

VILLAGE OF BOLIVAR

COUNCIL MEETING

APRIL 13, 2020

(Rescheduled from April 6, 2020 and teleconferenced as advertised in the Times Reporter due to COVID-19)

The Bolivar Village Council met in regular session via GoToMeeting teleconference on **Monday, April 13, 2020**. The meeting was called to order by the Mayor at 7:03 pm. The Pledge of Allegiance was said. Lloyd opened the meeting with a prayer. Gettan, Lang, Lawver, Lloyd, Oberlin and Vincent all answered to roll call.

Gettan moved, seconded by Vincent, to accept the previous meeting minutes. In a roll call vote, all members present voted yes.

The Fiscal Officer read the bills for the month of **March which totaled \$42,070.15**. Lloyd moved, seconded by Lang, to approve the bills. In a roll call vote, all members present voted yes.

There were no corrections and/or additions to the agenda.

PUBLIC SPEAKS – none

MAYOR – The first item for discussion was the tornado siren status. When the “tornado” or straight line winds touched down the other night, we didn’t get a notification. She stated she spoke with Alex at FEMA; and unfortunately it happened so quickly we weren’t notified. Stark County was notified of the alert. The one area that needs looked in to be the fact Stark County gets notified from Cleveland and our reporting district is out of Pittsburgh. As of now there aren’t any grant monies available for sirens; however, it may be a joint collaborative effort with the township and ourselves; that we could come together to figure out a way to take care of this situation with the siren. Discussions continued in regards to the age of our siren vs to newer technology. Although the siren is a priority to the Village; unfortunately, due to the COVID-19, extra resources in the County will be going towards assisting in getting businesses back up and running.

In regards to the storm, the Mayor said she received correspondence from Matt Ritterbeck. It stated, any existing yard waste in the township area can be taken to the townships dumpsite for that type of debris. The district is going to be a direct pay for all the invoices in accordance to that. If there are actual tree stumps and limbs that have not been picked up here in the Village, those items can be dropped off directly at Bull County at no cost to them; the district will take care of payment for that. They are asking that tree stumps or limbs be 16” in diameter or less.

The Mayor reported she has been getting updates from Julie at the Kimble companies. So far they haven’t had any COVID cases that she is aware of, however, they have decided they need to take some drastic measures. The biggest issue is because everyone is at home, they are cleaning out their homes such as couches and other old items. Kimble is at a reduced staff by rotating staffing to meet their needs and to avoid having two people together and run the risk of infection. Effective Monday, April 13, to protect workers and avoid service disruptions, Kimble is asking for help by implementing the following changes:

Any waste must fit inside the waste container; no other bags can sit outside of the waste container. They also do not want yard waste; they are asking for that to be taken to a local area or stored until later. As for the Village, our workers can pick up the yard waste. Recycling will continue as it has been. However, there are to be no materials on the ground. It is to include only clean paper, cardboard, metal cans, and #1 and #2

plastic containers and jugs. If there are any additional questions in regards to this, please visit Kimble's' website at www.kimblecompanies.com for all the information.

In regards to mutual aid, Mineral City suffered quite a bit of destruction from the storm. Dave and Nate did go to Mineral City to help with the grinding. It was discussed that we would need some type of Mutual Aid agreement. The Mayor noted she had talked to Mineral City's Mayor. They did discuss it but apparently there was a misprint in the paper as there wasn't any type of Ordinance approved. Their Mayor will be contacting our attorney to discuss some sort of contract between Mineral City and Bolivar.

The Mayor announced the Strawberry Festival has been cancelled due to the unknowns with COVID-19. There is a statement on the Bolivar Main Street website. Hopefully the third week of July they can have their car show. With that type of event, people can still practice their social distancing; people can wear their masks. The Bolivar Lion's Club would like to do the chicken BBQ. Perhaps there could be a band and beer tent; however, it will be contingent on guidelines set forth by the Health Department in our state.

