

# VILLAGE OF BOLIVAR

## COUNCIL MEETING

September 7, 2021

The Bolivar Village Council met in regular session at the Bolivar Fire Department on **Tuesday, September 7, 2021**. The meeting was called to order by the mayor at 7:02 pm. The Pledge of Allegiance was said. Lloyd opened the meeting with a prayer. Bellinger, Finlayson, Lawver, Lloyd, Oberlin, and Vincent all answered to roll call.

The Mayor asked for a motion to accept the minutes of the August 2, 2021. Lawver moved, seconded by Bellinger. In a roll call vote, Bellinger, Finlayson, Lawver, Lloyd, Oberlin, and Vincent all voted yes.

The Mayor read the bills for **August 2021 which totaled \$131,249.26**. Lloyd moved, seconded by Vincent, to approve the bills. In a roll call vote Bellinger, Finlayson, Lawver, Lloyd, Oberlin, and Vincent all voted yes.

**PUBLIC SPEAKS** – Courtney Wallace, Branch Supervisor for the Village of Bolivar Library was present to announce the library is back to normal hours – Monday, Wednesday, and Friday 10am – 5pm; Tuesday and Thursday 1pm – 8pm; and Saturday 10am – 2pm. The meeting room is available to reserve and there is a new print to go item on the Library's website. Users can download ahead and come to the library to print. There is also an app available on smart phones.

Chris Berens was present and thanked council for copies of the agenda. Ms. Berens suggested to council to make public who and how Kyle Porter was hired and the hours he works. She stated there has been talk around town as to the hiring of Mr. Porter and feels Council needs to make it public. Mayor Lang advised if anyone has a question regarding the hiring of Mr. Porter, they should contact him.

### OLD BUSINESS –

**MAYOR** – Mayor Lang provided an update on the water meter rates. Fiscal Officer App provided the Mayor with a list of water usage per residence report. After reviewing the report, the Mayor wanted to remind residents that beginning in 2022 a water meter rate will be established and each resident will be responsible for their own usage. The Mayor noted there are several residents that have rather large usage of water. Fiscal Officer App advised the monthly usage is being analyzed and suggests Council be proactive before a resident gets a large bill. Bellinger asked how Council will handle residents who get large bills for excessive usage in the beginning. Hubble advised the Village has a handheld water meter that can check the usage, but a policy needs to be set up for a clear picture to all residents.

### COMMITTEE REPORTS

**FINANCE** – **Vincent** reported the interest in August 2021 for STAR Ohio was \$24.91 and Huntington Bank was \$7.03.

Announced the Village received the first deposit for American Relief Funds totaling \$50,804.27, the certificate has been amended to show the deposit. The remaining balance will be received in September 2022. Fiscal Officer App has recommended not appropriating the funds until a decision by council has been made on how to spend the funds.

Announced Colonial Life supplemental insurance will be made available to employees as a cafeteria plan similar to Aflac.

Advised the Village Administrator would like to purchase one of the IPADS purchased by the Village in 2020 with COVID relief funds for her personal use at a cost of \$359.99. Vincent

moved seconded by Lloyd to approve the Village Administrator to purchase one of the IPADS purchased by the Village in 2020 with COVID relief funds for her personal use at a cost of \$359.99. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Submitted **Resolution R-12-2021** to amend appropriations in the amount of \$8855.89: \$30.89 for tax settlement, \$2000.00 to the sidewalk fund, \$1825.00 for ammunition, \$5000.00 for grant received for the new police cruiser and equipment. Vincent moved seconded by Bellinger to approve Resolution R-12-2021 to amend appropriations in the amount of \$8855.89: \$30.89 for tax settlement, \$2000.00 to the sidewalk fund, \$1825.00 for ammunition, \$5000.00 for grant received for the new police cruiser and equipment. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Requested council approval for the expenditure of \$1825.00 for ammunition purchased from Kiesler Police Supply. Full reimbursement for this expenditure has already been received. Vincent moved seconded by Bellinger to approve the expenditure of \$1825.00 for ammunition purchased from Kiesler Police Supply. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Requested council approval to purchase 1000 leak detection packets suggested by the Village Administrator to give to residents to check for water leaks in their toilet tanks from Norlab Inc. in the amount of \$256.00 plus 500 post cards in the amount of \$125.00 plus shipping; totaling \$351.00 plus freight. These packets will be included in their water bill. Vincent moved, seconded by Lloyd to approve the purchase of 1000 leak detection packets suggested by the Village Administrator to give to residents to check for water leaks in their toilet tanks from Norlab Inc. in the amount of \$256.00 plus 500 post cards in the amount of \$125.00 plus shipping; totaling \$351.00 plus freight. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes. It was decided to invite Nathan from RCAP to present his analysis of the water usage in March 2022.

