

VILLAGE OF BOLIVAR COUNCIL MEETING November 7, 2016

The Bolivar Village Council met in regular session on **Monday, November 7, 2016**. 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. Lang, Lapp, Lebold, Lloyd & Vincent answered roll call.

Before proceeding with the meeting agenda, Mayor Hubble announced a resident submitted their letter of intent to get on council; Her name is Megan Gettan. The nomination committee which is Robert Lloyd and Tim Lang met with the Mayor and Megan to interview. The Mayor stated she would need a motion of council to approve Megan Gettan as a council member. Lebold motioned, seconded by Lloyd to appoint Megan to council. In a roll call vote, all members present voted yes.

The Mayor proceeded to have Megan stand up to be sworn in to Council. After swearing her in, Megan resumed the vacant council seat.

Lloyd moved-seconded by Lang 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 October, totaling \$118,096.70. Vincent moved, seconded by Lloyd 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: - Juanita Austin was in attendance. She was inquiring on the possibility of having a street name changed to honor the veterans; specifically Ladyne Avenue to be renamed to Veterans Memorial Avenue or something along that line. She said she talked to someone who seemed to be in favor of it and wanted to know what to do next. Initially she wanted to rename Park Avenue and was told that would not be a good idea. The Mayor added, the biggest issue is that Park Avenue is a State Route compounding the problem is the number of 911 calls and address changes that everyone would have to do. Juanita said she realizes that. Armstrong said there are two ways of going about this. The Village has the power to change a street name officially; however, we also have the power to create an honorary name. With the second option, everyone's street address would be the same which would not interfere with 911. There is definitely a lot involved to officially change a name that would involve the US Post Office, ODOT, the County, all new signs and maps. Either way council chooses, it would have to be done by an Ordinance.

Lebold has difficulty in re-naming a street that was named after the deceased wife of Russell Lautzanhieser's wife. Lebold suggests leaving the street name intact and adding an honorary name. Lebold asked if they would have to bring a petition. Armstrong stated a petition would not be needed. It can be done by Ordinance and it has a specific code section. Lebold said before anything could be officially done, he would like a letter of request to council. Armstrong also said each of the residents would need notified.

An honorary name does not involve any cost, but a change to a street name would be very costly.

Franks interjected he would like to see the honorary street downtown due to the American Legion. Juanita said she would just like to see the veterans honored in some way. Franks is also not in favor of changing a street name but would not have a problem with an honorary name.

The Mayor elaborated that a sign could be erected stating the honorary name. Juanita thought this would be great. App added council should have continued discussion and get prices for a sign. The Mayor said the Street and Alley committee can start reviewing this process. The Mayor said the next street committee meeting will be on November 21 at 5:30.

Lebold encourage Juanita to attend the street committee meeting along with a letter of request.

MAYOR HUBBLE – Appointed David Franks as the Village representative for Regional Planning. He has done this in the past.

Hubble issued a special thank you to all the residents who participated in Halloween and the Lions Club party; it was a success. This year the Lion's Club handed out children's books a thank you was extended to the Police and Fire Department for their participation.

Hubble extended a special thank you to the webmaster, Holly Thouvenin. She did an excellent job taking photos of Halloween.

November 11 is Veterans Day. Mayor Hubble extended a special thank you to all those who have previously served and currently serving our country. She encouraged everyone to "thank a vet!"

FINANCE: - Vincent recapped that Franks was appointed as the Regional Planning Rep. The 2017 dues in the amount of \$159.04 needs approved. Vincent moved, seconded by Lloyd to approve the expense. In a roll call vote, all members present voted yes.

There was additional discussion about implementing an emergency call out system for the residents of the Village. This has been an ongoing topic over the years. App received a quote from Notify Now which will cost up to \$650.00 per year plus an initial installation fee for 100.00. Vincent moved, seconded by Lang to approve the service. In a roll call vote, all members present voted yes.

There was a first reading by title only to change the Uniform Allowance - insert language

On December 6th there will be a UAN year end training for the Fiscal Officer in Columbus at the Fawcett Center. Included with the training are important year end changes that need implemented including discussion on the Hinkle System. The travel expense is approximately 340.00. Vincent moved, seconded by Lapp to approve the expense. In a roll call vote, all members present voted yes.

Two computer towers in the Police Department are in need of replacement. App would utilize sale prices to get the best value. Appropriations

in the police fund need amended by \$1,000.00 to cover the expense. Vincent moved, seconded by Lang to approve **RESOLUTION R-29-2016** to amend appropriations. In a roll call vote, all members present voted yes.

The Parkview project that was due to begin in December has been postponed to early spring; hopefully in April. A written agreement between the property owners and the Village of Bolivar has been drafted regarding the timing and down payment. Due to the start date change, council asked Armstrong about the payment time frame. She said it could be pushed back to March 15. Armstrong went on to say it's a contract so there's no statutory requirement; it's up to the Village to get a timeline. The Mayor suggested 1/2 down by January 30th and the other 1/2 payable by March 15, 2017. Any overage from the initial quote would be the responsibility of the Village.

The topic of possibly looking into RITA was discussed amongst finance. The Fiscal Officer said she could get more information; however, even if council went that direction, there is currently a waiting list to get started as early as July 2017. Discussions will continue.

The Village is seeking to hire at this time, a clerical assistant up to 10 hours per week at a starting rate of \$10.00. Vincent moved, seconded by Lloyd to advertise for the clerical assistant position. In a roll call vote, all members present voted yes.

PLANNING – Lebold presented the Mayor with a framed photograph of the ribbon cutting ceremony from the Towpath Trail; names of those who attended along with the news article were posted on the back of the frame. Lebold also presented two more framed photographs; one was of the 2012 Towpath Trail ground breaking ceremony and the other was of the completed Trail.

The next zoning meeting is scheduled for Thursday, December 1, 2016. There are a couple issues to address; one is a zoning book change regarding the signage ordinance and the other involves a lot issue that is in both the Bolivar Corp and Township limits.

Christmas on the Canal is coming up. Lebold is seeking approval from Council to post a sign at the three-way stop. Lloyd moved, seconded by Vincent to approve the sign placement. In a roll call vote, all members present voted yes.

SAFETY – Lloyd reported there were 106 calls cleared in the month of October. There haven't been any bids on the cruiser yet. The Fiscal Officer asked Council how they would like to proceed with the sale of the cruiser. Haugh said he could give an announcement at the next chiefs meeting. The deadline to submit a sealed bid for the cruiser has been extended to December 5, 2016.

CHIEF – none

STREET & ALLEY: none

STREET SUPERINTENDANT / ADMINISTRATOR - Franks received a request from a resident on West Street to place a sign for the visually impaired; in addition two speed limit signs have also been installed.

Franks stated in regards to leaf vacuuming, perhaps he has not been clear. Leaf's need to be at the edge of the black top. If they are between trees, cars or mailboxes they will not be picked up. So far this year, it has cost the village \$400.00 in repairs due to leaves not being at the edge of the roadway.

SHADE TREE – Franks reported he has caught four (4) tree service companies in town without a permit. He sent them down to the Village office to pay for a permit.

RECREATION - Franks has caught two residents adding on to their home without a permit. He wanted to bring this up because there are fines attached.

In other news, Lebold asked Haugh if they caught the person doing donuts around town. He said this has also happened behind the funeral home. Haugh said they are in the process of working on charging the individual.

Lebold said they want to move ahead with the amenities on the Towpath Trail utilizing the matching grant funds in the Towpath Trail Fund. Half of the expense will come from the Towpath Trail fund and the other half from the Ohio Erie Canal matching grant. He is looking at getting 12 trees from Gooding's Nursery for \$2,929.30, two benches for \$500.00, and a bike rack which is getting donated, 200' of split rail fence at approximately \$500.00. Lebold is also looking at the walnut tree across from the Haddie House which sits right at the edge of the blacktop. They want to remove it so it doesn't become a liability by the lifting of the asphalt. The cost to remove it is \$475.00. Additional expenses being submitted to the OECC includes \$426.00 for legal services and a bill for \$595.00 for bollards by Global Express.

Lebold asked App what amount council should approve. The Fiscal Officer provided total balances left in the Trail Fund and suggested opening up a PO for the remaining balance \$4,875.00; of which \$3,750.00 will be used on matching grant. Whatever is not used by year end can be reopened in 2017 for the balance. App said Council can either approve the entire balance of the fund or at a minimum open a PO for the specific amount of the grant which is \$3,750.00. Lebold reiterated that OECC would pay the match to the \$3,750.00. App stated she hasn't had an opportunity to map out how this money will be spent since she's just now getting the information for the first time. App went on to state there is still procedure when approving expenses; 1) it has to go through committee for discussion and 2) the proposal would come to council for discussion and approval. Lebold stated he did try to come into the Fiscal Office last week to discuss; App stated she is not the committee that needs to be approving the expense.

Lang questioned the expense since it wasn't brought to committee first. He went on to state it doesn't look like it will happen this year. There was some debate as to what was brought to committee and what details were not presented. Learned that the tree price quoted will go up in 2017; this price is good for 2016 as they are in inventory. Lang asked for Franks to provide input.

Franks suggested we get the trees done now and plant in the fall for best growth. Lang asked Lapp his opinion on the \$2,929.30 expense for the purchase of trees for the Trail.

The Fiscal Officer stated she could close existing purchase orders and re-open a PO in the amount of \$3,750.00 from the Trail Fund that would cover the matching grant items discussed. Lebold moved, seconded by Lang to approve the PO in the amount of \$3,750.00 for trail expenses. In a roll call vote, Gettan abstained; Lang, Lapp, Lebold, Lloyd and Vincent voted yes.

Franks added they will need to get some "no parking" signs for the Trail because Mr. Wenger is going to be starting his access road up there and there are people that have already been parking their bikes in the construction area. He wanted to know if he should get some "no parking" signs at MG signs. Lebold said yes, that would be good.

FISCAL OFFICER – none

LAW DIRECTOR – Armstrong presented a **third reading by title only AN ORDINANCE TO EDIT SECTION 19 OF THE POLICIES AND PROCEDURES MANUAL**, which refers to the Villages drug policy. Gettan moved, seconded by Lang to approve **ORDINANCE O-35-2016**. In a roll call vote, all members present voted yes.

Armstrong also read, **the third reading by title only, AN ORDINANCE PROHIBITING MARIJUANA PROCESSING SITES, MEDICAL MARIJUANA DISPENSARIES, MARIJUANA PRODUCERS, MARIJUANA PROCESSORS, MARIJUANA WHOLESALERS, and MARIJUANA CULTIVATORS AND MARIJUANA RETAILERS WITHIN THE VILLAGE OF BOLIVAR**. Lang moved, seconded by Lloyd to approve **ORDINANCE O-36-2016**. In a roll call vote, all members present voted yes.

Armstrong presented **AN ORDINANCE CONTRACTING WITH THE TUSCARWAS COUNTY PUBLIC DEFENDER COMMISSION TO PROVIDE INDIGENT DEFENSE SERVICES FOR THE YEAR 2017 AND DECLARING AN EMERGENCY**. There is no change in cost for 2017. Lapp moved, seconded by Vincent to suspend the rules. In a roll call vote all members voted yes. Lapp moved, seconded by Lang to approve **ORDINANCE O-37-2016** as an emergency. In a roll call vote, all members present voted yes.

Armstrong also presented to Council **AN ORDINANCE PROVIDING FOR THE CONTRACTUAL SERVICES OF LEGAL COUNSEL FOR THE VILLAGE OF BOLIVAR AND DECLARING IT AS AN EMERGENCY**. The Ordinance is for both the solicitor and prosecutor services in 2017. Gettan moved, seconded by Lang to suspend the rules. In a roll call vote, all members present voted yes. Gettan moved, seconded by Lloyd to approve **ORDINANCE O-38-2016** as an emergency. In a roll call vote, all members present voted yes.

Another Ordinance presented to Council was for **AN ORDINANCE TO REPEAL AND REPLACE THE VILLAGE OF BOLIVAR'S MUNICIPAL INCOME TAX ORDINANCE; ESTABLISHING AN EMERGENCY**. This change will take effect beginning the last quarter of 2016. Vincent moved, seconded by Lloyd to suspend the rules. In a roll call vote all members voted yes. Lloyd moved,

seconded by Vincent to approve **ORDINANCE O-39-2016** as an emergency. In a roll call vote, all members voted yes.

The last Ordinance for discussion is **AN ORDINANCE TO RENEW THE CONTRACT OF STEPHANIE LONG AS AN INDEPENDENT CONTRACTOR FOR THE VILLAGE IN THE POSITION OF TAX ADMINISTRATOR; ESTABLISHING AN EMERGENCY**. Lang moved, seconded by Gettan to suspend the rules. In a roll call vote, all members present voted yes. Lang moved, seconded by Gettan to approve **ORDINANCE O-40-2016** as an emergency. In a roll call vote, all members present voted yes.

There being no further business, Lang moved, seconded by Lloyd to adjourn until the next meeting on Monday, December 5, 2016. In a roll call vote, all members present voted yes. The meeting adjourned at 8:03 p.m.

Mayor Rebecca S. Hubble

ATTEST:

Maria A. App, Fiscal Officer

Approved:
