

# VILLAGE OF BOLIVAR

## COUNCIL MEETING

October 3, 2022

The Bolivar Village Council met in regular session at Village Hall on Monday, October 3, 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, White, and Oberlin all answered yes to roll call. Lawver (had an emergency) and Dively (on vacation) were absent.

The Mayor asked for a motion to accept the minutes of September 6<sup>th</sup> and 19<sup>th</sup> 2022. Tim White moved, seconded by Tedd Finalyson. In a roll call voted all voted yes.

The Mayor asked for a motion to approve the bills for September which totaled \$40,039.40. Will Bellinger moved, seconded by Time White to approve the bills. In a roll call vote, White, Oberlin, Bellinger, Finlayson, and all voted yes.

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

### **PUBLIC SPEAKS –**

- Maria App addressed the council regarding her concerns with the raises. She had sent an email on the subject. She expressed her concern with the amount of the levy we have in excess after raises. She stated that 49% of the levy will be spent on the raises. The mayor explained the level has no impact the raises and vice versa since we already have the budget set and approved for 2023 and the 2023 budget includes the raises, however the budget does not have any of the upcoming levy included as it has not been voted on yet. Maria asked where the raises will come from, The Mayor stated the raises will come out of the existing budget. She then mentioned how the Village lost the part time police officer, and other police officers. She kept stating how the raises were an impact to the budget.
- Michella Huth asked if anyone had the amounts the level will cost the average taxpayer. Matt told her anyone can go out to the Tuscarawas County Auditor's site, and it will tell you exactly. Matt said he will figure it out for her and to move on and he will let her know once he had it for her. Then asked if there are any other raises in the plan for 2023, the Mayor stated no. Michella then asked if there is a caps and minimum for pay rates. The new ordinance for the raises will remove that previous ordinance with caps or minimums. She then asked the council why they were eliminating the caps and minimums. Dan stated it is due to the fact the caps were making it hard to pay enough to retain good employees. The mayor also stated the loss of boomer and other employees has made the workforce smaller and much more competitive creating a unprecedented increase in wages. She then went on to complain about the weeds and conditions of the city hall and illegal signs.
- Chris Berens discussed the cost of the statue for the new park. The cost has gone up. We will need to get donations to cover the gap between the cost and the grant money we have received. She also brought to council and mayor's attention that one of the council

members was going to the town building and took the tile that was purchased for another project that never went through. She is asking to stop people from taking any more of the tiles and if possible, to get those that were taken be returned. The tiles were included in the proposal that was used to obtain the grant money we received. Taking the tiles risks the grant money being lost and creating an even larger gap in funding the park. The council member, Dan Oberlin spoke up and stated he is the member that has taken the tiles he purchased. The tiles were for a monument sponsored by the Downtown Committee that never came to fruition. Chris said she wasn't getting into an argument over it. Dan said if you want my tile take him to court!

- Gerry was wondering about next year trimming some village trees near her property because they are causing issues for those riding bikes on the towpath. Mayor said that wasn't a problem that they were out trimming trees today and will take a look at them. Kyle also said he will take a look at them.
- Courtney brought some handouts showing the improvements they made to the library. They cleaned up the wiring, the boiler room among other things. She also brought some mocked up signs at three different sizes for the council to review for approval. The mayor said Matt Ritterback is very opposed to putting up a sign that everyone knows where the library is. However, people in attendance disagreed that they get stopped by people on a regular basis asking where it is. Everyone agreed with the 10 x 14 size sign that is blue with white lettering. She also mentioned they had a very busy month with the cleanup projects along with the various reading programs. The mayor asked if the person from the Wilderness Center ever reached out to her, Courtney said no but she would reach out to her but needed to figure out how. Barb Kline stated her name was in last month's minutes and provided Courtney with a copy of the minutes. Barb also stated that if Courtney looked up the Wilderness Center website there was contact info there.

## **OLD BUSINESS – None**

## **MAYOR SPEAKS –**

- Leaf pickup has begun. He asked if you are raking your leaves please make sure you are getting them out as close to the road as possible and to not put the piles next to parked cars.
- Seasonal helper is leaving us, and we will be looking for a new seasonal helper. Friday, we received interest from two people. The issue is if we should we bring new hire on as seasonal and if he works out bring him on as part time. The decision was for the mayor and Kyle to interview both candidates and make a decision from there.
- We need to set the time for trick or treat. Bolivar always does trick or treat on Halloween on October 31 which is a Monday. Originally, he thought about 6pm to 7:30 but then he was emailing with Holly. If we made it earlier it would be better for photos and asked what everyone thinks. He asked if we should do 5:30 – 7:00 or 6:00 – 7:30? Kyle said he felt starting at 5:30 would be better to give parents time to get the kids settled down before putting them to bed. Others agreed with the 5:30 start time. The mayor asked if

anyone knows if the Lions club was doing their party, Dan said he would find out and let us know.

- The state auditors sat down with the Mayor, Matt and Barb and said they were about 2/3 of the way done and provided some insights and recommendations to what they have seen so far. They also said they will be sending an addendum to their price as the hours spent has gone over what they anticipated.

## **COMMITTEE REPORTS**

### **FINANCE – Will Bellinger**

- Unfortunately, we did not have a meeting as we did not have a quorum.
- Bills for September were \$40,039.40 and interest reported as follows: Huntington \$3.32, Star Ohio Capital Fund \$22.23, Star Water \$218.18, and Star General Fund \$59.81
- Will then asked if he would speak to the levy. What we have done is we had three officers; we moved a part time officer moved to 32 hours. The goal there was because we had the issues with part time officers, we felt it would be better to get one officer that way they were trained and doing the job regular, reduces the liability and issues and gets them out in the community. As you know that did not pan out, they left for a better paying job. At that point with the way things were going we couldn't find anyone that wanted the job. We decided we just are not going to get anyone so with that money Matt did the calculations that we had roughly \$17 per hour we could spend. Our decision was because we have been losing people instead of trying to fill that role, we would eliminate that third officer role and use those funds to give raises, so we hopefully do not lose anyone else, and we stay competitive. We wanted to do this before the levy, so people understood and were upfront with everyone of what we were doing giving these raises out and if the levy doesn't pass, we are fine because we are without our budget that has been set. If the levy does pass, we get into next year we can consider either bringing those hours back possibly if we think we can find officers or use that police money and fee up the general fund for other things. No one knows what next year brings, we could have more inflation, things could get a lot worse. Inflation is not going to go away, we could go into a recession, we may need that money. The point being we planned this; it fits it our budget. So, if we don't get that money passed nothing changes. The only thing that changes you lost that third part time officer. But unfortunately, it is just hard hiring a police officer. No one wants to be a police officer right now especially at the wages we were paying. The goal is to keep the people we have. What I'm hearing from you Maria is we are spending all this extra money and we are not; we are using money already in the budget for salaries. As an example, we had \$1K we were spending so we gave \$1K in raises, nothing has changed. That money went from here to here. Hopefully the idea is to keep the people we have because like the people we have and we think they are doing a good job whether some people feel differently. We want to keep the people going forward. We hope the levy passes that why we did this now we wanted to be upfront with the people. We wanted them to know hey we are doing this, but it is not costing us anything extra and it is in our budget. If you want to pass the levy great but if you don't don't I get it. Money is going up