Requested council approval of **Ordinance O-19-2021** to increase the trash rate by 75¢ per month effective October 2021. Vincent advised this increase is due to the fuel increases and the rates were not increased in 2020. Vincent moved seconded by Lloyd to suspend the rules and pass by emergency measure. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes. Vincent moved seconded by Bellinger to approve Ordinance O-19-2021 to increase the trash rate by 75¢ per month effective October 2021. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Requested first reading by title only to edit the policy and procedures manual to rescind the time clock policy.

Requested council approval of **Ordinance O-21-2021 to edit the policies and procedure manual regarding vacation pay declaring an emergency**. The original ordinance O-2002-745 included vacation for all full-time employees after one year of service two weeks of vacation pay earned; 6 years – 3 weeks; 11 years – 4 weeks. January 3, 2011, a modification of the policy and procedures manual changed the vacation for all full-time employees after one year of service 2 weeks of vacation pay earned; 10 years – 3 weeks; 20 years – 4 weeks. Reviewing all the minutes of 2011 revealed this modification was never voted and approved on so council is requesting the vacation pay schedule be reverted to the original policy set by Ordinance O-2002-745. This reversion will be retroactive to 2010 and will affect both the Fiscal Officer and the Police Chief. Vincent moved seconded by Bellinger to suspend the rules and pass by emergency measure. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes. Bellinger moved seconded by Vincent to approve Ordinance O-21-2021 to edit the policies and procedure manual regarding vacation pay reverting to the original vacation pay schedule vacation for all full-time employees after one year of service two weeks of vacation pay is earned; 6 years – 3 weeks; 11 years – 4 weeks. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

As stated in the above Ordinance O-21-2021 this action will affect both the Fiscal Officer and Police Chief for vacation earned but not paid. **Vincent requested council approval of Ordinance O-22-2021 to pay two weeks' vacation and one week extended for one year for the Police Chief and pay one week vacation and extend one week extended for one year for the Fiscal Officer pursuant to Ordinance O-21-2021.** Bellinger moved seconded by Vincent to suspend the rules and pass by emergency measure. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes. Bellinger moved seconded by Vincent to approve Ordinance O-22-2021 to pay two weeks'

vacation and one week extended for one year for the Police Chief and pay one week vacation and extend one week extended for one year for the Fiscal Officer pursuant to Ordinance O-21-2021. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Vincent advised Council that Nikki Moore, Assistant Fiscal Officer will be leaving her position at the end of the year as she has decided to run for Mineral City Village Council. Vincent thanked her for all her help over the past year and stated that Fiscal Officer App would like to rehire Patricia (Patty) Smith to replace Moore. The current Ordinance is for 15 hours per week at \$14.50 per hour, but the average hours over the past year has been 8 hours per month. Fiscal Officer App would like Council to approve **Ordinance O-20-2021 to rehire Patricia Smith at 10 – 12 hours per week at \$14.50 per hour.** This position will be critical when monthly water billing begins. Vincent moved seconded by Finlayson to suspend the rules and pass by emergency measure. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes. Vincent moved seconded by Finlayson to approve Ordinance O-20-2021 to hire Patricia “Patty” Smith as Assistant Fiscal Officer for the Village of Bolivar at 10-12 hours per week at \$14.50 per hour. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Mayor Lang proposed a first reading by title only to amend the policy and procedures manual regarding employee health insurance. The Mayor proposes an employee will be able to have their own insurance in place of the Village’s plan and that employee will be reimbursed for their personal insurance up to the amount of the Village’s plan. Bellinger inquired if this would include employees in 2021. Fiscal Officer App advised the policy and procedures ordinance from June will need to be rescinded to set parameters.

