

# VILLAGE OF BOLIVAR

## COUNCIL MEETING

September 6, 2022

The Bolivar Village Council met in regular session at the Village Hall on September 6, 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 White. 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 work session of August 11<sup>th</sup> and regular council meeting of August 1<sup>st</sup>. Mayor asked the council members if they preferred the minutes to be approved individually or collectively. Council agreed to a collective approval. A motion by Dively with a second by 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.

Payment of the bills for the month of August, the total of the bills was \$114,604.65. Reason so high we paid the invoice for the paving contract which was \$69,720.72. Motion to approve payment of the bills. Motion by Bellinger, seconded by Lawver. Acceptance of payment of bills by roll call vote, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved with a vote of yes.

Agenda, Mayor asked if there were any corrections or additions to today's agenda, no response given.

### **PUBLIC SPEAKS –**

- Chris Berens asked the mayor if she could meet with him separately regarding the new park to not take up time during the meeting. Mayor said yes. Chris requested support from the council on the statue for the new park. She is currently \$850 short for the funding of the statue. She also raised concern regarding the school bus that is traveling through her neighborhood. There are no children that need to be picked up so there is reason for the bus to travel in the neighborhood. It is tearing up the roads and causing traffic issues especially when Hennis workers are leaving work. She stated that if there is ever a need for the fire or police department to go up through there while the bus is there you will not be able to get through. She doesn't understand why the bus is even up there. Tedd and the mayor said they would contact the school bus garage and speak more on it during the next streets and alley meeting. She also complained that when the Village receives a phone call it needs to be returned.
- Kay Tomlin provided an update on the issue with her fence. She provided a copy of the auditor's boundaries for her property. The issue is for the last section of fence and the mayor stated there was no permit filed. She will comply with the request, and it will be completed by October 8<sup>th</sup>.

- Beth Watson spoke and said that as former tax administrator she appreciates how well things are going. She also thanked the mayor for taking care of the dangling tree branch at the library.
- Courtney Wallace is the supervisor at the library and wanted to thank Kyle and everyone that has been taking care of the issues at the library building. Provided updates on the summer reading programs. For June and July, the summer reading included 30 programs and 413 people attend. Recorded for kids' books there were 3226 books read, teens read 176 hours and 827 hours read by adults. These are those recorded. She was sure there were more, but these are the numbers recorded at the library. The library signs would like to work to get a smaller sign made to be posted in the Village. Courtney asked what the process is and who she needs to work with to get new signs created and put up? Dan and the Mayor said she could go ahead with the creation of the signs. Courtney also asked about replacing the water fountain outside the library. Kyle tried to fix the existing fountains, but they are too corroded, and Kyle is looking to replace them. Mayor said they would discuss the replacement during the next streets and alley meeting.
- Matt Wigfield and other fire department members attended and brought the new fire truck for everyone to see that is now fulling in service. He thanked the council for all the meetings that were needed to get the new fire truck purchased. He explained he is the new core fire department president. He has working to establish a core fire district. He was told it is easier to establish a core district if the fire department spear heads it. So, he is working with the various communities and Will Bellinger and Tedd Finalyson have agreed to be part of the committee. He is currently working on creating the committee and then will set the structure of the committee. Once that has been completed, they will begin work sessions. He also mentioned the water fountain at the library. He mentioned if we had covid money left we could use it towards the cost of the new water fountain.
- Maria App had a couple quick questions. The first is regarding the previous finance meeting. When making the decision on the raises, she asked if we had considered the impact when we lose \$14,500 in tax monies, the \$11,020 general fund will take a hit on assuming we are still using the 76% spit. The papers she provided that was one of the items. As new or newer council members, has everyone here taken the new council training offered by the state? The state has it once a year in March, she recommends council attends if they haven't. She also asked if everyone in council has the sunshine law manual. Loretta Dively said she did attend back in March and does have the manual. She did point out that the new fiscal officer needs to make sure she has the manual. Maria then asked who the income tax clerk reports to, the mayor replied it is the fiscal officer and that we were just discussing. She then asked who the utility clerk reported to, Barb Kline responded that she reported to her. She then asked who the fiscal officer reports to, and Barb replied she reports to Tim. Last question was when does the village plan on enforcing ordinances such as trash cans which has been an issue for years and also the signs as she feels it makes the village look like crap. She said even when she worked here, she said there has never been a direct answer as to who enforces/regulates the ordinances. Kyle stated what he works to remove the signs whenever he sees them. Mayor also stated that he received a lovely email about the signs earlier in the month as well. Maria said she drives here, lives here and has her reservations about how we enforce ordinances. Matt said maybe he should be working on it and asked for clarification on what signs people are and are not allowed to place. It was explained that no signs are permitted between the sidewalk

and the road, nothing on utility poles or on sign poles. People can ONLY put signs in someone's yard and must get the owner's permission to do so. If we see a sign in that area, we are to remove them. Tim, Barb and Kyle all spoke that when they see them, they are removing them and placing them in the Village garage so people can come get them if they choose to. Unfortunately, signs are going up faster than we can remove them. We agreed we would work harder to identify and remove signs in the future.

- Jeanne Gural, she has now lived in Bolivar for almost 3 years now. She is also the executive director of the Wilderness Society in Wilmot. She is starting to do outreach programs with the school systems and local clubs. She is teaching about the need for native plants for our pollinators and to support our birds. As an agricultural village it has recently become popular and needed to support those native pollinators that are NE Ohio specific. She is requesting to come do a presentation on native pollinators and native plants and the use of those because a lot of people look at them as weeds and they are not. They are Ohio strong native plants. She would like the opportunity to show and teach everyone the benefits of them and what they look like and why they are important. Mayor asked how long her presentation would take. She said she was not prepared to do so today. The mayor clarified how much time she needed, and she stated a good presentation would take approximately 15 minutes. She said she doesn't have to do it at a council meeting but can be done at a public meeting. She said she wanted to an education of the native plants and then show how we can use them in landscaping, front yards. Some people look at them and see a weed where she looks at them and sees a native plant. Dan spoke up and said he felt the library would be a good place to hold such a session. The library representative in attendance, Courtney Wallace chimed in in agreement. She is asking to have the education session during fall/winter to be done before spring. Someone asked if there was anything else she was doing to education people and she said yes that she is developing a curriculum for a stem-based education using native plants and native trees. That's a next step. She would first like to get people about using native plants as they use less water, no pesticides, herbicides, and are healthier for environment. And there are tax breaks when you use a sizeable piece of property that is dedicated to native plants for pollinators. Mayor asked if we could do some type of planting around the community service day with the school next year. We had 19 or so kids that helped with tasks this year on earth day. A question was asked if they had any course on raising bees. She said yes, they do have two classes on raising bees and they have a honeybee hive on display at their Wilmot location. There are two property owners in Bolivar that she helped to humanely and safely rid their homes of bees. The mayor said if she had something lined up before the next council meeting in October that we can communicate and send something to the local churches and schools to inform them of the education. The fire department representative in attendance, Matt Wigfield also spoke up stating if we chose to, we can use the fire department for future meetings if a large space is needed. The mayor asked Matt if we can have the October 3<sup>rd</sup> meeting at the fire station, he responded yes.

#### **Old Business –**

- Last month in the Bargain hunter there were a couple items that needed to be clarified. It stated that Kline was chosen out of 18 candidates when it was 12. Also, listed the operator as a new position it was not a new position. Next was council voted to spend up to \$15,118 on storm drain jetting. Kyle did reach out for an additional quote, but they did not get back

to him. The last item was regards to the sidewalks there were several errors there. Council approved hiring Mark Porter at the rate of \$30 per hr. with a maximum expenditure of \$240 as well as use of the cement mixing truck. Lang said the previous cement was performed by Street Superintendent Kyle Porter along with the help of Mayor Tim Lang, Council Member Will Bellinger, and street part-time worker. However, since Kyle Porter was the only experienced cement finisher the process was difficult and time consuming and adding an additional experienced cement finisher was needed to reduce the time and difficulty. The way it read in the Bargain Hunter; it made it sound like Kyle didn't know what he was doing. Lori Feeney, the Bargain Hunter reporter apologized that she didn't realize it read that way.

### **Mayor Speaks –**

- We touched on this in finance, we have been working on the hazard mitigation plan for Bolivar and Tuscarawas County at large. The document for that hazard mitigation plan is 384 pages. Even when they send it, they don't send it as a document because it is so large, they send the link to find the document. We however must adopt a resolution that states we adopt the hazard mitigation plan. By doing so and being part of the mitigation plans it means if we have a disaster and it is declared as a disaster, we can qualify for FEMA funds if the threshold is met. If we do not adopt the plan and we have a disaster, we will not be able to apply for disaster relief for recovery. The mayor needs a motion from council to adopt. Will asked if there was any cost to adopt. The mayor states we had to come up with goals for us and the three goals the Mayor and Matt came up with are to adopt a cog, look at a dual tornado/storm water siren and have it activated by dispatch and the third was enforcing county flood plan regulations. Those were the goals. It just states we must work towards them not achieve them. They feel as long as we have goals that we will move towards them. He informed them that we need the grant funding to achieve them. There are no penalties, and the grand funding now seems achievable as Lawrence Township has reached out regarding it. If everyone is good with that the mayor asked for a motion to adopt the plan. Bruce Lawver 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 the resolution, Resolution 12\_2022
- Next, Mayor handed out a proclamation. The Bolivar Community Church is going to be celebrating its 50<sup>th</sup> anniversary this Saturday September 10<sup>th</sup>. He told Pastor Aaron that he would create a proclamation to read. He asked if it were ok with everyone, he read it now for everyone to hear. Also, he mentioned council in the proclamation so if everyone is good with-it council will need to approve. Motion made by White, seconded by Diveley. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved.
- We brought on Andrew Nussbaumer as season part time worker for \$12 per hour for up to 24 hours a week. We need an ordinance by emergency to hire Andrew with a hire date of August 8, 2022. If everyone is good with that, he requested a motion to suspend the rules. Oberlin provided the motion to suspend with a second by Finalyson. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved.

- Next the Mayor needs a motion to go ahead hire Andrew Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved.
- at the rate \$12 per hour not to exceed 24 hours per week with a hire date of August 8<sup>th</sup>. Motion made by Finalyson, seconded by Oberlin. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved.
  - Tara assigned this to Ordinance 33-2022
- Based on continued discussion on See Click Fix we have canceled their contract. We had to pay for the first quarter, but they have been cancelled.

### **Committee Reports –**

- Finance – Will requested the interest. Matt provided the following data: Huntington Bank \$90.79; Star Water \$202.30; Star General \$518.40; Star Capital \$21.51. They reviewed the meeting minutes from the August meeting, and they were approved. We didn't discuss the budget because there will be a special meeting September 19<sup>th</sup> following streets and alley meeting to discuss the budget. There were bids on 9 trees, the lowest bid came in at \$5K from Smitty's the committee agreed to. The bid was passed around to council. Mayor moved for a motion to accept the Smitty's bid for the 9 trees listed on the quote. Just so everyone is aware the bid came in at \$5K and the location of the trees are 6 trees at 657 Laydene Ave and 1 tree at 141 Poplar Ave and one small tree at 317 Park Ave NE and 324 Park Ave SW there is one large tree. The last three listed are complete tree removals and stump grinding. Motion made by Finalyson and a second by White. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved. Newsletter – mayor requested to put something in the newsletter regarding the police levy. The letter was provided to Tara for review, and she approved the wording. Payments made for August totaled \$114,604.65.
- Planning Commission – Will stated the Tomlin fence issue came up which Kay stated would be resolved by October 8<sup>th</sup>. Then the last house going south out of town, the brick ranch was just sold. The Knoll residence, there is an issue that came up whether they are just storing stuff there or if they are using it for business storage. There seems to be a lot of traffic coming and going there. The neighbors are doing more research and will get back to them and determine if there is an issue that needs to be addressed. The mayor also mentioned that Josh Ragon showed up at the previous meeting and he is looking at having that property rezoned and neighbors are concerned with that as well.
- Safety – Bruce wanted to mention and thank firefighters Wigfield and Seward for taking tonight to be present tonight and coming to the committee meetings to review the

entire area of safety. And for bringing the new fire truck to the meeting for everyone to see. We already covered the hazard mitigation plan with everyone. Bruce also mentioned the creation of the fire district and how this is a very popular idea and one that has been discussed for years. Bellinger and Finalyson will be assisting on the creation of the fire district. The hope is we can create a fire district to better serve the community.

