

# VILLAGE OF BOLIVAR

## COUNCIL MEETING

May 6, 2019

The Bolivar Village Council met in regular session on **Monday, May 6, 2019**. The meeting was called to order by Mayor Hubble at 7:00 pm. The Pledge of Allegiance was said. The Mayor opened the meeting with a prayer. Gettan, Lang, Lawver, Lebold and Vincent all answered to roll call; Lloyd was absent.

Gettan moved, seconded by Vincent, to accept the previous meeting minutes. In a roll call vote, all members present voted yes.

The Fiscal Officer read the bills for the month of **April which totaled \$102,595.72**. Gettan moved, seconded by Lawver, to approve the bills. In a roll call vote, all members present voted yes.

There were no corrections or additions to the agenda.

### **PUBLIC SPEAKS –**

Fire Chief Shawn Lynch was in attendance. He reported the Fire Department has been working with the Lawrence Township Trustees for a while in regards to potentially putting on a Levy. They are forming a committee to look at all the different aspects before it would actually go on the ballot. Lynch stated they are looking for a volunteer from Council to sit on the committee at the Bolivar Fire Department. So far, they have a rep from the Village of Zoar and Mike Haueter, Lawrence Township has also agreed. Discussions will include: financials, run volume and looking at what other communities may be doing well or not well. Lynch referred to EMS companies in the County that have recently been in the paper. He reported ambulance companies are starting to fail.

A decision needs made by the beginning of August as to whether or not to place on the ballot. The first committee meeting will be on Monday, May 13 at 6p. They will meet every two weeks through the beginning of August. Bruce Lawver volunteered to attend; Tim Lang also offered to show up.

Lang went on to state that he understands their concerns but he also has concerns of his own. The Mayor added, her biggest concern is the Village has to renew their Police Levy. She fears if the Village decides to do this one big levy and it fails, it would be crippling. The Fire Chief reported that is a dead issue; they are now just talking about strictly an EMS Levy and not a Public Safety Levy. The Mayor added, "That's totally different than what we talked about". The Chief said after talking to Chief Haugh and Mayor Gordan, it would be too rushed/pushed to pursue a Public Safety Levy.

Lang said he helped work on the last fire levy which failed by a few votes; he just doesn't want to have to keep asking. "It was heartbreaking we were so close".

**MAYOR HUBBLE** – The Mayor welcomed Brooklyn Fockler for attending the meeting. She is observing the Council meeting to receive extra credit in her government class.

The Mayor announced Arbor Day will be celebrated on Wednesday, May 15, 2019 at 10:00 A.M. at Hennis. They have a tree to plant; some of the residents who are able to come out will be helping with planting the tree. It's a nice time; a proclamation will be read. The Mayor encouraged anyone to attend.

In other news, the Mayor reported she had a visit this morning from Kimble Recycling. The program has changed in the past 4-5 years. Previously almost anything could be recycled but that has changed dramatically. Kimble is requesting the Village to state in Council and on our website the new recycling guidelines. "Recycling can be done right and it's in 3 easy steps. Number 1: If you have a doubt as to whether or not it's recyclable, throw it out. Number 2: Recyclables must be clean and dry". For example, a peanut butter jar is a recyclable item, but in order to be able to recycle it, all the remaining food product inside the jar needs cleaned out; then it needs to be dry. The inside of the containers cannot have water (or liquid) in them or they will be considered contaminated. It would contaminate the entire line. Caps are not recyclable; they must be thrown in the trash. "Cardboard must be flattened and free of any dirt or debris. A pizza box is recyclable as long as it does not have grease on it. If it is greasy, it needs thrown out. Christmas cards, or any glossy shiny paper is not recyclable". In addition, Kimble has provided recycle totes; please don't throw plastic bags in the totes. If plastic bags

filled with recyclables are found in the recycle totes, the entire bag with its contents will be thrown in the trash. The plastic bags jam the recycling machines.

The Mayor inserted a retraction. After further reading Kimble's guidelines, it stated under the plastic jugs and bottles section "Only clean empty plastic bottles or jugs are accepted. Please do not crush the bottles and keep the lids on." App added, we may want to verify that with Kimble; there may be a typo in their letter. The Mayor added, "Glass bottles should be empty, clean and dry in the recycling tote; but no glassware can be recycled". This includes window panes or light bulbs. Only metal and aluminum cans can be recycled and cardboard must be flattened. Magazines, mail and copier paper are accepted.

Barb Limbacher said they used to send all the recyclables over to China and they accepted everything. That has since changed because they are no longer taking the recyclables; therefore there isn't as much of a market.

The Mayor stated the Memorial Day program will start at 10 A.M. at the Intermediate School. It will go to Ft. Laurens as it has in the past. Before the Parade goes through Bolivar, for those who want to go earlier, it will start at 8:30 at the Zoar Cemetery. It will form at the Zoar Volunteer Fire Department.

The Mayor also reported she attended the Tree City USA ceremony in Youngstown with Dave Franks and Tim Lang. They took a beautiful tour of their gardens and lakes. "It was absolutely stunning".

**FINANCE** – Gettan announced the Star Ohio interest for the month of April, 2019 was \$824.67.

Gettan brought forth a Resolution to Amend Appropriations; increasing line items for both the street levy fund and the library within the general fund. Gettan moved, seconded by Lang to approve the **Resolution as R-6-2019**. In a roll call vote, all members present voted yes.

Gettan moved, seconded by Vincent to approve the installation of a replacement window at the library totaling \$668.00. In a roll call vote, all members present voted yes.

Gettan reported we have a trash rate increase from Kimble. Currently, the rate is \$12.00 per month; finance recommends only increasing \$0.50 per month (\$1.50 per quarter) beginning June 1, 2019. Lang asked about our contract with Kimble; he thought we were locked in with a rate. App noted the Village has a five (5) year contract for services, however, the price will go up each year by a small amount. The increase is based on the CPI (consumer price index). Lang moved, seconded by Gettan to suspend the rules. In a roll call vote, all members present voted yes. Gettan moved, seconded by Lang to approve **AN ORDINANCE, O-15-2019, INCREASING THE REFUSE RATES FOR THE VILLAGE OF BOLIVAR; ESTABLISHING AN EMERGENCY**. This will increase the rate from \$12.00 per month to \$12.50 per month. In a roll call vote, all members present voted yes.

Gettan read a request from a Power of Attorney regarding a trash/water exemption for a resident who has not lived in their home (due to medical reasons) since July of 2018. Gettan moved, seconded by Lang to approve the exemption until the home becomes occupied. In a roll call vote, all members present voted yes.

Gettan moved, seconded by Vincent to replace the old water fountain in the foyer of the Police Department with a water cooler in the amount of \$132.00. In a roll call vote, all members present voted yes.

Gettan moved, seconded by Lawver to purchase a wall mounted brochure holder in the Police Department at a cost of \$95.31. In a roll call vote, all members present voted yes.

Gettan stated the Chief would like to have a mural painted on the wall of the foyer in the Police Department. It would be the Bolivar Police badge to be painted on the navy wall. The committee is requesting approval of \$300.00 for time and materials to paint the mural. Gettan moved, seconded by Vincent to approve hiring a local artist to paint the mural. In a roll call vote, all members present voted yes.

Gettan moved, seconded by Lebold to approve approximately \$100.00 for additional paint in the council room, bathrooms and offices. In a roll call vote, all members present voted yes.

Gettan brought forth a request from Lawrence Township seeking a donation from the Village in the amount of \$1,250.00 to assist with the funding of the composting bay. Gettan feels it's a good thing that the residents utilize. Lang asked if the township gets grants for that. The Mayor read a letter from Township Trustee, Matt Ritterbeck in regards to the compost bay. Zoar has already given money towards this bay. Lebold feels we should go ahead and help the Township because the Village uses the

bay too. Gettan moved, seconded by Lebold to approve spending \$1,250.00 for the composting bay. In a roll call vote, Gettan, Lebold and Vincent voted yes; Lang and Lawver voted no.

Gettan moved, seconded by Lang to approve up to \$696.00 for the Mayor to attend the Ohio Municipal Leagues annual Mayor's conference in Columbus on June 12-14, 2019. This amount is based on whether the Fiscal Officer attends the conference; if she does not, the total would be \$636.00. In a roll call vote, all members present voted yes.

Gettan moved, seconded by Lang to approve spending \$420.00 with American Road Machinery for a leaf vac hose connector that needs replaced. In a roll call vote, all members present voted yes.

**PLANNING**- The Mayor reported on behalf of Gettan since she was absent for the last zoning meeting. Hubble announced the zoning committee approved the new zoning maps with corrections to reflect the districts. Vincent enhanced the maps with darker print.

**SAFETY**- Lawver reported the Chief is in Columbus at the OACP training. Lawver also said he has received some good compliments regarding our new police officers. The community has appreciated them.

**CHIEF**- absent

**STREET & ALLEY** – none

**STREET SUPERINTENDANT/ADMINISTRATOR** - Franks stated he has been in contact with the pavers. They are a few weeks behind due to the weather.

**SHADE TREE** – Franks reported they have planted twelve (12) trees so far; the 13th tree will be planted on May 15. They started a row of trees on Route 212 just past the ball fields. They planted three (3) trees that will get one hundred (100) feet high. A Magnolia tree will be planted with the Hennis residents for Arbor Day. Lebold asked about the three (3) dead trees. Franks said they will be replaced tomorrow.

Lawver said he has a redwood tree he would like to donate. It's already ready for planting; Dave said he would come get it.

**RECREATION** – Vincent reported the Bolivar Baseball/Softball Association has submitted their 2019 certificate of insurance. All teams are practicing on their fields. Vincent also noted the final 220' of fencing and rails have been installed on the Trail.

Vincent said there was some discussion about whether there was any soccer interest this year. She asked Franks if he was able to get a hold of them. Franks said nobody has been up there. He said the little Trojan Football is looking for a place. Lang interjected that he talked to a soccer rep a couple weeks ago and they are interested. This will be discussed more at committee.

**FISCAL OFFICER** – none

**LAW DIRECTOR** – absent (deferred to the Fiscal Officer)

In the absence of the Solicitor, App brought forth the **third reading of AN ORDINANCE ADOPTING THE AMENDED RULES AND REGULATIONS GOVERNING THE USE OF MUNICIPAL WATER IN THE VILLAGE OF BOLIVAR**. Lang asked if everyone received a copy of the updated regulations. App said everyone received an updated copy on April 3. App noted that the Solicitor, Mayor, Franks and Fiscal Officer met on April 2 to review the language of the regulations. The final copy was sent to all of Council on April 3. App reviewed the items that were changed in red. The Mayor stated, in regards to rates, Nathan Davis with RCAP will be presenting to Council in June or July. He will also be presenting our Asset Management Plan to better prepare for metered rates. For the time being, since the existing metered accounts haven't had a rate increase since approximately 1999, the rate will increase to \$58.50 per quarter. All future metered accounts will be addressed at a later date. Lebold moved, seconded by Lang to adopt **Ordinance O-10-2019**. In a roll call vote, all members present voted yes. App noted, the effective date will be June 5, 2019.

Lebold made an announcement that the car show will be held at Ft Laurens on July 20, 2019; they are seeking volunteers. In other news, Lebold recently learned while at the diner that Kayla may not be able to do much for Christmas on the Canal this year. Therefore there is a need for volunteers for that event as well as decorating the Christmas house. Lebold requested the announcement to be posted in the paper.

App stated, when the Mayor, Solicitor and Franks met in April to review the water rules book, there were some questions about our water rules book vs. the Civil Citation rules. The Solicitor does not recommend having the sprinkling rules in the Civil Citation; she recommends keeping it in the Water Regulations book because it has a different enforcement. So what that means, Council would need to pass an ordinance to amend the Civil Citation Ordinance; removing the sprinkling section and keeping it in the Water Regulations book.

App further read the Ordinance that states, "WHEREAS, the Village Council wishes to amend the civil citation system to remove "Water Sprinkling during non-designated times" as that provision is in conflict with the Rules and Regulations of the Water System of the Village of Bolivar.

Lang moved, seconded by Gettan to suspend the rules. In a roll call vote, all members present voted yes. Lang moved, seconded by Gettan to approve **AN ORDINANCE, O-14-2019, TO AMEND THE CIVIL CITATION PROCEDURES UNDER THE VILLAGE OF BOLIVAR CIVIL CITATION SYSTEM; DECLARING IT AS AN EMERGENCY.** In a roll call vote, all members present voted yes.

App stated last August Council approved adding hours for Heather (our Income Tax Administrator) as a clerical assistant to transcribe meeting minutes. App is requesting the Ordinance to be rescinded. Gettan moved, seconded by Lang to rescind Ordinance O-18-2018. In a roll call vote, all members present voted yes.

Lawver made a motion to go into an executive session for personnel for the purpose of discussing employment and compensation of a public employee; action may be taken. Lawver requested the Council, Mayor and Fiscal Officer to remain. Lang seconded the motion. In a roll call vote, all members present voted yes. Council went into executive session at 7:49pm.

The Mayor announced they came out of executive session at 8:09 pm. She asked if there is anything that needs to be brought before Council before we adjourn.

Lawver moved, seconded by Gettan to suspend the rules. In a roll call vote, all members present voted yes. Lang moved, seconded by Vincent to approve **AN ORDINANCE, O-16-2019, RESCINDING ORDINANCE 12-2019 AND DECLARING IT AS AN EMERGENCY** In a roll call vote, all members present voted yes.

There being no further business, Gettan motioned, seconded by Lawver, to adjourn until the next regularly scheduled council meeting on Monday, June 3, 2019. In a roll call vote, all members present voted yes. Council adjourned at 8:11 pm.

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Mayor Rebecca S. Hubble

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ATTEST: Maria A. App, Fiscal Officer

Approved: **June 3, 2019**