

VILLAGE OF BOLIVAR COUNCIL MEETING December 1, 2014

The Bolivar Village Council met in regular session on **Monday, December 1, 2014**. Mayor Hubble called the meeting to order at 7:03 p.m. The Pledge of Allegiance was said. Lloyd opened the meeting with a moment of prayer. Cochran, Lang, Lloyd, Slutz & Vincent answered roll call.

Vincent moved-seconded by Lang to accept the meeting 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 \$41,527.68. Lloyd motioned, seconded by Cochran 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: Dick Lebold reported the Christmas on the Canal was very successful again this year. There were a lot of kids and activities. He also mentioned, Randy Knight built a full size custom made sleigh for two and donated it to Bolivar Renaissance. The sleigh will be on display in the Mayors front yard. Also, Rachael donated 800 cookies to the event which was most appreciated. Dick proceeded to thank the Village of Bolivar, the Police Department and David Franks for helping with the parade and event.

MAYOR HUBBLE – The Mayor read the resignation letter of Andrew Marburger. He and his wife moved outside of the Village, therefore he had to resign. Lloyd moved, seconded by Vincent to accept Marburger's resignation. In a roll call vote, all members present voted yes.

Mayor Hubble announced the Village of Bolivar will be accepting applications for the unexpired council term. The appointed term will expire December 31, 2015. Interviews will be scheduled and the decision will be announced at the next council meeting on January 5, 2015.

In other news, the Mayor reported she had met with Nick Moskas at GPD, Dick Lebold and Howard Wenger to discuss completing the Towpath Trail, heading out of town. She read some specs provided by GPD which totaled \$19,000.00. The Mayor was hopeful the Canal Coalition will help offset half of that amount. Other grant monies would be pursued.

A letter was read to council from an anonymous source. An unnamed resident made a complaint about properties in Bolivar; and thinks the Village should enforce property owners to clean up their properties. Dick Lebold suggested the complaint be sent to zoning to review regarding enforcement.

Mayor Hubble reported that she spoke at Fort Laurens on Veterans Day. She said it was a very nice ceremony. She also issued a special thank you to all Veterans both past and present.

Details of the decorating contest were announced, to include the four categories of judging.

FINANCE: - Lloyd moved, seconded by Slutz to approve \$475.00 payable to CAP Specialty Insurance for the trailer repair. In a roll call vote, all members voted yes.

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

Lloyd moved, seconded by Lang to approve \$159.04 payable to the Tuscarawas County Regional Planning for its annual dues. In a roll call vote, all members present voted yes

Lloyd moved, seconded by Cochran to approve \$831.36 payable to the Ohio EPA for a license to operate. In a roll call vote, all members present voted yes

Lloyd moved, seconded by Slutz to approve an updated Purchase Order to have on file with Verizon Wireless. In a roll call vote, all members present voted yes

Lloyd moved, seconded by Vincent to approve bonding insurance for both Dave and Randy in the amount of \$100.00 each. In a roll call vote, all members present voted yes

Lloyd made a motion, seconded by Slutz to approve **A RESOLUTION, R-27-2014, TO AMEND APPROPRIATIONS.** In a roll call vote all members present voted yes.

Lloyd made a motion, seconded by Vincent to approve **A RESOLUTION, R-28-2014, to make temporary appropriations for current expenses and other expenditures of the Village of Bolivar, State of Ohio, for the year 2015 until such time as the regular annual appropriation measure can be prepared and passed.** In a roll call vote all members present voted yes.

Lloyd made a motion, seconded by Cochran to approve **A RESOLUTION, R-29-2014; TO AMEND THE OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES (certificate #6)**. In a roll call vote all members present voted yes.

Lloyd moved, seconded by Lang to approve the Clerk/Treasurer to submit applications for the Public Officials and Law Enforcement Liability Insurance for the Village of Bolivar. All members present voted yes in a roll call vote.

PLANNING – Lebold announced the new zoning book is in its final stages of review before it's presented to council. It will be discussed at the zoning meeting on Thursday. Lebold is also working with the Tuscarawas County maps department so an accurate map can be included with the new zoning manual. It will then be presented to council as a whole package once the maps are complete.

In other business, Lebold announced there is a potential for a new business to come into the area on East Street near the RR crossing. Lebold recommended to the individuals who are interested in purchasing the property on East Street to come to the next zoning meeting to discuss a few concerns with flooding in that area.

SAFETY – Lang extended a special “Thank You” to the Village residents for supporting the Police Levy during the November election. In addition, Lang said there was an overwhelming response in support of establishing a “community watch” in Bolivar. There are currently forms out for the Police Department to review prior to officially forming a community program.

Administrator/Chief – (Absent)

Street & Alley – Slutz announced they did not have a committee meeting in November.

STREET SUPERINTENDANT – Franks announced he had 30.5 loads of compost this past year. In addition, he had 46 loads of leaves; 6 loads went to the township building, the other 40 loads went to farmers.

SHADE TREE – The Mayor announced the Shade Tree application was submitted today (December 1). In addition, the grant was also submitted to the Muskingum Watershed.

RECREATION – none

CLERK/TREASURER – The Clerk reported that she received a bill from Scottsdale Insurance pertaining to the two most recent Huth lawsuits this year. To date the Village has already paid \$2,079.00 towards the first \$2,500.00 deductible. The current billing includes the unpaid balance of \$421.00. Plus Scottsdale also billed 4878.72 of the \$5,000.00 premium for the police liability insurance. The total now due is

\$5299.72. With that said, Council will need to approve moving \$7,000.00 from the Contingency fund and move it to Legal services within the General Fund. The \$7,000.00 will pay for deductibles balances already mentioned plus regular monthly legal expenses.

The Clerk also reported that the Village has spent an overwhelming amount of money in legal fees over the past couple of years. So far, year to date, \$47,200.00 plus the 7,000.00 being moved from contingencies; grand total will be \$54,200.00 for 2014.

In addition, Scottsdale Insurance has notified the Village stating they will no longer provide liability insurance for the Village officials or the Police liability.

In conclusion, the \$47,200.00 already spent this year includes Scottsdale, the solicitor and prosecutor fees for 2014. Also, a lot of our solicitors fees paid this year was a result of the Huth lawsuit filed in 2013; which was not covered by the insurance company. The Village paid for legal fees out of pocket because there was no money claim. The Clerk clarified, Scottsdale will still be handling the existing cases, but will not be providing coverage for any future lawsuits.

LAW DIRECTOR – There was a second 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

Vincent had some questions regarding the current lawsuits and asked the solicitor if Council should go into executive session or not. Attorney Daisher asked Vincent if her questions relate to a specific case we currently have and Vincent replied yes. Daisher said, “Yes we should go into executive session.”

Vincent moved, seconded by Slutz to go into a brief executive session pending litigation. No action will be taken. In a roll call vote, all members present voted yes to go into executive session at 7:33 p.m.

Council came out of executive session at 7:49 p.m.

There being no further business, Cochran moved, seconded by Vincent to adjourn until Monday, January 5, 2015. In a roll call vote, all members present voted yes.

Mayor Rebecca S. Hubble

ATTEST: _____
Approved: _____
Maria A. App, Clerk Treasurer