

VILLAGE OF BOLIVAR

COUNCIL MEETING

March 7, 2022

The Bolivar Village Council met in regular session at Village Hall on Monday, March 7, 2022. The meeting was called to order by the mayor at 7:00 pm. The Pledge of Allegiance was said. White opened the meeting with a prayer. Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all answered yes to roll call.

The Mayor asked for a motion to accept the minutes of February 7, 2022. Diveley moved, seconded by Bellinger. In a roll call vote all voted yes.

The Mayor asked for a motion to approve the bills for February 2022 which totaled \$49,102.46. White moved, seconded by Bellinger to approve the bills. In a roll call vote, Lawver, White, Oberlin, Bellinger, Finlayson, and Diveley all voted yes.

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

PUBLIC SPEAKS –

Anne Straus stated she received a response from a Thomas Stratton at ODOT concerning the barrier sound wall. The letter confirmed several homes on Park View Drive and Canal street were pre-freeway and that ODOT will conduct a noise analysis to determine a recommendation.

Pastor Harvey expressed joy to see the new team in place working for the good of this great Village. He commended the team for the excellent job cleaning the streets and sidewalks this winter. He asked if council has considered purchasing the elementary school and using as a community center. He stated the community center at the New Cumberland Elementary school is doing very well. Mayor Lang responded saying that this was considered but the cost to maintain an older building was greater than the Village could support so the Village requested the school district remove the building when vacating. The Village also requested to purchase the land. Dan Oberlin commented that it would be nice to have the building and open the gymnasium to the community but the cost would be overwhelming.

Chris Berens stated her team is well on the way with designing the art work for the statue project. The project was presented to Bolivar Main Street and it was received well. She said the total cost has not been determined as of yet.

John Nussbaum requested council allow his group of young people to sit in on the meeting. They are from Trail Life USA, a spin off from the Boy Scouts. Trail Life USA is a biblical based group. The young members will earn their Civility badge for attending the meeting by learning civil government. The Mayor and Council thanked John for bringing the youth to our meeting.

OLD BUSINESS – None

MAYOR –

Mayor Lang briefed council on a meeting with Lola Lewis from the Ohio Department of Natural Resources. He said she will be sending information for the Village to use to assess its tree needs. She also talked about a grant focusing on re-populating the tree canopy in the Village. Tim, Matt, and Kyle will work together to develop a Village tree inventory and submit a grant request which is due sometime in October.

Mayor Lang announced a Proclamation making April 28, 2022 the Village of Bolivar Arbor Day. Location and time of event will be announced at the April regular council meeting. A motion was made by Oberlin and seconded by Diveley to make April 28, 2022 the Village of Bolivar Arbor Day Celebration. Roll Call: All yes. **Resolution R-2 Proclamation Arbor Day.**

Council discussed temporary closure of streets and removal of street parking for the 2022 events, Strawberry Festival, Car Show, and Christmas on the Canal. It was determined that the street closure will include: Canal Street from Sandy up thru Pine Street. Sassafras alley from Sandy up thru Pine Street. All the following streets between Canal Street and Sassafras Alley: Sandy, Tuscarawas, Water, Cherry, Poplar, and Pine. Temporary street closures for the Strawberry Festival shall be effective from June 8, 2022 at 8:00am until the end of the day June 12, 2022. Specific date and time of temporary street closures for the Canal Street Cruise-In Car Show and Christmas on the Canal will be selected at a later date. Motion for street closure made by Diveley and seconded by Finlayson. Roll Call: All yes. See **Resolution R-3 Temporary Street Closures Festival Events 2022** for event specific closure.

Brad Cellars contacted Kyle about the Village possibly removing some fencing and installing a path on Delaware to connect to the towpath. Mr Cellars stated he takes his wife to the towpath to enjoy the outdoors as she is ill with Alzhiemers. He said the ground is very went and it is difficult to push her wheelchair to the trail. Council discussed if the location is owned by the Village and that it would not alter the towpath trail. Mayor Lang will take this to Street & Alley to ensure the Village owns the land and recommend a solution to council that will support Mr. Cellars request.

COMMITTEE REPORTS

FINANCE – Bellinger stated that the Finance committee met prior to this regular council meeting this evening.

Bellinger reported total bills for the month of January were \$49,102.46. StarOhio interest was \$45.97 and Huntington interest was \$6.52.

Bellinger requested a motion to approve a not to exceed amount of \$6,500 from the State Highway Fund to support the purchase of 2 speed monitor signs from ElanCity. The Reeves grant was not awarded. Mayor Lang said the some of the money may be recoved from grant funding, the PEP grant is \$1000, but the bottom line is it will cost the Village \$6,500 and enhance the safety of our residents. Bruce made the motion allow \$6,500 for the speed monitors, the motion was seconded by White. In a roll call vote, all voted yes.

