

Approved 9.6.22
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VILLAGE OF BOLIVAR COUNCIL MEETING

August 01, 2022

The Bolivar Village Council met in regular session at the Village Hall on August 01, 2022. The meeting was called to order by the mayor at 7:00 pm. The Pledge of Allegiance was said followed by prayer led by Tim. Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all answered to roll call.

The mayor asked for a motion to accept the minutes of the July 5th & July 18th together or individually based on council choice. Tedd Finalyson moved to accept July 5th, seconded by Tim White. Acceptance of the meeting minutes in a roll call vote, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved with a vote of yes. A motion to accept July 18th meeting minutes by Dan Oberlin moved to accept July 18th, seconded by Dan Lawver. Acceptance of the meeting minutes in a roll call vote, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all voted yes.

The mayor asked for a motion to approve payment of the bills for the month of July which totaled \$60,159.67. Motion by Tim White moved, seconded by Loretta Dively, to approve the bills. In a roll call vote, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White, all voted yes.

Mayor Lang asked if there were any corrections or additions to the agenda. There were none.

PUBLIC SPEAKS –

- Dick Harvey attended to give a shout out to Randy for the bang-up job he does for the Village! He also complimented Kyle on the bang-up job he did on the sidewalks and how he is teaching the summer help how to work concrete! He also raised attention to how bad the conditions of the tennis courts are in. They no longer have nets and the courts themselves are in very bad condition. He is asking if not this year but hopefully by next year we can do something with them to improve the condition of them? Mayor noted that the Village doesn't own them. This raised a discussion over who owns and who is responsible for the upkeep. Mayor reiterated that to his understanding the Village does not own them that they are on the school property. Dan believed that even though the school owns them the Village had always helped to maintain them. Dick remembers many residents that used to use them, and he would like to see the condition of them improved so they could be used again. He offered to go to a school board meeting to raise the concern there as well. Chris Berens and others felt the school won't be willing to do anything since they plan on tearing the building down once the new school buildings are completed in two years. The mayor said that him and Kyle looked into

fixing the courts last year and determined they needed significant work and would cost approximately \$15K to get them back to usable shape. Dan Oberlin said he would investigate it and see about getting some grant money to fix them. Everyone agreed it is a great play for the kids to go to play.

OLD BUSINESS – None

MAYOR SPEAKS – Mayor Tim Lang

- Due to threat of weather the Car show was canceled and rescheduled for Saturday, September 10th from 4:00pm to 7:00pm. Mayor asked if we needed a motion to close streets, Tara said no motion needed as the car show reviewed earlier was not tied to a date. Discussion to close same streets as prior approval which were Canal Street starting at Pine to Water Street, Poplar Street from Canal to Sassafras, Cherry Street from Canal to Sassafras. Closure to start at noon and reopen after the car show has ended. No motion needed as previous motion, R3 covered the car show with no specific date.
- Residents have made complaints regarding dog walkers not cleaning up after their dogs. Mayor requests people to please ensure when walking your dog, you have a bag to clean up.
- Mayor asking for setting a budget meeting with Council to work out a 2023 budget as it needs to be provided to Tusc County auditor by 30th of September. Discussion regarding a working session to be scheduled for August 11th at 5:30. Council requested Matt and Barb to come up with data from 2022 to use as a starting place during budget work session.

COMMITTEE REPORTS—

FINANCE –

- Chair, Will Bellinger provided the following updates:
 - Total amount paid out for month of June was \$60,159.67
 - Interest paid in for the month of June was:
 - Star Ohio General: \$ 252.55
 - Star Ohio Capital: \$ 10.48
 - Star Ohio Water: \$ 98.47
 - Huntington: \$ 7.92
 - Interest paid in for the month of July was:
 - Star Ohio General: \$ 377.09
 - Star Ohio Capital: \$ 15.65
 - Star Ohio Water: \$ 146.96
 - Huntington: \$ 8.92

- Request for funding of the sewer jetting project to be approved for a cost up to \$15,118. Requests were made for bids on the sewer jetting of the storm drains, however, only one quote was received from ChemPure for \$15,118 all other companies declined to bid. Kyle will be reaching out to one more possible company if they decline, we will go with the one bid received from ChemPure Products. The Mayor requested a motion to approve up to the \$15,118 bid amount to allow Kyle to move forward with project. If we are able to obtain another quote that comes in under, we will spend that amount however we will go with existing quote of \$15,118. Tedd Finalyson moved to approve, seconded by White. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved.
- Discussion regarding the purchase of a carport for large equipment from Behr's Buildings out of Dalton. The dimensions are 12' high X 24' X 25' and will be placed behind Village Office building. The cost of the car port is \$4,300 which is a sale price that includes installation. The sale price is a savings of over \$2K. Motion to approve by Mayor, a first by Oberlin, seconded by Dively. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved.
- Trees on Water and Poplar Streets were removed, and stumps were ground for the cost of \$3,100. Vendor has been paid.
- Received Grant of \$6500 for the building of a park with statue on Canal Street has been received and deposited. The money received is for the park only, but we will need additional funding for the statue. Matt is working on setting up a Fund in UAN to be used during the park build.
- Payment for the Charleston Poles for the Cherry Street parking. The invoice has been received and will be sending check this week. Once they have the check the company will release the pole.
- Salary adjustment for the Village employees was discussed. What was discussed and is being proposed as a first reading. Questions was asked if we can make the pay adjustments as of today and once it is approved pay employees as back pay? Tara said she would investigate this but didn't think it would be possible. The proposed rate of pay increases are as follows: police chief rate of pay increased by \$5 per hour, patrolmen, street supervisor, water clerk/tax clerk and tax administrator a rate of pay increase of \$1.50 per hour, the fiscal officer and village administrator raise the rate of pay by \$1.00 per hour. This will be a first reading for salary adjustments for each of those positions.
- Income tax funding, Matt explained how in the past we just did the first two months of revenue and put it in the income tax fund. After two months the income is broken out by 85% to general fund, 14% to capital, and 1% to street (correction to amounts: 85% to general, 14% to street and 1% to capital funds). The proposal is we establish an appropriation amount for the tax fund and then once we hit the set appropriation amount, we would transfer funds to general, capital and street funds. This way will ensure we do not run over or under needed funding for the tax fund. Mayor and then Matt reiterated the recommended change to the mix will be 76% general, 14% to street

and 10% capital funds. Mayor requested a motion to approve the changes how allocations will be made and how the tax fund will be funded. Tedd Finalyson moved to approve, seconded by White. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved. Tara provided Resolution 8-2022.

- Summer help Wyatt, last week we increased his hours to 40 hours to help with concrete work. He worked but did not exceed the 40 hours.
- Resolution to approved inter fund appropriation money within the fund. Request by Matt to approve by resolution. Tara explained we generally do approve by resolution. Matt reviewed the movements of money within the fund in order to make purchase orders to pay invoices. Matt provided a handout of the appropriations (see attached). Mayor requested a motion to approve a resolution moving the money between funds so we can pay the bills as listed on the handout by Matt. Motion made by Bellinger, seconded by Dively. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved.
- The next cement/sidewalk job council approved to get a cement truck for it which the owner will ultimately pay for. We will pay up front and then get reimbursed. Based on the last sidewalk job it was determined due to lack of people with actual concrete experience, we are requesting the approval of hiring Mark Porter @ \$30 per hour (same as what we paid him last year) to up 8 hours as an independent contractor. Hiring Mark is just for the purposed of work on Gayle Crawford's sidewalk. Council agreed on request. Mayor requested a motion to allow the mayor to hire Mark as an independent contractor. Dan recognized everyone that helped Kyle on the previous sidewalk job. Oberlin moved to approve, seconded by White. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved. Tara gave resolution 9-2022.

PLANNING COMMITTEE –

- Discussion that they canceled the previously scheduled meeting but were planning to have a meeting on Thursday, August 4th at 5:30.

SAFETY COMMITTEE –

- Chair, Matt Lawver discussed the Chief's dues of \$195 OACP are coming due. He also spoke about the need for small equipment requests for the police budget for next year.

CHIEF OF POLICE – Nothing to report

STREETS & ALLEY COMMITTEE –

- Chair, Tedd Finalyson said most of the street & alley items have been covered. He did add that the truck still has not been returned from being repaired. He also mentioned that he had received a thank you from several residents on the paving jobs on the alleys.

- Requests were made on street signs around the town. Discussion between Tedd and Chris regarding missing signs on Buechler. Kyle also mentioned missing sign around Strawberry and Yant.
- The renaming of the streets and the making of a parking lot at the trail head. Tara to provide info needed at a further date. Two streets still unnamed are MR37610 which runs east and west between Poplar Street and Buechler which is a back alley for those residents. The recommendation on naming that street was Fort based on street names voted on by residents. There is a short alley, MR37620 that runs between Grant & Wilson needs named. The names voted on with highest votes were Simon, Ohio, and Fort. The name chosen was Simon. Mayor requested Kathryn Place to be added to this resolution. Mayor requested a moved to approve. Oberlin moved to approve, seconded by Finalyson. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved. Tara assigned this as Resolution 10-2022.

STREET SUPERINTENDENT – Kyle Porter

- Kyle provided the following updates:
 - Sidewalks are partially done with remaining to be done by cement truck.
 - The installation of the solar powered digital speed limit signs will be installed on Park and Poplar Streets. The one on Park is to be located near Walnut and Park and the one on Poplar will be located on west end of town near the truck turn and ball fields are.
 - Storm sewer jetting, goal is to get it completed in the month of August.
 - Still working on water lines in town and still receiving complaints on water color and flow pressure. Until we replace the small water lines, we will continue to receive complaints.
 - Mayor said that he would like us to move forward with getting an engineer to help us get information needed to apply for the EPA grant to help with the cost of replacing the lines. Matt to set up a meeting with OMEGA and ask for help in setting up specifications for obtaining bids. Matt to setup meeting in the next month or two. Mayor believes we will need to take bids for an engineer and is unsure how we get bid specs without an engineer. He is hoping OMEGA will be able to help with the bid specs. Matt thinks we may also get some help with the funding from OMEGA.
 - Kyle has plans to flush water lines on the 2nd to see if it helps with the water discoloration, he is receiving complaints on.
 - Kyle will be painting the

PARKS & REC COMMITTEE –

- Chair, Dan Oberlin said nothing new but did reiterate his intention to investigate the tennis courts and see what he can come up with to get funding to get them fixed.

