

VILLAGE OF BOLIVAR COUNCIL MEETING November 30, 2015

The Bolivar Village Council met in regular session on **Monday, November 30, 2015**. 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. Lang, Lapp, Lebold, Lloyd & Vincent answered roll call. Cochran arrived at 7:04.

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 November, totaling \$39,066.23. Lloyd motioned, seconded by Vincent 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:

Cory Kuzyk was invited to give a presentation to council, demonstrating the Dragon Cam for the police department. It is 100% compliant with the Ohio Revised Code which became effective December 2014 and signed by the Governor in March 2015. It is an "officer manned" camera system that records speeds a minimum of 10mph over the speed limit. School zones can be set at 6mph over the limit.

The service contract is open ended; the village can terminate at any time. It included a dedicated customer service number to the state. There is no cost for the equipment. It's a free program we can utilize. As part of the agreement, the village would retain 60% of fine money collected and the company would retain 40% to cover all fees, mailings, postage, administrative fees, etc.

The Village of Newburg Heights is also a smaller village with approximately 2200 people that is utilizing the Dragon Cam. The company has upwards to ten (10) agencies utilizing the system.

Eric and Marcie Kendall were also in attendance. Eric asked council not to impose the 1/2% reduction of tax credit. There was discussion amongst council and the clerk explaining why it is necessary to reduce the credit.

MAYOR HUBBLE – Thanked Dave Franks and Nathan Alexander for renovating and painting the old Christmas angels.

FINANCE: - Lloyd read a request of a resident to exempt their water/trash bill through May 2016 when they return from out of state. Lloyd moved, seconded by Lang to approve the exemption. In a roll call vote, all members present voted yes.

Lloyd moved, seconded by Lapp to approve three (3) bonds for the Mayor, Clerk/Treasurer and Administrator in the amount of 100.00 each. In a roll call vote, all members present voted yes.

Lloyd moved, seconded by Lang to approve \$345.00 to the Ohio Municipal League for annual dues. In a roll call vote, all members voted yes.

Lloyd moved, seconded by Vincent to approve paying the OEPA the annual Permit to Operate license in the amount of 831.00. In a roll call vote, all members present voted yes.

Lloyd moved, seconded by Lebold to accept the existing liquor licenses within the Village of Bolivar. In a roll call vote, all members present voted yes.

Lloyd moved, seconded by Vincent to approve D&N Tree Service to remove a tree on Park Avenue, which is interfering with a resident's water line, in the amount of \$1,000.00. In a roll call vote, all members present voted yes.

PLANNING – Franks reported he issued 13 building permits for 2015, generating \$282.00. In the spring of 2016, there will be an additional permit for a house being built on Canal Street. The 2015 permits were mainly for sheds and fences.

Lebold began by commending Dave Franks for doing a very good job as zoning inspector. In other news, Lebold checked with Franks and there is nothing for the December zoning meeting, therefore it is being cancelled.

Lebold stated they had a nice little Christmas on the Canal. He recognized corporate donations; Hennis Care, Smith-Lebold Funeral Home and the Canal Street Diner. Roxanne Timberlake sang.

All the lighting to the Santa Claus house is new this year. The Bolivar Main Street will have photos of the event on the website.

The event was free to the community and it started fourteen years ago. Lebold is continues throughout the years. Last year a reproduction sleigh was donated to Main Street. Kids and parents can get their photos taken on the sleigh.

In other news, plans and discussion for the Bolivar downtown project are still under way. It is being considered and more discussion needs to take place before making a final decision. There is potential to receive 80% funding with an ODOT grant; where the village would only be responsible for 20%.

If all goes well with the Towpath Trail ordinance, the engineers are in place to start immediately. The reason they are able to start immediately is because the Ohio Erie Canal is offering a matching grant for \$10,000.00, but the project would need to begin prior to December 31, 2015.

SAFETY – Vincent reported safety met at 5:30 and the meeting was led by Sergeant Chad Hilty. For the month of November the police received and cleared 88 calls for the month. Safety discussed pros and cons of the Opti-Traffic Dragon Cam.

Sergeant Hilty and Chief Haugh are recommending a new auxiliary officer, Adam Gunnish. He works for the New Philadelphia Park Division. Hilty would like to bring him on as auxiliary and get some road time in and for festivals. The Ordinance to bring Adam on as auxiliary was deferred to section under the solicitor.

Chief – absent

STREET & ALLEY: - none

STREET SUPERINTENDANT / ADMINISTRATOR - Franks

announced the street department had 36 truck-loads of compost for the year. Leaf vacuuming accounted for another 44 1/2 loads this year; of which only 5.5 loads went to the township. The remaining 39 loads were taken to local farmers.

Franks wanted to remind residents to remove their trash and recycle cans from the curb once their trash is picked up for the week. We don't want to be trash can Nazis; there is an Ordinance in place. In addition, portable basketball hoops also need removed from the roadways. With leaf vacuuming and snow plow season it doesn't work having these obstacles in the roadway. Franks is in the process of establishing guidelines via a permit which will be discussed further at January zoning meeting.

SHADE TREE – None

RECREATION – None

CLERK/TREASURER – None

LAW DIRECTOR – The solicitor brought forth the Ordinance for Towpath Trail Project. The 3rd reading was read at the last council meeting but the vote was tabled until this meeting. It's **AN ORDINANCE TO APPROVE PHASE THREE OF THE TOWPATH TRAIL PROJECT** according to the attached plans. Lebold motioned, seconded by Lang to approve **ORDINANCE O-25-2015**. In a roll call vote, all members present voted yes.

The next item council needs to determine, prior to approving anything pertaining to H.B. 5, is whether council decides to edit Section 15 of our current Ordinance, which is Ordinance 1996-615, entitled BOLIVAR INCOME TAX, to provides for a credit of a 1/2% credit as opposed to 1%. Council needs to decide that before approving the new income tax ordinance effective in 2016.

There was a third reading by title only for **AN ORDINANCE TO EDIT SECTION 15 OF VILLAGE ORDINANCE 1996-615 BOLIVAR INCOME TAX**. Lang moved to approve the ordinance, eliminating the 1/2% credit, seconded by Lapp. In a roll call vote, all members voted yes to approve **ORDINANCE O-26-2015**.

The solicitor brought forth an Ordinance that council needs to vote on to comply with H.B. 5. If the Village does not have this ordinance in place by January 1st, the Village could receive penalties and not receive as much income tax revenue moving forward. Unfortunately, it would need approved by an emergency in order to be effective on January 1st. The proposed Ordinance would be titled, **ORDINANCE O-27-2015, Village of Bolivar Municipal Income Tax, Effective January 1, 2016**.

Lebold made a motion to suspend the rules, seconded by Cochran. In a roll call vote, all members present voted yes. Cochran motioned, seconded by Lebold to approve **ORDINANCE O-27-2015 by an emergency**. In a roll call vote, all members present voted yes.

The next item for discussion is **AN ORDINANCE CONTRACTING WITH THE TUSCARAWAS COUNTY JAIL TO PROVIDE PRISONER HOUSING FOR THE YEAR 2016 AND DECLARING AN EMERGENCY**. It's a year to year contract to house inmates. The cost is \$60.00 per day per prisoner. It will be effective January 1. Lapp motioned, seconded by Vincent to suspend the rules. In a roll call vote, Lang abstained; all other members present voted yes.

Lloyd motioned, seconded by Cochran to approve the prisoner housing contract, **ORDINANCE O-28-2015, AS AN EMERGENCY**. In a roll call vote, Lang abstained, all other members present voted yes.

The next item is **AN ORDINANCE TO ADD ADAM GUNNISH AS AUXILLARY POLICE OFFICER FOR THE VILLAGE OF BOLIVAR; ESTABLISHING AN EMERGENCY**. Lloyd motioned, seconded by Vincent to suspend the rules. In a roll call vote, all members present voted yes. Lapp motioned, seconded by Vincent to approve **ORDINANCE O-29-2015**. In a roll call vote, all members present voted yes.

Lastly, there was a third reading for **AN ORDINANCE TO APPROVE THE PETITION OF SHEILA WOLFE FOR A LOT SPLIT**. Lloyd motioned, seconded by Lebold to approve **ORDINANCE O-30-2015**. In a roll call vote, all members present voted yes.

The Mayor announced there will need to be a special meeting of council on Wednesday, December 16, 2015 at 5:30. Immediately following will be the normal committee meetings. If there is anything else to be discussed at the special meeting, it will also need to be advertised specifically in the paper.

Bolivar Main Street will be having a judging contest for the homes and business in the Village of Bolivar. There will be 25.00 certificates for best yard, front porch and the next will be for a downtown business for best display. The judging will be on December 10, 2015, beginning at 7:00p.m. If any homeowner would like to be in the judging, they should have their lights on.

Prior to adjourning, Franks asked if Barb Limbacher could add to the paper, that they will be starting to locate curb boxes, valves and storm drains for the GPS tracking, so he doesn't want anyone getting nervous when they see blue and white lines in front of their house. It is not for excavating, it's for the GPS service.

There being no further business, Cochran moved, seconded by Lang to adjourn until Wednesday, December 16, 2015 for a special session of council at 5:30. Committee meetings will immediately follow. The next regularly scheduled council meeting will be on Monday, January 4, 2016. In a roll call vote, all members present voted yes

Mayor Rebecca S. Hubble

ATTEST: _____
Maria A. App, Clerk Treasurer

Approved: _____