Bellinger said it is necessary to amend permanent appropriations. Patty explained she appropriated \$74,597.13 in the enterprise funds and should not have. The funds were a carry over encumbrance. She stated she will appropriate an additional \$ \$5,500 in State Highway to support the purchase of the speed monitors. An additional \$25,000 will be appropriated in the water fund to satisfy the EPA requirement for a contingency. The remaining are small allocations that can be viewed by contacting the fiscal officer. A motion to suspend rules and regulation was made by Finlayson and seconded by Bellinger. Roll Call: All yes. A motion to pass as an emergency was made by Finlayson and seconded by Bellinger. Roll Call: All yes. See ordinance section.

Bellinger introduced a Resolution to allow the Village Fiscal Officer and Village Administrator to certify to the county auditor unpaid charges to be placed on property owners tax list. Council determined any charges past due of more than 60 days will be place on the tax list. Water/trash ORC 743.04, sewer amd storm water ORC 729.49, mowing and trimming ORC 731.54, and demolition costs ORC 715.261. A motion to pass this resolution was made by Diveley and seconded by Bellinger. Roll Call: All yes. **Resolution R-4 passed.**

Bellinger stated it is necessary to request the County Auditor certify the amount generated for a proposed increase in the continuous Police levy. Council wishes to increase the levy from a 2MIL to a 4MIL and take to the voting public in the November election. Village administrator, Matt Judy explained that by increasing the continuous levy, a loss cannot result for the village because if this does not pass the village will continue to collect 2MIL on this continuous levy. Judy further stated this will be for tax year 2022 with collection in 2023. Judy said passage of this resolution will allow enough time for 3 readings on the Ordinance and to meet the timeline for the Board of Elections. John Nussbaum suggested council increase this levy to a higher milage stating the increase in turnover with home sales as of recent would provide more of a benefit for police funding. Council discussed and remained at 2 additional MILS. Bellinger made a motion to pass this resolution. The motion was seconded by Diveley. Roll Call: All yes. **Resolution R-5 passed.**

Bellinger said Patty is working on getting the payroll for the Village as direct deposit to simplify the process. Huntington will charge an additional \$35 per month for the service. All paychecks will be issued through direct deposit including council and the mayor. Mayor Lang stated all will participate. A motion to approve 100% participation in direct deposit for all paychecks issued by the Village was made by Finlayson and seconded by White. Roll Call: All yes.

Bellinger presented the 2022 Paving Projects from the Street & Alley Committee. Matt said he will need to contact the County Engineering office to get on the schedule by March 15, 2022. Proposed projects are: Strawberry Alley to Yant, Elberly Alley, Poplar to Tucarawas, Lovers Lane to Poplar to Tuscarawas, Strawberry Alley to Tuscarawas and Poplar. A motion to approve the proposed projects with a budget of approximately \$62,000 was made by Finlayson and seconded by White. Roll Call: All yes.

Finance committee discussed and wanted noted that swimming pool or any other special charges are no longer warranted as all water consumption will now be metered.

Council discussed the credit card policy adopting the Compliance Officer method. See ordinance section.

Bellinger asked for a motion to allow a not to exceed amount of \$750 to rent the lift from Leppo Rents to remove the holiday decorations. Motion made by White and seconded by Bellinger.
Roll Call: All yes.

Planning Commission- Bellinger said the commission will color code the large Bolivar map they have when verification of proper zoning sections is complete. Bellinger requested a first reading on an ordinance to edit current zoning code regarding 24 hour storage of recreational vehicles, trailers, etc. and determining fees or permits that may be necessary.

Lang briefed council on a request from the American Legion to continue to advertise, with signage, their swiss steak dinners. Lang found an ordinance from 2017 referring to short term advertising allowing any not-for-profit entity to request Village Council allow short term advertising. He noted council retains the discretion to allow or deny. The American Legion will post their swiss steak dinner advertisements on Monday before the event and remove all posting by Sunday after the event. Motion made by Finlayson to allow the advertisements. Motion seconded by White. Roll Call: All yes except Oberlin who voted no.

Safety- Lawver stated the Police are doing a very good job in the Village. A total of 67 calls were received from February 1st to March 7th with none of great significance. The committee has finalized an equipment list and will present it to the council after final review. Lawver reported patrolman Alex Thomas may be leaving the Village.

Chief- Chief Haugh reported that the Sargeant has found a sale on AR15 rifles that will beat the price of the current order at Ohio Armament. Sargeant Stearnes will get the details to the Mayor and Council.

Chief Haugh said the Tahoe is due for an oil change. Oberlin said it should be done at a Chevy dealership as the vehicle is under warranty. Ferris Chevrolet or Chuck Nicholson were suggested as the closest.

Street & Alley- Finlayson announced meeting change from March 21st to March 28th at 5:30pm.

Finlayson said Kyle has a quote for lumber to build a shelter (lean-to) behind village hall to house the equipment that is currently stored outside. He said with the snow storms this winter, staff found it difficult to get equipment to start due to being out in the weather. The quote for the lumber is \$3700 with an additional \$500 if the structure has side walls. Kyle will now get an engineer to certify his drawings, as required by the building authority, before council considers the expenditure.

Finlayson stated there are 3 alleys in the Village that are not named. The county has numbers assigned to these alleys. Finlayson suggested it would be nice to have community input on naming these alleys. He suggested an article in the quarterly newsletter requesting input. Oberlin stated that Johnson alley goes in two different directions, so it is actually 2 alleys with the same name. Finlayson will get the map of these locations to Matt or Patty.

Street Superintendent-

Kyle has received two of the three quotes requested for 2022 tree work. He said he hopes the 3rd quote arrives soon.

Kyle stated he hopes the winter of 2022 is behind us with all its snow.

Bellinger asked about the status on pot holes in the Village. Kyle reported that he would like to wait for the weather to get better and repair them with hot patch in June. He said the cold patch doesn't work as well or last as long. Kyle will repair the worst pot holes with cold patch if necessary.

Shade Tree – None.

Recreation – Oberlin said the committee continues to check into liability insurance for the teams that will be using the village fields this season. Also working on the condition of the fields.

Fiscal Officer – Patty said the Ohio State Auditors office has contacted her concerning the 2020-2021 audit. She should know soon when to expect them on site.

Village Administrator –

Matt asked if Kyle has heard anything about the repair work on the International. Kyle has called and will get status on the repair as soon as possible.

Matt briefed council on the status of the water billing to transfer to metered billing. He said a meeting with county water and sewer went very well and he anticipates a smooth transition into the metered billing.

Matt is working with Kimble to determine new routes to get the trash trucks off of Village alleys. He said they simple carry too much weight for the alleyways in the Village.

Matt continues working with the Sam.gov, Login.gov, and the Department of Treasury to get the Village the ability to report the ARPA funds. He said it has been a daunting task to get this system to work.

Law Director- Solicitor Timberlake

1st reading: of an ordinance, by title only, to edit the Policies and Procedures manual pursuant to the recommendation of the committee.

1st reading: of an ordinance, by title only, to edit the zoning code regarding 24 hour storage of recreational vehicles, trailers etc, and any necessary fees or permit costs.

Amend Permanent Appropriations. An ordinance to amend permanent appropriations removed \$74,597.13 from the Enterprise Fund. Adding \$5,500 to the State Highway Fund, \$25,000 to the water fund, and various re-allocations. A motion to suspend rules and regulation was made by Finlayson and seconded by Bellinger. Roll Call: All yes. A motion to pass as an emergency was made by Finlayson and seconded by Bellinger. Roll Call: All yes. See ordinance section. **Ordinance 8-2022 passed.**

3rd reading: An ordinance updating the Village credit card policy to be in compliance with HB312. Compliance Officer Method. Motion for 3rd reading and passage made by Diveley and

seconded by Bellinger. In a roll call vote, all members present voted yes. **Ordinance 9-2022 passed.**

Council discussed ordinance 10-2022 determining a \$1500 spending limit. A motion for this spending limit was made by White and seconded by Diveley. Roll Call: All yes.

3rd reading: An ordinance to amend the policies and procedures manual to allow for the purchase of a refrigerator, microwave, and coffee pot for village employees not to exceed \$1500.00. Use of salary line item in budget for this benefit. Motion for 3rd and final reading made by Bellinger and seconded by White. In a roll call vote, all member present voted yes. **Ordinance 10-2022 passed.**

3rd reading: An ordinance to increase the amount of trash service to \$14.00 per month. Motion for 3rd reading and passage made by Bellinger and seconded by Finlayson. In a roll call vote, Bellinger voted yes, Finlayson voted yes, Diveley voted no, White voted yes, Oberlin voted yes, and Lawver voted yes. **Ordinance 11-2022 passed.**

2nd reading: Agreement between Lawrence Township, Bolivar Volunteer Fire Department Inc, with Villages of Bolivar and Zoar as additional parties Fire Contract.

The mayor asked for a motion to adjourn until the next regular council meeting on April 4, 2022, at 7:00 p.m. at Village Hall. Mayor Lang stated the Street and Alley meeting is re-scheduled for March 28, 2022. Motion to adjourn by White and seconded by Diveley. In a roll call vote, all members present voted yes. The meeting adjourned.

Mayor Tim Lang

ATTEST: Patty Smith, Fiscal Officer

Approved:

Mayor Lang stated the video recorder did not record during this council meeting. He will address the cause and get it fixed.