everywhere, the problem is it is going up for us as well. Everything costs more. If you've gone to the grocery store you know, everything costs more. We just want to take care of our employees. We are not spending any new money we are just taking money from one place and moving it to here to pay for the raises. I hope the levy passes but if it doesn't, we are prepared. Maria spoke up and said she is not trying to be contentious, but I come here as a taxpayer as a resident of this Village long term. I have some issues with that. I have some issues with Ok you have it but why are you spending it all that's one thing. The second thing I have an issue with is the fact you are not only giving the police, but you are giving from \$1.50 to \$5, that's a huge gap. So how do you handle it down the road? What you are doing is creating disparity on your wage scale now you have the lower end guy the higher end guy and that big gap in between. This is exactly what we went thru back in 2010 & 2011. We had to shore that up and that's why we had the caps and minimums. What I've heard tonight there is no caps and minimums it's a free for all. Then you have employees who just started 2 months ago who hasn't had their probationary raise and according to your policy book they aren't even technically a full-time employee yet or a fully sanctioned employee yet and yet are giving a raise 2 months later and a probationary raise that trails it. She also stated she's not just talking about the police, she is also talking about the street guy, the village administrator, the fiscal officer. The mayor spoke up stating that the whole market is out of whack and explained how difficult it was to hire the new fiscal officer. They had 12 candidates and set up 5 interviews. Of those 5 candidates, 1 stated unless they were guaranteeing \$24 an hour she wasn't interested, another called and said they were way to low that she wouldn't even entertain it and changed her mind that she had failed to see what we were paying for a wage requirement and that is after he had convinced council to spend up to a thousand dollars on searching for candidates. Maria spoke up and said she gets it and knows what's involved in the position. The mayor then spoke with that with the market for labor being what it is. Maria then spoke with what about her market I'm not getting it I'm going to have paying more taxes what about my market I'm not getting a \$5 hr. raise. The mayor then spoke up stating right now the best way to get a raise is to go to a new job which is what has been happening. We've lost how many employees in the last year? Will then spoke up stating to Maria, you know this. It isn't like we said they give us this money for the police then we ran out and did this after. That would be wrong. Maria then said that is the here and now, what happens if the police, Randy is the longest standing employee he's been with us since 2007. We have had the highest turnover in the police department over any other department. What happens if he leaves, and the next guy doesn't take a stipend and he needs the full health insurance? Now you've created a bigger deficit because you have higher wages. Will stated yes, we may face that but that's the problem. The mayor then stated we have to deal with the here and now. Maria then said we need to look at other villages our size regarding wages and that she gave us data on it. Dan said we did look at other villages and she said she doubted it that we just said we did! The mayor said the point is people are leaving and we have to address it. That is what this is about, addressing it we aren't just giving raises.

## **Planning Commission – Matt Judy**

- Matt requested the following resolutions to be voted on:
  - Mayor requested a motion to approve the Amounts and Rates for the County Auditor. Motion by Bellinger, second by Finalyson. Roll call, Bellinger, Finalyson, Oberlin, and White all voted yes. Tara assigned it as Resolution 14-2022.
  - Discussion on what to call the new fund. Matt asked Chris if she had a preference on the name, she did not. The mayor recommended to name it the Zimmerman Park Fund. Motion to approve by White, with a second by Finalyson. Approved by roll call, Bellinger, Finalyson, Oberlin and White. Tara assigned this to Resolution 15-2022
  - A resolution to do a supplemental appropriation for the street construction fund for \$20K. This is to appropriate funds that were unappropriated. Motion to approve by Bellinger, second by White. Approved by roll call, Bellinger, Finalyson, Oberlin and White. Tara assigned this to Resolution 16-2022
  - A resolution to approve the intra fund transfer for the month of September to make payments. Motion to approve by Finalyson, second by Oberlin. Approved by roll call, Bellinger, Finalyson, Oberlin and White. Tara assigned this to Resolution 17-2022

**Safety** – Didn't have a quorum so no meeting.

**Chief** – Randy Haugh

- Attending qualify on 10/9 in Sugarcreek at 9am at no cost.
- Randy request to extend his vacation past his anniversary date of the 24<sup>th</sup> to the 28<sup>th</sup>. He would use it by 28<sup>th</sup> of October. Motion to approve by White and a second by Bellinger. Approved by roll call.
- Asked if we would be providing candy to the police to hand out for trick or treat. Last year we did \$200 for police and \$100 for Lions club. Decision was to spend the same amount as last year. If Lions doesn't do anything, then the entire amount to go to the police. Motion to approve by Oberlin and second by White. Approved by roll call.

**Street & Alley** – Tedd Finalyson

- Truck is finally back from repairs and running well.
- The new light pole money cleared the bank so the pole should be coming soon
- Carport for large equipment storage construction is complete and ready for use

- ChemPure is part way thru the storm drain jetting. Looking good. The process is going slower than expected. In the past when we performed hydrant flushing water would run down streets, now doing down the storm drains.
- School bus routes as concerns raised by Chris Berens was discussed with school. School said the route is for safety reasons for pickups. This will change when the new schools are built. We will keep an eye on the street conditions.
- Checking into whether we need to change the corporation limit signs on north end of Park Ave due to changes made when Massillon Materials purchased the property. Tedd requested Tara to look into this.
- Performed a leaf vac trial which went well
- Century ride also went well
- Mayor asked if we wanted to vote to replace the water fountain at the library tonight. Dan stated he wanted to reach out to the township to help with the cost. Barb asked if we could approve and start process to replace and if township will help pay then they can reimburse the village. The water fountain has the ability to fill water bottles for a cost of \$1,145.00. Motion to approve by White and a second by Finalyson. Approved by roll call.