The Mayor stated she has been in contact with other Mayors across the State of Ohio via weekly conference calls every Wednesday. One of the things they strongly recommended, and the Village has already taken care of it, where we declared a State of Emergency in the Village. (Copies were previously distributed to Council in their packets) She added, "It's very important that we do this just for any type of thing that might come up in the future and to get any type of replacement funding for the extra money we are putting towards other things such as police protection". The Mayor felt it was very important to do and acknowledged Tara (solicitor) worked very hard on this. We worked together to get the wording right. "I believe it's a good thing; it's our first executive order" for the Village of Bolivar.

FINANCE – committee did not meet in April; Lawver deferred to App

App reported the combined interest for STAR Ohio & STAR Plus for the month of March was \$358.79 vs bank interest of \$4.43. Substantial decline in past few months; however it has beat the bank rate. App noted she will be watching the rates closely.

Received \$1,000.00 grant from PEP for the purchase of a street sign for cross walk; need to revisit pricing and approve at next Council meeting; App thanked Tim Lang for applying for the grant.

App presented a **RESOLUTION to AMEND APPROPRIATIONS** in the amount of \$575.52 for the election expense; reducing legal and increasing election expenses in the GF; decreasing operating supplies (road salt) and increasing Capital by 1,000.00 in the Street Fund. Lloyd moved, seconded by Lang to approve **Resolution R-4-2020**. In a roll call vote, all members present voted yes.

App presented the Advertisement to bid for Village of Bolivar Water Meter Installation Project. Council would need to approve and establish advertising dates in order to open & award bids at the next Council meeting. The suggested dates for advertisement were 4/17 & 4/24 with an award date of 5/4/2020. Lang moved, seconded by Gettan to approve the advertisement for bid. In a roll call vote, all members present voted yes. App said she would forward the ad to the newspapers legal department for publication.

Nine (9) fire extinguishers were purchased for the Village buildings as recommended by the PEP (Public Entities Pool) rep in early March. The total cost is 708.00 to be appropriated amongst appropriate departments. Lloyd moved, seconded by Vincent to approve the expense. In a roll call vote, all members present voted yes.

The Fiscal Officer asked Council for their approval to establish Direct Deposit for the employee's payroll. Everyone was in agreement.

App recommending holding off on hiring additional seasonal help at this time and increasing our current part time hours to accommodate departmental needs. Looking into tax code for maximum allowed working hours; the FLSA is silent on this topic. According to the IRS, the language states up to 130 hours per month. App deferred to the solicitor to verify the hour requirements with the IRS code. The Solicitor said she would look into it.

App said, with the virus and a potential shift in income tax revenues and gas tax revenues; the tax will stay the same but the consumption is changing. They are things to keep in mind.

PLANNING- Gettan reported they did not have their regular meeting on April 2, 2020 due to the COVID-19 "stay-at-home" orders. Zoning has not rescheduled a time for their next meeting date.

SAFETY - Lloyd deferred to the Chief

CHIEF- the Chief thanked the Mayor for her aggressive approach to address the welfare and safety of the residents. As many of you know, she was out with me during the storm damage and on the front lines. He thanked her for taking that approach and for all her support of the police and the Village.

In other business, the Chief announced he received the resignation of Officer Laurice Mans. His last shift was last Saturday so he is no longer with us. He added they have been aggressively looking for officers.

The camera system that was approved at the last meeting will be installed tomorrow. Port Washington will come up to Bolivar to work on the cruiser here. The SUV went in for service and it required a complete tune up.

In the month of March the department had 50 calls. So far in the month of April we are steep in calls; the volume is up. "We are out there every day; if anyone has any questions, feel free to ask". The Chief noted they had several complaints yesterday at the Bellstores. "We had a pretty large gathering; fifty plus people at the Bellstores yesterday. I had to disperse that the best I could".

The Mayor said Council would need to accept the resignation of Laurice Mans. Lloyd moved, seconded by Vincent to accept the resignation. In a roll call vote, all members present voted yes.

STREET & ALLEY – Lang wanted to thank Dave and Nate for being out; cleaning up from the storm damage. He saw a lot of people out helping which is what he loves about our little town; everyone pitching in to help everyone.

Lang noted with regards to the tornado sirens, when he was sent to the grant writing class, one of the things he was looking at getting was a new siren. There are monies available through FEMA and the National Weather Service; unfortunately the grant for that was last December and it closed on January 31, 2020. However, he said he assumes the grant will come open again this coming December with a deadline of January 2021.

STREET SUPERINTENDENT- Franks announced they are still chipping brush that people have drug out to the road. "It's going to be a little bit of a process yet but we're getting there. We just need people to relax until we get to their residence".

In regards to the planning commission, Franks stated he has issued a couple permits. We have some people that will probably request some variances; he asked them to hold off until some of this blows over, hopefully, to where we can get back into the swing of things. "Basically, we are status quo trying to clean up from the storm damage". In closing, Franks stated the chainsaws, chipper and trucks are all running.

SHADE TREE – The Mayor stated Tree City USA was cancelled for this month, however, Bolivar was once again named Tree City USA.

RECREATION – Gettan said she didn't have anything for recreation; however, she asked Lang if he was going to reach out to the Township in regards to a siren. He said he would like to see a siren that would cover the school system and places of recreation. He feels it would be more successful if we could go joint with Lawrence Township, Zoar and Sandy Township; all the areas in which the school buildings are located in.

Lawver inquired about the status of our siren. The Mayor explained who activates our siren; the fire department, police department or Franks. She added that we do have a tornado siren but the problem is the sound isn't carried very far. "It's not broadcasting out a loud enough signal where a lot of people can hear it". Lawver asked if there could be a software solution. Franks

added, 'The siren could be set off through their cell phones from any location. There's really no software; there's an electronic box in the pump house". Franks went on to state, "When you call in, it rings five (5) times then you enter an access code; there's two (2) beeps then it goes off". With what we are looking at with the rotating sirens, the 911 dispatch center can set it off. If they get a weather alert through 911 dispatch, they can set it off. Lawver asked if there is policy for them to do that. Franks deferred to Lang. Lang said he wasn't sure; currently the Fire Department has access to it. Lang added, the question between now and the time we get a new system is if we can get 911 manned 24/7. Lang said he has talked to the sheriff; if we got a new system, as long as we made it compatible with the other systems that have a 911 dispatch it would be perfectly fine for them to set it off because they are manned 24/7.

Lawver said our current system is an old World War II system; the newer systems can't be heard indoors. He added the WWII systems were so much better. The technology with the new systems to set them off is much better; you just can't hear them in your home. Franks said, where his parents live; if the windows are closed they can't hear the siren. He added, he could hear Strasburg's system over Bolivar's. Franks went on to say our system is very old and we have had it refurbished. Franks said we need a rotating siren that can get the sound out there. Lawver asked, if this is regionalized, would we need multiple locations. Lang said we would need a rotating system in multiple locations to maximize the number of homes, businesses, schools and buildings to be covered.

Lawver asked who would control the system; would it be solely the sheriff's office? He went on to ask if we could do this under an MOU (Memorandum of Understanding)? The solicitor said possibly; she would have to look into it.

FISCAL OFFICER/ADMINISTRATOR –

App stated there is an outstanding balance of \$1,896.00 for a special survey performed by GPD in the fall; this was due to the excessive milling of the downtown project. Awaiting a formal response from ODOT and/or Central Allied to sort out what is due. Lang asked if they completed the punch list yet. App said no; she hasn't heard anything from them since early February. Franks interjected he heard from Dan with ODOT today. He learned they will be coming in tomorrow to correct the Polar Street sign to state Poplar; and will be looking at other signs. As for the rest of the punch list he stated he hasn't heard anything.

Due to the COVID-19 economic impact, App requested Council's approval to have the late fees waived for the first quarter water billing statement. App further clarified, this is to remove the fee; not the actual water charges. She encouraged the residents to set up a payment plan if needed for those facing a hardship and to avoid falling behind with the next billing cycle. Lang moved, seconded by Lawver to waive the late fees for the first quarter water billing cycle. In a roll call vote, all members present voted yes.

App reported the property in question on North Canal Street has been cleaned up as requested; additional properties are still in need of being addressed. App asked Franks if he had a chance to check up on the property yet. He said he hasn't with all the storm damage recently but would check into it tomorrow.

App deferred to the water committee to discuss the purchase of a Valve exerciser. Franks provided a quote in the amount of \$5,659.00; RCAP may have some suggestions on this topic as well. App would like the water committee to discuss this further or look at other solutions. Council inquired as to the necessity of the equipment. Franks provided input as to the value of the exerciser. Lang asked App for an opinion. App stated in the short term it would be more cost effective to outsource it; however, in the long run this would be cheaper. She supported the purchase up to \$5,659 but would continue to look at pricing before purchasing. Ongoing discussion continued as to the operation of the piece of equipment and how it would be used. Franks felt it would be very valuable and provided scenarios as to how he intends to use it. He went on to add, if Council wanted to wait until May that's also fine. He said USA Blue Book is the one that sells these; it's entirely up to Council. Gettan inquired about the total number of

valves; Franks said 152 with roughly 10-11 new valves in the system. Lawver inquired about the definition of a valve. Franks said that they want you to exercise the valves because if there is a water line break, they want you to get a good shut down. Lawver asked if a valve is running off a main line. Franks said it's all the main valves on the bigger water lines; they are anywhere from 4-6' deep.

Lang asked App if they should authorize the purchase tonight; or should they wait. Before App answered, Lawver interjected, "Well is it a good idea Dave; I mean it's needed, right? There's no way around it". Franks said, "The EPA is saying we have to do this with our Asset Management Plan. Sooner or later we are going to have to do it with the Asset Management Plan". App said, "The only thing we didn't do is..." Lloyd added, "It's not much fun to do it manually". Franks added, "I do it manually; it's not very much fun, especially 150 of them". App interjected, "The only thing we didn't get a chance to do is contact the County to get their price to exercise each valve. Again, like I said, in the short term it would be the most cost effective, but long term this would be the most cost effective to have the equipment". Lloyd said, we are set up to purchase from the State of Ohio; the number in the 5,000.00 range would be a state bid item. Lloyd wondered if we could get a better deal. Franks said that's not on the state purchasing list. "Most of your equipment on state co-op is police cruisers, trucks, chippers, etc.". App interjected, this is something we can check on and perhaps approve up to that amount. Lloyd said it sounds like it's something that needs purchased; that we would want a machine to exercise these valves. The Mayor said she has talked to Mike Jones in regards to this. "The last we talked, he still didn't have any figures as to exactly what it would cost for them to exercise the valves but the Village would have to pay for the actual man hours and the machine they bring over; which is a pretty big machine". The Mayor added, "This may be the best. I know when Dave has exercised some of the valves, you haven't had a horrible time have you Dave?" Dave said, "Not this year; in previous years yes we have. The breaks we had this year, the valves turned pretty easy; we didn't struggle with it. We had a decent shut down. But there are some valves that were put in in 1939 so we are going to struggle turning them by hand". Gettan agreed with App, "In the long term it would make sense to purchase; if we don't do it now then maybe we do it next year but then we have spent money having them do it this time, right"? Lawver asked, "This is going to save you a lot of man hours too, right Dave"? Franks said, "Yes, because actually I can go out on a Friday and I can exercise five (5) to eight (8) valves on a Friday morning; come back and mow or go weed eat, etc. So it's not something we have to do for an eight hour day". He added, "They just want us to show that we have a valve exercising program in place and that we are writing the valves down that we have exercised. That way we can show the EPA we are taking this Asset Management Plan seriously". The Mayor confirmed they (EPA) really want us to do that. Lloyd said he is for purchasing if you want to go for it. Gettan and Lawver felt the same way. Gettan moved, seconded by Lloyd to approve up to \$5,659 for the purchase of a valve exerciser. In a roll call vote, all members present voted yes.

Since committees have not met since the beginning of March, App provided the following updates to Council to keep them informed.