FISCAL OFFICER – Nothing to add

ADMINISTRATOR – Matt Judy

- Matt reiterated as previously discussed we will be having a working session to work with council to create the 2023 Village budget. To prepare for the meeting he will sit down with Randy and Kyle to determine what their needs are then he and Barb will begin working on documents based on the 2022 expenses and receipts. Reminder the budget is due to the county auditor by September 30th.
- Matt asked Tara about the Police levy that needs to be submitted by Wednesday, August

LAW DIRECTOR – Solicitor Tara Wright-Timberlake

- We need to amend permanent appropriations. Matt and Barb are to sit down and determine what we need to amend to make it thru the end of the year. Once we have that we will create a new ordinance. In the meantime, we will drop/cancel the ordinance we have been working on.
- For the Water Rules and Regulations, Tara requested the changes made by council needs to be provided to her so she can update the manuals and provide back to the Village. There was a discussion on water turn off notices and how it should be written in the policy. Currently in one section it is written the notice must be posted in a conspicuous location and in another area, it is to be sent by certified mail. Concerns were discussed with people refusing to go to post office to pick up certified mail knowing it is a notice. Kyle explained he is currently posting them to the resident's door and taking a picture of it as proof of notice. Everyone agrees with this process and remove the certified mail verbiage. Agreed to leave out the drought language for now and will be addressed again later. There is a typo in appendix on page 26 in the box for meter test that needs to be corrected. A change has been made to charge a \$40 fee for water connect/disconnects. The change to be made is regarding the fee if a resident requests a check on a meter read and if meter is working properly there will be a \$50 charge. Otherwise, all the changes made were reviewed and discussed by council. Moving the disconnect/reconnect rate with a majority approval by council. We also added in wording regarding homestead that the resident must show proof of homestead by the county auditor to receive homestead for water rates. Also added in verbiage that out of towners that qualify for homestead will also receive the homestead rate. Mayor requested a motion to approve with changes provided and discussed above. A first was motioned by Finalyson and a second by Dively. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved with exception of Dan Oberlin. Tara assigned this as Ordinance 30-2022.
- Tara discussed the police levy was approved by ordinance 25 back on June 4th. She has since researched and feels that ordinance needs to be rescinded and assigned as a resolution. She requested a move to rescind ordinance 25 and assign it with resolution.

Mayor requested to suspend the rules. Motion made by Bellinger, 2nd by Lawver. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved. Mayor requested a motion to rescind ordinance 25 by emergency. Motion made by Bellinger, 2nd by Lawver. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved. Mayor then requested a motion proceed with a renewal levy of 2 mil with an increase of 2 mils to be placed on the ballot in November that must be submitted to board of elections by the 10th. The language will be the same as the ordinance. Move to motion by Finalyson and a 2nd by White. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, and Tim White all approved. Dan Oberlin was the exception and voted no. Tara assigned this as Resolution 11-2022.

- Tara raised the question regarding the zoning Ordinance change that had been discussed. Do we want to move forward with the changes regarding recreational vehicles. Today is the 3rd reading and need to know if we choose to act on it or not. Discussion around the fee and if there is a maximum fine amount we can impose. Tara said there is no maximum amount, and we have the option to fine and/or go to court. She does recommend taking to court to ensure enforcement. Mayor stated what was decided was the first offense would be a written warning by mail, second offense would be a \$50 fine if not resolved in 3 days, the 3rd offense would be a \$150 fine if not resolved in 3 days, and 4th would be a \$250 fine if not resolved in 3 day period and a \$250 fine for every three days after with a maximum of \$1,500 before legal action commences. Tara explained we are self-imposing a maximum penalty. Further discussion on civil vs criminal action to help with enforcement of penalty. Tara left it up to council if we continue as a civil vs criminal action. Mayor recommended we pass without penalties and determine the penalties at a later. Council agreed to put it in with as penalties listed and determine civil vs criminal later. Motion by Dan Oberlin to move forward with a 2nd by Will Bellinger. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved. Tara assigned this as Ordinance 32-2022.

The next Council Meeting will be on Tuesday, September 6th at 7pm due to the Labor Day Holiday.

The mayor asked for a motion to adjourn until the next regular council meeting on Tuesday, September 6th at 7:00 p.m. at Village Hall. Motion to adjourn by White and seconded by Oberlin Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved by voting yes. The meeting adjourned at 8:30pm.

ATTEST: Barb Kline, Fiscal Officer

Approved: