

VILLAGE OF BOLIVAR

COUNCIL MEETING

December 8, 2021

The Bolivar Village Council met in regular session at the Lawrence Township Meeting room on Wednesday, December 8, 2021. 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. Bellinger, Finlayson, Lawver, Lloyd, Oberlin, and Vincent all answered to roll call.

The Mayor asked for a motion to accept the minutes of the October 25, 2021. Vincent moved, seconded by Lawver. In a roll call vote, Finlayson, Lawver, Lloyd, Oberlin, Vincent and Bellinger all voted yes.

The Mayor asked for a motion to accept the minutes of the November 1, 2021. Lloyd moved, seconded by Oberlin. In a roll call vote, Finlayson, Lawver, Lloyd, Oberlin, Vincent and Bellinger all voted yes.

The Mayor ask for a motion to approve the bills for November 2021 which totaled \$78,303.95. Lloyd moved, seconded by Vincent, to approve the bills. In a roll call vote, Finlayson, Lawver, Lloyd, Oberlin, Bellinger, and Vincent all voted yes.

Mayor Lang ask if there were any corrections to the agenda. There were no corrections.

PUBLIC SPEAKS –

Anne Straus said she has completed a petition requesting ODOT investigate the possibility of constructing a barrier wall along I77 to reduce the noise in the Village because of the highway traffic. She obtained the necessary signatures from residents along Canal Street to the railroad tracks. Anne said she did not contact the businesses as she thought they may not support the barrier wall possibly blocking the view of the traffic. Anne stated the noise from the freeway is very loud and said several residents stated they cannot use their back yards. She indicated most residents along Canal were appreciative that this was being looked into for a possible solution. She stated there is no guarantee ODOT will approve this, but at least they can investigate and see if this is feasible. Mayor Lang stated his only concern is that the barriers not obstruct the line of sight for the businesses and Fort Laurens. Anne said she did not include the highway in front of the fort. Mayor Lang asked if council is willing to proceed with a resolution in support of the request to investigate the feasibility of noise barriers. Finlayson stated he would like to review the proposal. Bellinger asked how high the wall would be. After discussion, council agreed to proceed with a resolution to support a study from ODOT to determine feasibility of the noise barriers. Anne agreed stating it is the first step to see what ODOT will propose. Lloyd made the motion, Bellinger seconded. Roll Call: All yes.

OLD BUSINESS – Mayor Lang requested a first reading, by title only, on a parking ordinance that would allow the Village to fine and tow vehicles that are left on Village property. He said the matter will go through both Street and Alley and Safety Committees. 1st reading.

MAYOR – Mayor Lang said interviews were conducted for Village Administrator on November 29, 2021. Two candidates applied for the position and both were interviewed by Mayor Lang, Councilwoman Mary Vincent, and Councilman Robert Lloyd. The recommendation to council was to hire Matt Judy as Village Administrator. Vincent made the motion that was seconded by Bellinger. Roll Call: Finlayson and Oberlin abstained. Vincent, Lloyd, Lawver, and Bellinger voted yes. Matt Judy was welcomed aboard by Mayor Lang.

COMMITTEE REPORTS

FINANCE – Vincent stated that the Finance committee held a work session just prior to this regular council meeting this evening.

Vincent reported total bills for the month of October was \$78,303.95 StarOhio interest was \$25.71 and Huntington interest was \$7.11.

Vincent stated the Huntington Bank contract for water billing was discussed and it was determined that there were software problems that would not be cost effective to overcome. Vincent recommended the contract with Huntington be allowed to expire in December 2021. She said the cost of preparing the bills in house was very close to the cost of Huntington and with adding the quarterly newsletter to go in the mailing with the water bill, the Village would see some nominal savings. The Fiscal Officer contacted Huntington and they agreed to let the contract expire and stated no financial costs would be involved. Vincent made the motion and it was seconded by Oberlin. Roll Call: All yes.

Vincent stated the following Resolutions will need passed:

R-22-2021 A resolution to amend appropriations. Vincent stated the Fiscal Officer is moving funds to meet current obligations and the details of the resolution can be reviewed anytime by contacting the Fiscal Officer. Vincent made the motion that was seconded by Finlayson. Roll Call: All yes.

R-23-2021 A resolution passing/approving Temporary Appropriations in the amount of \$325,969.27 for 2022. Vincent made a motion. The motion was seconded by Lloyd. Roll Call: All yes.

Planning Commission- Bellinger stated that the Zoning Committee intends to hold a hearing on January 6, 2022 for a request for a variance at 409 Canal Street NE.

Safety- Bellinger stated the Dodge Charger cruiser will be placed on Govdeals soon.

Chief- None

Street & Alley- Lloyd said the committee met.

The committee continued discussion on the lighting at the end of Cherry Street between the Insurance Company and the Wandering Wildflower businesses.

Lloyd said a pallet of calcium chloride will need to be purchased for the new concrete sidewalks. Street Superintendent Kyle Porter stated salt will pit the concrete so he will provide the calcium chloride to the businesses so salt is not used. Projected cost for 50/50# bags is \$632.00. A motion was made to allow a not to exceed amount of \$700 to purchase the calcium chloride by Lloyd. The motion was seconded by Finlayson. Roll Call: All yes. The committee also discussed sealing the concrete sidewalks in the future.