Mayor Lang proposed a first reading of an ordinance to increase the rate of pay for Kyle Porter, Street Superintendent. Mr. Porter’s probation period ends in November; Mayor Lang proposes a \$1.00 per hour pay increase. The customary probation period increase is 50¢ per hour.

Mayor Lang announced a special session of the Finance Committee will be held September 16, 2021, at 5:30pm in Council Chambers to discuss the use of relief funds, extra police coverage, and to start planning for probationary raises in 2022.

**PLANNING-** Bellinger – Advised the Mayor, Street Superintendent, and Village Administrator has begun See Click Fix training.

Village Administrator Hubble stated the Village needs a way to determine a list of residents with pools so she can update the zoning ordinance regarding pools. Currently there is a permit for \$20.00 for residents who have pools and there is not a fencing ordinance for around those pools. Once the ordinance has been updated the Zoning Inspector will have a list of requirements for pools. Hubble advised the zoning permit for fences is currently \$20.00 and also needs to be updated to be more specific. This ordinance will be included with the permit. Hubble is working on updating the building permits as well. Both the updated pool permit and fence permit will be included in the zoning book. Hubble also announced she is working on including these permits on the Village website so they can be downloaded, printed, and given directly to the Zoning Administrator. The first reading of an Ordinance to edit the rules and regulations governing zoning in the Village.

Bellinger advised the Planning Committee is reviewing the lighting at the Cherry Street parking lot and the tennis courts and basketball courts.

**SAFETY – Bellinger** requested Council approval to purchase two body cams for a cost of \$1008.00 from 10/8 Video to replace the cameras currently in use. Bellinger moved, seconded by Lawver. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Bellinger requested Council approval to reimburse Alex Thomas, Part time Officer, \$139.00 for Advanced Traffic Stop Training. Bellinger moved, seconded by Finlayson to approve the reimbursement to Alex Thomas, Part time Officer, \$139.00 for Advanced Traffic Stop Training. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Bellinger announced Wood Electric has donated \$2300.00 to outfit the new cruiser with the box in the back and light bar. Bellinger would like Council approval to purchase a new AR-15 with equipment for \$2000.00. Fiscal Officer advised appropriations would need to be amended to include these two purchases. Mayor Lang requested this approval be tabled until the next meeting.

Bellinger thanked Kyle Porter for installing the “Thru traffic doesn’t stop sign” at 212.

Mayor Lang advised that since Council has not signed the fire contract with the Township, Village of Zoar and the Bolivar Fire Department the fire department will hard bill the residents of the Village; additionally, the insurance company is requesting a copy of this contract. Because of these reasons, the Mayor is requesting Council approval of **Ordinance O-23-2021 authorizing the Mayor and Fiscal Officer of the Village of Bolivar to execute the agreement between the Village of Bolivar, Village of Zoar, Lawrence Township, Tuscarawas County, and the Bolivar Volunteer Fire Department, Inc. declaring an emergency.** Oberlin moved seconded by Lloyd to suspend the rules and pass by emergency measure. In a roll call vote: Bellinger – yes, Finlayson – abstain, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes. Oberlin moved, seconded by Bellinger to approve Ordinance O-23-2021 authorizing the Mayor and Fiscal Officer of the Village of Bolivar to execute the agreement between the Village of Bolivar, Village of Zoar, Lawrence Township, Tuscarawas County, and the Bolivar Volunteer Fire Department, Inc. In a roll call vote: Bellinger – yes, Finlayson – abstain, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Mayor Lang requested Council approval of Resolution **R-13-2021 authorizing the Mayor of the Village of Bolivar to request Lawrence Township to conduct a forensic audit regarding the Bolivar Volunteer Fire Department, Inc.** Bellinger moved, seconded by Lawver to approve Resolution R-13-2021 authorizing the Mayor of the Village of Bolivar to request Lawrence Township to conduct a forensic audit regarding the Bolivar Volunteer Fire Department, Inc. In a roll call vote: Bellinger – yes, Finlayson – abstain, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