- A thank you card came in August 8<sup>th</sup> to the Chief of Police from the Luke and Meredith McCartney. The card included a gift card for BBQ. It was a very nicely written card for helping the family.
- Street and Alley – Tedd asked if Kyle got the truck back yet. Kyle said he was told he should have the truck back by the end of the week. A discussion then occurred if there is anyone else in the area that worked on international truck engines. Tedd asked if the car port payment was straightened out. Matt stated yes, he was going to cut the check and send it out. Kyle completed the concrete of three different areas and put down seed. Tedd said he felt Kyle did a great job on the catch basin. Tedd also reported that Kyle was able to get the tools he needed. There was a discussion about the two parcels of land within the village and Barb was able to get that straightened out with the census bureau. Reviewed possible construction for curbs and roadways because of grass coming up thru the pavement.
- Parks & Rec – Dan stated that as far as he is aware everything is going smoothly with baseball and football. Insurance is taken care of. He also wants to get in and talk to someone in the school system because in the past Bolivar has worked with someone in the school system to maintain the basketball and tennis courts. Looks like they will become ours in the future. Mark Murphy from the school system reached out to the mayor stating Miss Audrey Clemens the principle is interested in turning the tennis courts into a pickleball court and got a quote to do so. She had Kyle review the quote and the quote looks like they will do it right. The mayor told Mr. Murphy that the land is not owned by the Village but would be willing to work with the school to get a grant to help cover the cost. Dan also mentioned that the car show is coming to the Village on Saturday September 10<sup>th</sup> and will take place 4 – 7. The streets will need closed but has already been covered in a previous meeting. Also, the Century ride will come thru on the 17<sup>th</sup> and 18<sup>th</sup> for a bunch of riders for the Ohio Erie Canal. They will be placing directional signs for the riders. This was also approved in the August meeting.
- Fiscal Officer – Barb Kline, nothing.
- Village Administrator – Matt didn't have the tax budget ready and will have it to them during the street and alley meeting. Income tax was included in last month's meeting. However, there was an error during last month's meeting where he stated tax fund breakout was 76% to general 14% to street and 10% to capital. When the actual breakout was 85% general, capital had 14% and street had 1%. The recommendation is to have 76% to general, 10% to street and 14% capital. The other question was if we

wanted to wait to change the split till January. It was decided to hold off on the reading until we have something to put in front of council.

- Law Director – Tara said the only other Ordinance she wanted to pass out to everyone was the pay to employees. She had 10 copies to pass out to everyone. Looking at her notes she wanted to see if she had all the categories were accounted for. Increase by was for her notes. Tara asked if the street supervisor was receiving a raise. Barb confirmed we were giving street superintendent a \$1.50 raise and there was no mention of a raise for part time patrolmen or part time street workers. Barb asked if we were going to increase the min and caps. Tara clarified that we were removing the min and caps and we will include the raise amounts with the actual wage amounts. The mayor clarified we were just including full time patrol, police chief, street superintendent, fiscal officer, income tax clerk, assistant clerk, and administrator. This is a second reading for the ordinance to set the rate of pay for the Village. The street superintendent an increase by \$1.50, police chief an increase of \$5.00, fiscal officer an increase \$1.00, full time patrol and increase \$1.50, income tax clerk and assistant clerk and increase of \$1.50, village administrator an increase by \$1.00. Will clarified the total increase is a total increase of \$13.00. The mayor stated yes as you have to take into account benefits that actually figures out to a dollar actually figures out to \$1.26 for one \$1.16 or \$1.17 for the other with OPERS and Medicare so we are still under the \$17.00. Bruce asked if we have to redo the caps and minimums and Tara clarified no, that any new ordinance will supersede the previous ordinance. Barb asked if the new ordinance included that verbiage and Tara said yes.
- Street Superintendent – Kyle spoke with Chempure regarding the sewer jetting. They said it would take another couple weeks to complete the projects. The jetting already done looks good. The mayor said he was there when they were off at Cherry and Park and Chempure was shoveling out as both ends were caked. Kyle printed off a schematic for Chempure and they will communicate if there is any deviation for future projects. Dan asked about storm drains and Kyle said when we do the water line project, we should include drainage to help with the water flow. Kyle said he will be flushing the hydrants on Wednesday, September 14<sup>th</sup> and asked if we can get a notice out to residents. Matt said yes, he can do a mass notification of the hydrant flushing. Kyle said he gets complaints about light poles being out. He asked if anyone sees a light out to take down the information on the poles and send it to us so we can get them fixed.
- We will have a special session of council on September 19<sup>th</sup> following street and alley committee meeting at approximately 6:30. The start time will be determined by what time the committee meeting ends.
- The next regular council meeting will be up at the fire hall on Monday, October 3<sup>rd</sup> at 7:00 pm. We will do safety and finance at the fire station as well prior to council meeting. Will would like to make the council meetings at the fire hall a regular thing to help with participation.

- The mayor requested a motion to adjourn until October 3<sup>rd</sup>. Motion made by White, second by Oberlin. Council approval by roll call, Will Bellinger, Loretta Dively, Tedd Finalyson, Bruce Lawver, Dan Oberlin, and Tim White all approved.

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Tim Lang, Mayor

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ATTEST: Barbara A Kline, Fiscal Officer

**Approved:** October 3, 2022