- Seeking quotes to upgrade IT for Village departments as previously requested; temporarily on pause due to COVID-19 and social distancing orders.
- Ordering landscaping stone for the 3-way stop & library within the next week as previously approved.
- Need to take inventory and evaluate current emergency supplies and equipment such as generators, emergency lighting, medical cabinet, PPE, sanitizers, etc. Will be working with both the Police & Street Departments to assess their needs. App asked Council if they had any comments; Lloyd, Gettan and Vincent simultaneously expressed support.

- Recommending each department having an updated emergency supplies list and establish sanitizing procedures. Learned the Police department already has a procedure in place per shift; requiring each officer signs off on sanitizing.
- Seeking safety equipment pricing to be used on water line breaks; potential grant options available.
- Seeking safety training requirements for trenching, tree trimming and on-the-job worksite training. App reported all external on-site training is temporarily suspended due to COVID-19
- The annual CCR report is underway; awaiting input from the water operator to finalize; once complete will submit & make public copies

In other news, App briefly reviewed the PEP (Public Entities Pool) recommendations as previously outlined in their report in March. A total of five (5) need addressed to include: Security enhancements, fire extinguishers, annual motor vehicle record review, exit markings and minimum fine placard. The fire extinguishers have already been addressed and are in place.

Lastly, App stated she would like to add resident safety tips on the Village website to include: cyber security issues such as internet, phone, email & social media scams as well as everyday situational awareness tips. It's unfortunate, but now more than ever, everyone has to exercise caution with scammers during the pandemic. Council supported the idea.

LAW DIRECTOR – Solicitor presented the following ordinances.

- **THIRD READING OF AN ORDINANCE AMENDING THE RECORDS RETENTION POLICY FOR THE VILLAGE OF BOLIVAR.** Gettan moved, seconded by Lawver to approve **Ordinance O-12-2020**. In a roll call vote, all members present voted yes.
- **THIRD READING OF AN ORINANCE ADOPTING A NEW INVESTMENT POLICY FOR THE VILLAGE OF BOLIVAR.** Lloyd moved, seconded by Lang to approve **Ordinance O-13-2020**. In a roll call vote, all members present voted yes.
- **SECOND READING OF AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF BOLIVAR AND THE FISCAL OFFICER OF THE VILLAGE OF BOLIVAR TO EXECUTE THE ATTACHED FIRE PROTECTION CONTRACT BETWEEN THE BOLIVAR VOLUNTEER FIRE DEPARTMENT, INC. AND TRUSTEES OF LAWRENCE TOWNSHIP.** Lang moved, seconded by Gettan to suspend the rules. In a roll call vote, all members present voted yes. Lang moved, seconded by Lloyd to adopt **Ordinance O-14-2020, declaring an emergency.** In a roll call vote, all members present voted yes.
- **FIRST READING OF AN ORDINANCE TO ADD SECTION 12.3.1 TO THE POLICIES AND PROCEDURES MANUAL AND ADOPT A CAFETERIA PLAN FOR VILLAGE EMPLOYEE BENEFITS PURSUANT TO SECTION 125 OF THE INTERNAL REVENUE CODE FOR THE VILLAGE OF BOLIVAR.** App encouraged Council to consider approving as an emergency since it would help the Village employees who utilize the health insurance. "The sooner this gets in place, the sooner they will save some extra money with their health insurance premium". Gettan moved, seconded by Vincent to suspend the rules. In a roll call vote, all members present voted yes. Gettan moved, seconded by Vincent to adopt **Ordinance O-15-2020, declaring an emergency.** In a roll call vote, all members present voted yes.
- The Solicitor provided an explanation for the next piece of legislation. The Opioid pharmaceutical companies were in litigation with the Attorney General and the State of Ohio. What has been established is a settlement fee where all the villages who opt in will get a percentage of those funds. It's money that would come back to villages as part of that settlement. The Solicitor stated it could be a first reading or an emergency. Gettan asked Tara if she had a recommendation on the timing as to whether Council should move forward. The Solicitor said she didn't know if it would hurt if it were sooner vs. later; she just didn't want there

to be a situation where they close the door on it. She feels passing it sooner than later protects the Village from that. Lawver moved, seconded by Gettan to suspend the rules. In a roll call vote, all members present voted yes. Lawver moved, seconded by Vincent to adopt **AN ORDINANCE TO ACCEPT THE ONE OHIO MEMORANDUM OF UNDERSTANDING as Ordinance O-16-2020, declaring an emergency.** In a roll call vote, all members present voted yes.

- The Solicitor stated she is in the process of updating the Policies and Procedures. These items have previously been passed; she is asking Council's permission to add them to the Policy & Procedures Manual. This is a **SECOND READING OF AN ORDINANCE TO ADD ARTICLE 17.12 "CONCEAL CARRY WEAPON", ADD ARTICLE 17.6.1 "VILLAGE ISSUED CREDIT/PURCHASE CARD POLICY" AND EDIT ARTICLE 12.3 "AMENDED SHARED HEALTH INSURANCE COSTS" OF THE POLICIES AND PROCEDURES MANUAL.** Tara reiterated this is legislation that has already been passed; she is just adding these three (3) pieces to the Policies and Procedures to get it updated.
- The Solicitor presented a **FIRST READING FOR AN ORDINANCE TO EDIT ARTICLE 4 "TIME CLOCK AND FLEX TIME"; ARTICLE 10 "PAID TIME OFF"; ARTICLE 11 "COMPENSATORY TIME; ARTICLE 14 "EMPLOYEE RETIREMENT" AND ARTICLE 19 "ALCOHOL AND DRUG POLICY" OF THE POLICIES AND PROCEDURES MANUAL.**

The Mayor added, there was a suggestion to have a special work session of finance to address outstanding items that we have talked about previously in regards to caps & minimums, wage adjustments and the risk management study. We can either follow the same guidelines that we followed tonight or wait until we meet in person. Lawver felt we could start on this platform and when things free up later on we can meet in person. Vincent asked if they were having committee meetings in April. The Mayor said they can; she could establish the teleconference meeting for the same night which would be Monday, April 20, 2020. Council was in agreement.

The Mayor announced the committees would start at their regular time of 5:30 which would be Street & Alley, Shade Tree, Recreation and the Water Committee. Lawver asked to have the finance work session separate from the other committees. The Mayor suggested starting the finance work session at 6:45. Gettan asked if there were going to be three separate meeting call in sessions. The Mayor explained the process of having the regular committees on the teleconference for their specific time; followed by everyone else joining the meeting for the finance special session.

Before adjourning, the Mayor wanted to wish a Happy 102nd Birthday to Arlene Howenstine. She is 102 and seems to be doing well. She is our oldest resident in the Village. Lawver asked if it was the same Howenstine's who used to own the grocery store. The Mayor responded, "Yes".

Lloyd asked the Mayor if there has been any language established for golf carts. The Mayor said she does have language and would get that to everyone before the street & alley meeting. We can discuss this in length at our next street & alley meeting.

Prior to adjourning, the Mayor held up her certificate of completion from the Ohio Attorney General for the Sunshine Law Training. "I know this is something that Maria has brought up several times, but now is the time to do it. Now is the time to get this done. I did it; everyone needs to do it. As a matter of fact, when you have a new term you are supposed to do it anyway; that would be Bruce and Dan". Lang and Gettan asked if they had to do it again. App said, she is still in her term so she would be ok. The Mayor acknowledged since also previously took it, he would need to complete it again sometime during his current term but his term is for four years. It is important that we do this".

The Mayor asked for a motion to adjourn until the next regularly scheduled council meeting on Monday, May 4, 2020 at 7:00 p.m. The platform is yet to be determined; it will depend on the Governor's orders at that time. Gettan moved, seconded by Vincent to adjourn until May 4. In a roll call vote, all member present voted yes. The meeting adjourned at 8:25 p.m.

Mayor Rebecca S. Hubble

ATTEST: Maria A. App, Fiscal Officer

Approved: May 4, 2020