

VILLAGE OF BOLIVAR

COUNCIL MEETING

May 18, 2020

(Teleconferenced as advertised in the Times Reporter due to COVID-19)

The Bolivar Village Council met in special session via GoToMeeting teleconference on **Monday, May 18, 2020**. The meeting was called to order by the Mayor at 7:00 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.

The Mayor opened discussion on Flex time in lieu of overtime with the police department. The Mayor advised the current policy states that flex time cannot be time and a half like overtime pay. Flex time can be taken in increments of up to four hours without Mayor approval. Any flex time taken in increments over four hours must be signed off by the Mayor and all accrued flex time must be taken within 30 days. The Mayor advised the police department would like to have the time extended. Solicitor Timberlake advised that if flex time is used in place of overtime needs to be communicated in order to make staffing schedules. App advised meetings attended are flex time hour for hour, where call outs or overtime is optioned for overtime pay or flex time hour for hour. App also advised that comp time has not been used since 2011 and was accrued at time and a half. Chief Haugh advised the officers agree that flex time can be used hour for hour. Meetings have never been an issue hour for hour, the major issue is when extra work on the weekends – when working overtime is time and a half. Chief Haugh is concerned on how this extra time will affect the budget. Chief Haugh asked if due to the pandemic when extra hours are worked can the flex time be extended from the current policy of 30 days to three to six months? Could there be an exception to the current policy? There is confusion on flex time versus overtime pay. Lloyd stated that if there is going to be reimbursement from the government due to the pandemic then the village should pay the officers for their overtime. Timberlake asked if the social distancing and other restrictions adding additional hours worked by the department. Chief Haugh stated that the volume is up but not a substantial increase and mostly involves domestic with alcohol calls. Chief Haugh is hopeful that normal hours can resume in June unless council requests extra patrol due to the pandemic.

Timberlake advised that if the extension of use of flex time is approved the current policy in place can be amended. Vincent advised in the past the reason why the accrued flex time was limited to 30 days was due to abuse of accrued hours. Lawver asked why comp time is no longer being used, App advised that comp time is in the current policy but has not been used since 2011. Lawver does see much difference between comp time which is time and a half and flex time is hour for hour. It is the supervisor's discretion as to flex time or overtime.

App advised there is an assumption there will be reimbursement via the House Bill and FEMA but there is no guarantee and currently the overtime hours year to date is \$2500.00 The Mayor advised there is no guarantee of this reimbursement through the CARES act but if approved the village could receive approximately \$19,000.00 in Cares Act Relief Funds. Lawver and Vincent both feel that due to budget cuts this relief funding will not happen, the Mayor advised this funding is separate from the budgets and is coming from the CARES act and not local government funding. Lloyd wanted clarification on extending the flex time past 30 days and if the Village received funds through the CARES act could we reimburse the officers for overtime at time and a half. The Mayor advised that yes these are the issues at hand and if council would approve the flex time be extended out from 30 days hour for hour. Oberlin asked why the comp time is not being used any longer and the Mayor advised that comp time was changed to flex time due to abuse of accrued time. App stated she agreed to extend the flex time out to six months but use in blocks of time. Vincent asked if the extension could be temporary, Solicitor advised council should commit to a period of time by amending the policy and procedures. The Mayor asked if the policy of 30 days remain but allow the Mayor to extend it as they seem fit, the Solicitor advised that the language could be changed but then opens up to subjective

element which the Solicitor doesn't advise. App asked if there should be pandemic/emergency policy that could override the current policy. Timberlake suggests increasing the time frame but requesting the time being taken in blocks of time. App requested council review pages 44 and 45 of the policy and procedures manual and then discuss the topic further at the next meeting. The Mayor read article 11 of the policy and procedures manual. Lawver stated the policy should be amended and move forward to avoid confusion. Lang requested to extend the flex time out to six months taken one day at a time. Timberlake advised that the comp time policy is one of the items that will be removed from the current policy.

The Chief then brought an issue of full-time employees getting paid for a holiday and other employees get paid double time for working holidays. If a full-time officer works the holiday will he get holiday pay and overtime or flex time for working the holiday? The Chief advised he is having trouble getting the holiday staffed and will possibly have to work the day. Vincent, Gettan, and Oberlin all advised that the village needs coverage on a summertime holiday. Timberlake asked if the Chief gets holiday pay and must work will he get flex time or overtime? Gettan stated that if the Chief needs to work the holiday then he should get paid either as overtime or flex time. The Chief asked if he would need to force the part time officers to work the holiday? Timberlake advised that he should require the part time officers to take turns working holiday shifts. Chief Haugh stated this is the first time he has encountered this issue.

Lang suggested extending the flex time out to six months and to take the flex times in blocks of time and Vincent stated no carry over. Solicitor Timberlake advised she will draft the policy extending the flex time and have ready for the first reading at the next regular council meeting. App asked what the effective date will be, and Timberlake advised the effective date can be determined at the first reading.

The second topic to discuss was to be seasonal help but the Mayor advised that Franks does not need additional help for the summer season.

The third topic was to review and approve inspection fees for the water meter project. App advised she gave Council the packets explaining the inspection fees. Council will need to approve the inspection fees for the project then RCAP will take this approval along with the recommendation from GPD and submit to EPA to secure the funding. App stated the EPA funding will not get approved until the end of June and will not be awarded until July. The inspection fees amount to \$71,440.00, and the recommendation from GPD for Spano Brothers. Vincent advised the preliminary discussion on this topic was held in Street/Alley committee and felt the \$1500.00 for PPE seems very high.

Vincent moved seconded by Gettan to tentatively accept the recommendation of Spano Brothers as the engineer for this project, **as a Resolution**, with the conversation that certain things will be discussed in the pre-construction meeting with them. In a roll call vote: Gettan-yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – no, Vincent – yes, motion passes. The Resolution number is **R-6-2020**.

Lloyd motioned seconded by Gettan to accept the inspection fees for the engineer in the amount of \$71,440.00 with \$1500.00 for PPE. In a roll call vote: Gettan-yes, Lang – yes, Lawver – yes, Lloyd – yes, Oberlin – no, Vincent – yes, motion passes. App advised she will forward this approval to RCAP tomorrow to move forward and secure the funding from the EPA.

Council agreed to table the risk management study until another meeting date as this topic needs a dedicated meeting without other topics of discussion.

Oberlin stated he would like to move the meetings to the township hall instead of the virtual meetings because it is hard to hear what is going on in these meetings and the public is not part of these decisions. Both Gettan and Vincent stated that in person meetings at this time during the pandemic and the state restrictions are not safe and the rules are for meetings of 10 people or less. The Mayor advised that these meetings are open to the public and are advertised in the paper for the link to attend the virtual meetings.

It was decided to set the following meeting schedule for June: June 1st – regular council meeting at 7:00pm, June 8th a special session of council to discuss the risk management study at 7:00pm and June 15th committee meetings beginning at 5:30pm.

The Mayor asked for a motion to adjourn until the next regularly scheduled council meeting on Monday June 1, 2020 at 7:00 p.m. The platform will be via GoToMeeting. Lang moved, seconded by Gettan to adjourn until June 1, 2020. In a roll call vote, all members present voted yes. The meeting adjourned at 8:30 p.m.

Mayor Rebecca S. Hubble

ATTEST: Maria A. App, Fiscal Officer

Approved: June 1, 2020