Lloyd said Kyle are working on getting the truck ready for winter and addressing several hydraulic leaks.

Mayor Lang stated leaf pickup is complete as of today December 8, 2021.

Street Superintendent- Kyle reported he is working to get all equipment ready for winter.

Shade Tree – Mayor Lang is working on the application for Tree City USA. The application was not filed on time but an extension has been granted.

Recreation –. None

Fiscal Officer – Smith presented Maria App’s final timecard at Maria’s request. The timecard showed a total of 96 lost hours.

Patty said she was paid incorrectly prior to her position as Fiscal Officer on October 25, 2021. She said the discrepancy was corrected in the following payroll re-paying the Village for the excess.

Patty discussed changing the council packages making them a little more informative. She asked council member to tell her what they liked about the current reports, what they did not like, and what they would like to see. Council will discuss individually with Patty in the coming weeks.

RCAP: NATHAN DAVIS

A presentation by Nathan Davis was conducted via telecom. Nathan explained the process of the water rate study he had completed. He presented suggestions for projected water rates for 2022, 2023, and 2024. He incorporated a 1% set aside for repairs/maintenance of unforeseen expenses. Mayor Lang requested a 1st reading by title only to adopt the proposal Nathan Davis presented. Nathan Davis services are free of charge. Council will discuss the proposal and adopt metered rates over the next two months.

Law Director- Solicitor Timberlake

1st reading: An ordinance authorizing the Mayor and Fiscal Officer of the Village of Bolivar to execute the attached tax and levy funds distribution agreement between the Village of Bolivar, Lawrence Township, Tuscarawas County, Ohio, and the Village of Zoar and declaring an emergency. Motion to suspend rules and regulations was made by Lloyd and seconded by Vincent. Roll Call: All yes. Motion to pass as an emergency was made by Lloyd and seconded by Bellinger. Roll Call: All yes. **Ordinance O-32-2021 passed.**

1st reading: An ordinance to amend the Village of Bolivar Water Rules and Regulations to permit monthly billing and declaring an emergency. Motion to suspend the rules and regulations made by Finlayson and seconded by Bellinger. Roll Call: All yes. Motion to pass as an emergency made by Bellinger and seconded by Finlayson. Roll Call: All yes. **Ordinance O-33-2021 passed.**

1st reading: An ordinance to permit the Village of Bolivar implement metered rates for water billing.

1st reading: An ordinance to increase the rate of pay for Street Superintendent Kyle Porter.

2nd reading: An ordinance providing for the contractual services of legal counsel for the Village of Bolivar as Village Solicitor. Tara Wright Timberlake.

2nd reading: An ordinance providing for the prosecutor contractual services for the Village of Bolivar. Fitzpatrick, Zimmerman, & Rose.

2nd reading: An ordinance contracting with the Tuscarawas County Public Defender Commission to provide indigent defense services for the year 2022 and declaring an emergency. Motion to suspend rules and regulations made by Finlayson and seconded by Lawver. Roll Call: All yes. Motion to pass as an emergency made by Bellinger and seconded by Vincent. Roll Call: All yes. **Ordinance O-34-2021 passed.**

2nd reading: An ordinance by title only to deed the Santa Claus house (structure only), not land to Bolivar Main Street.

3rd reading: An ordinance granting a 2% raise for all employees for year 2022. Motion made by Finlayson and seconded by Vincent. Roll Call: All yes. **Ordinance O-35-2021 passed.**

1st reading: An ordinance to hire Zach Nussbaum retroactive effective November 8, 2021 at a rate of pay of \$10.00 per hour and not to exceed 24 hours per week. Motion to suspend rules and regulations made by Oberlin and seconded by Finlayson. Roll Call: Bellinger abstained. Finlayson, Lawver, Lloyd, Oberlin and Vincent voted yes. Motion to pass as an emergency made by Lloyd and seconded by Oberlin. Bellinger abstained. Finlayson, Lawver, Lloyd, Oberlin and Vincent voted yes. **Ordinance O-36-2021 passed.**

1st reading: An ordinance to hire Matt Judy as Village Administrator at a rate of \$18.00 per hour and not to exceed 24 hours per week. Motion to suspend rules and regulation made by Lloyd and seconded by Vincent. Roll Call: All yes. Motion to pass as an emergency made by Lloyd and seconded by Bellinger. Roll Call: All yes. **Ordinance O-37-2021 passed.**

Chief Haugh stated he received the jail contract and will forward it to Solicitor Tara Wright Timberlake.

Mayor Lang thanked Mary Vincent and Robert Lloyd for all their years of service and welcomed Tim White and Loretta Diveley as new council members beginning in 2022.

The mayor asked for a motion to adjourn until the next regular council meeting on January 3, 2022, at 7:00 p.m. at Village Hall. Motion to adjourn by Finlayson and seconded by Oberlin until January 3, 2022. In a roll call vote, all members present voted yes. The meeting adjourned at 8:20pm.

Mayor Tim Lang

ATTEST: Patty Smith, Fiscal Officer

Approved: