assistance Program. Lloyd motioned, seconded by Marburger to approve Resolution R-25-2014. In a roll call vote, all members present voted yes.

The Mayor also wanted to discuss the recycle grant through Kimble Companies. As previously discussed, a committee needs formed to choose a non-profit recipient of the recycling grant monies received. Since a committee wasn't previously formed when Kimble released the first check, council determined the recipient to be the Loving Hearts Foundation. The grant totaled \$1,293.00. The Mayor announced she would like to have it put in the paper that there is a need to have at least two (2) residents volunteer to be on the committee along with one (1) council members. Through the committee, recycling would be promoted in the community. The committee would also determine who will get the grant money in the future.

Our previous recycling totals in 2012 equaled 18.6 tons compared to 64.65 tons in 2014.

The Mayor met with Dan Rice, Mr. Wenger and Nick at GPD to discuss the continuation of the Towpath Trail. GPD will provide an estimate for engineering drawings. It would be a goal to get this done by early next year. There are still monies available in the Towpath Trail fund; matching grants are also available.

**FINANCE:** - Lloyd presented **Resolution R-26-2014; A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.** Lloyd moved, seconded by Slutz to approve R-26-2014. In a roll call vote all members present voted yes.

Lloyd moved, seconded by Lang to approve \$100.00 for the Clerk's bonding insurance. All members present voted yes.

Lloyd moved, seconded by Lang to approve \$475.00 to repair a trailer. In a roll call vote, all members voted yes.

**PLANNING** – Lebold was absent. Franks announced they will be going over the last of the new zoning book updates this Thursday, November 6, 2014 and will most likely submit the updates to council at the December meeting. Attorney Daisher interjected that zoning either make the recommendation in November or December to

submit to council. In addition, a separate meeting of council would be required for a public hearing for the zoning book updates.

**SAFETY** – Lang announced the police responded to 104 calls last month. Lang also wanted to remind everyone there will be a public meeting On Thursday, November 20<sup>th</sup> at 6:30p to see if there is public support to form a community watch.

**Administrator/Chief** – Announced he is working on getting prices for security cameras around the building for security purposes. The Chief also wanted to personally thank council member Timothy Lang for all his hard work in supporting the renewal of the Police levy. He commended him going out of his way to show support and get the word out to the community.

**Street & Alley** – Slutz brought forth one item regarding the dump truck; it is in need of a tune up and additional repairs that could cost upwards to \$4000.00 on the high side at Tomer Repair. Slutz moved, seconded by Vincent to approve the expense. In a roll call vote, all members present voted yes.

**STREET SUPERINTENDANT** – None

**SHADE TREE** – The Mayor announced the Shade Tree Report is due by December 6.

**RECREATION** – none

**CLERK/TREASURER** – The Clerk dispersed the most recent copies of Ordinances and Resolutions to all of council to place in their binders.

**LAW DIRECTOR** – Attorney Daisher announced the status of the Huth v. Bolivar case, challenging the sale of the Burfield property had an appellate hearing. She received a decision last week that the appellate court upheld the lower court that Bolivar wins.

Attorney Daisher also presented to council an Ordinance to contract with Fitzpatrick, Zimmerman and Rose to extend legal services for 2015. This would need approved by an emergency as our current contract expires December 31, 2014.

Marburger moved, seconded by Cochran to suspend the rules. In a roll call vote, all members present voted yes. Slutz moved, seconded by Vincent to approve as an emergency **Ordinance O-102-2014, AN ORDINANCE PROVIDING FOR THE EMPLOYMENT OF A VILLAGE LEGAL COUNSEL AND DECLARING AN EMERGENCY.** In a roll call vote, all members present voted yes.

Attorney Daisher also brought forward an ordinance regarding trash receptacles. There have been complaints from Village residents about people in the village leaving their trash cans out for days after trash pickup. It was thought at one time there were rules regulating this, but no ordinance has been located addressing this. Council woman Cochran questioned the specifics of the new ordinance. Franks interjected why steps need taken to resolve the complaints. The Clerk said she has tried locating any former ordinances, but none exist to her knowledge. Perhaps it was previously voted on in a meeting, but not by Ordinance.

There was discussion as to whether it should be passed as an emergency or have three readings. The Clerk interjected that a resident has been complaining for over three (3) weeks, having to look at these cans all week long alongside the road. If the Village doesn't enforce this, this resident will take matters in his own hands.

Discussions continued as to specifics of ordinance, to include the time frame to put cans out at curb and bring them in. It was established that the cans need removed from the roadside by sunrise the next morning after trash collection.

Marburger moved, seconded by Slutz to suspend the rules. All members present voted yes. Slutz moved, seconded by Vincent to approve **Ordinance O-103-2014 as an emergency, AN ORDINANCE REGARDING THE PLACEMENT AND REMOVAL OF WASTE RECEPTACLES WITHIN THE VILLAGE; ESTABLISHING AN EMERGENCY.** In a roll call vote, Cochran voted no; Lang, Lloyd, Marburger, Slutz and Vincent voted yes.

There was a **first reading by title only for AN ORDINANCE TO AMEND VILLAGE OF BOLIVAR ORDINANCE 455 ENTITLED ORDINANCE ESTABLISHING A TRUCK ROUTE, ESTABLISHING PENALTIES FOR A VIOLATION THEREOF TO PROVIDE FOR AN AGRICULTURAL EXCEPTION**

There being no further business, Lang moved, seconded by Cochran to adjourn until Monday, December 1, 2014. In a roll call vote, all members present voted yes.

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

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

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