**CHIEF- Haugh** advised there were 64 calls for August.

**STREET & ALLEY** – Lloyd announced the new lawn tractor has been received.

Lloyd advised Kyle is trying to repair the pole saw, replacing with a new one would cost approximately \$100.00.

Lloyd advised the reservoir has been cleaned.

Discussed various sidewalk repairs.

Advised of a storm drain that needs repair – will discuss in the special finance meeting on September 16, 2021, to see if American Relief funds can be used for this project.

**STREET SUPERINTENDENT-** Kyle Porter – reported he has seen a reduction in the mosquito population since he has been doing brush hogging in the area

Mayor Lang advised he hired Jake Waltz as a seasonal employee at \$10.00 per hour. After only working 12.5 hours Mr. Waltz resigned for a better opportunity. **An Ordinance needs to be passed for the hiring of Jake Waltz, Ordinance O-24-2021 as an emergency.** Lloyd moved, seconded by Vincent to suspend the rules, and pass by emergency measure. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes. Lloyd moved, seconded by Vincent to approve Ordinance O-24-2021 to hire Jake Waltz as a seasonal employee at \$10.00 per hour. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

The Mayor would like Council to consider a wage of \$12.00 per hour for seasonal employees as the Village has a major need right now for help. He requested the newspapers to advertise the Village's need for seasonal help.

Ted Finlayson advised he cannot be the primary representative for the Regional Planning Commission as he is a representative for the Township; the Mayor advised that Mr. Finlayson would be an alternate and Kyle Porter would be the primary representing the Village.

Kyle Porter announced that Smitty's Tree Service will be performing the tree removal at the Flickinger and Franks residence on Friday, September 17, 2021.

**SHADE TREE** – nothing at this time.

**RECREATION** – Lawver – nothing at this time.

**FISCAL OFFICER – App** – advised she is beginning work on the 2022 tax budget.

**VILLAGE ADMINISTRATOR – Hubble**

Advised Spano is continuing with the meter project and still have some restoration work to do. The large 4-inch meter for the Fire Station has been installed today, the 3-inch meter for Hennis will be installed on September 8th with all precautions in place for their residents and staff. Also,

the 2-inch meter at 164 Canal will be installed on September 8<sup>th</sup>. Hopefully most of the restoration work will take place this week and is hopeful to be completed by September 14<sup>th</sup>. She will join Spano to do a walk through before completion of project to make sure all is right. She has prepared a spreadsheet of needed restoration work.

Announced the residents of 640 LaDyne has contracted with the village to allow Spano to place an outside meter on their property. This will take place on September 10<sup>th</sup>.

Announced the village has completed another year under the curbside recycling program. For 2020-21 contract year Kimble collected 74.87 tons of recyclables in Bolivar. We have earned a \$374.35 to be given to a charitable purpose designated by the village. Ms. Hubble recommended the Bolivar Lions Club again this year. Vincent moved seconded by Finlayson to donate the funds to the Bolivar Lions Club again this year. In a roll call vote: Bellinger – yes, Finlayson – abstain, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Announced the Village has received \$5000.00 from the Tuscarawas Community Foundation from the AAA. These grant funds will be used for the equipment package for the new cruiser. Special Thanks to Scott Robinson and the Foundation for their generous grant funds.

Advised August 16 at 4:30 was the ribbon cutting ceremony for the newly constructed walking bridge that connects the village trail to the rest of the canal through the Stark Parks system. Ms. Hubble thanked Street Superintendent Porter for installing the bollards to the entrance of the walking bridge from the village side.

Advised that she contacted Norlab, Inc. regarding the Toilet Dye Strips to be placed in our billing packets in the upcoming months to check for water leaks within a toilet tank.

Advised September 11 and 12 is the annual Century Ride event which benefits the Ohio and Erie Canal Coalition, the signs will go up on Friday and be taken down on Sunday.

Announced the Alzheimer's Association walk on the Towpath trail through the village on September 18<sup>th</sup> has been canceled they are now planning to go to Dover Park.

Advised Council she received a request by a citizen to close West Street from Water to Poplar Street for a memorial block party to remember Aaron Rizer who lived there and recently passed away. Finlayson moved seconded by Oberlin to allow the closure of West Street from Water to Poplar for a memorial block party to remember Aaron Rizer contingent upon the Fire Department ability to maintain safety and still have access to get around the closure. In a roll call vote: Bellinger – yes, Finlayson – abstain, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Advised Council she received a request by Towpath tavern to barricade the Tuscarawas Street Parking and in front of their building on Saturday September 18, 2021, from approximately 12 to 2 pm for a poker run This closure will encourage safety and provides ample space for those on motorcycles. Lloyd moved, seconded by Vincent to approve the closure on Tuscarawas Street Parking and in front of the Towpath Tavern on September 18, 2021, from 12 to 2 pm for a poker run. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

Announced the WIFI access for outside the library building has been completed.

Advised trash cans are still being left out greater than 24hrs, so please move them back off the main road.

Advised she has completed cyber security training for the village and have worked through several micro-trainings along with reviewing security policies. She encourages those on council to complete their training.

#### **LAW DIRECTOR – Solicitor Timberlake**

. **Second reading by title only** to include Veterans Day and Juneteenth to the policies and procedures manual.

. **Resolution R-14-2021 AN EMERGENCY RESOLUTION AUTHORIZING RECOMMENDATION TO ACCEPT THE ONEOHIO OPIOID SETTLEMENT AND ENTER INTO THE PARTICIPATION AGREEMENT WITH OPIOID DISTRIBUTORS AMERISOURCEBERGEN, MCKESSON, AND CARDINAL HEALTH.** Finlayson moved seconded by Bellinger to accept Resolution R-14-2021 Authorizing recommendation to accept the ONEOHIO Opioid settlement and enter into the participation agreement with Opioid distributors AMERISOURCEBERGEN, MCKESSON, AND CARDINAL HEALTH. In a roll call vote: Bellinger – yes, Finlayson – yes, Lawver – yes, Lloyd – yes, Oberlin – yes. Vincent – yes. Motion passes.

**1<sup>ST</sup> READING OF AN ORDINANCE TO EDIT THE POLICIES AND PROCEDURE MANUAL REGARDING THE USE OF THE TIME CLOCK**

**1<sup>ST</sup> READING OF AN ORDINANCE TO EDIT THE POLICIES AND PROCEDURE MANUAL REGARDING EMPLOYEE INSURANCE**

**1<sup>ST</sup> READING OF AN ORDINANCE TO INCREASE THE RATE OF PAY FOR KYLE PORTER, STREET SUPERINTENDENT**

**1<sup>ST</sup> READING OF AN ORDINANCE TO EDIT THE RULES AND REGULATIONS GOVERNING ZONING IN THE VILLAGE OF BOLIVAR**

Councilman Finlayson advised he has been reviewing the Policy & Procedures manual and would like to further discuss wage reductions, the Tax Administrator to report directly to the Mayor instead of the Fiscal Officer, and to request the Fiscal Officer to have set office hours for better availability.

The mayor asked for a motion to adjourn until the next regular council meeting on October 4, 2021, at 7:00 p.m. at the Bolivar Fire Department. Finlayson moved, seconded by Bellinger to adjourn until October 4, 2021. In a roll call vote, all members present voted yes. The meeting adjourned at 8:25 p.m.

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Mayor Tim Lang

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ATTEST: Maria A. App, Fiscal Officer

**Approved:** October 4, 2021