**Recreation – Dan Oberlin**

- Baseball is winding down
- Football practice has started at Waterworks Park
- Health fair will be held on October 22<sup>nd</sup> and sponsored by the Bolivar Rotary Club and Bolivar Army Navy from 6am to 10am
- This weekend is Applefest in Zoar
- Dan still needs to investigate and speak with the school about the pickleball court. Mayor stated he and Matt met with Mark Murphy and Dr. Varansky and now in an email they are no longer going to assist in the cost.

**Street Superintendent – Kyle Porter**

**Fiscal Officer – Barb Kline**

- Received an email from Brewster letting us know that we were invited to attend the Ethics training class they were hosting on November 3<sup>rd</sup> at 10am. Asked if anyone else wanted to attend. Will asked how long it would last. Barb to ask and let everyone know. If anyone wants to go to let Barb know by October 13<sup>th</sup>.

**Village Administrator – Matt Judy**

- Need a point of clarification from council regarding garbage pickup on Sassafras. Dan had called stating trash collection was missed behind his building. Anything north of Poplar is permitted on Sassafras. Discussion regarding Kimble pickups and their shortage of employees. Also discussed Barnhart request to use another company for

trash pickup. If it is commercial, he can if it is residential no. The contract with Kimble is only for residential. Further discussion to take place at next zoning meeting.

- Mayor request approval to allow Matt to cash a check that has been sitting on his desk for months because he will not cash it because it was for more than the approved hours. Request also to approve extra hours to cover the hours he has been working with the auditors when they were onsite. The request is 3 weeks as he was putting in extra hours due to the audit and Barb being off for vacation. The decision was to approve 28 hours per week for 3 weeks starting 9/6 – 10/1. Motion by Finalyson and second by White. Approved by roll call.

### **Law Director – Solicitor Timberlake**

**1<sup>st</sup> Reading:** Of an ordinance for contractual services for 2023 with our prosecutor which is the same as we had for 2022. Our prosecutor is Patrick, Zimmerman, and Rose out of New Philadelphia. The contract will run from January 1, through December 31, 2023, at \$80 per hour.

**2<sup>nd</sup> Reading:** The contract with the Public Defender Commission to provide indigent defense services for 2023. Again, this is the same as what we have in place for 2022. \$2500 annual contract that needs to be paid by March 1, 2023 and runs from January 1 through December 31, 2023.

**3<sup>rd</sup> Reading:** Ordinance to set the rate of pay for employees of the Village. The Village of Bolivar Council hereby sets the minimum rate of pay for each village position and hereby amends and replaces Ordinance 27, 2020. Therefor the minimum for each position are as follows:

- Street superintendent current \$20.38 per hour with a proposed increase of \$1.50 new wage \$21.88 per hour
- Police chief \$23.08 per hour with a proposed increase of \$5.00 new wage \$28.38 per hour
- Fiscal officer \$19.00 per hour with a proposed increase of \$1.00 new wage \$20.00 per hour
- Full time patrolman \$16.50 per hour with a proposed increase of \$1.50 new wage \$18.00 per hour
- Income tax admin \$15.39 per hour with a proposed increase of \$1.50 new wage \$16.89 per hour
- Assistant clerk \$14.85 per hour with a proposed increase of \$1.50 new wage \$16.35 per hour
- Village administrator \$18.86 per hour with a proposed increase of \$1.00 new wage \$19.86 per hour

These would be the new minimum rates. This is the 3<sup>rd</sup> reading Tara asked what the effective date would be. Mayor stated normal process is 30 days after 3<sup>rd</sup> reading and could go into effect November 2nd. Discussion around whether we start on the 30 days or after 30 days but

at beginning of pay period. Maria and Matt said splitting a pay period wouldn't be too difficult. Discussion to wait till next pay period. Final decision was to start beginning of next pay period which would be November 6<sup>th</sup>. Motion to move forward with pay increase, first by Bellinger with a second by Oberlin. Approved by roll call.

The mayor asked for a motion to adjourn until the next regular council meeting on November 7, 2022, at 7:00 p.m. at Bolivar Fire Department. Motion to adjourn by Finalyson and seconded by Oberlin. In a roll call vote, all members present voted yes. The meeting adjourned.

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Mayor Tim Lang

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ATTEST: Barb Kline, Fiscal Officer

**Approved:**