

# VILLAGE OF BOLIVAR

## COUNCIL MEETING

December 2, 2019

The Bolivar Village Council met in regular session on **Monday December 2, 2019**. The meeting was called to order by the Mayor at 7:00 pm. The Pledge of Allegiance was said. Lloyd opened the meeting with a prayer. Gettan, Lang, Lloyd and Vincent all answered to roll call. Lebold and Lawver was absent.

Lloyd moved, seconded by Gettan, 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 **November which totaled \$41,588.91**. Gettan moved, seconded by Lang, 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 –**

Several residents attended this meeting to hear council's final decision on making Lover's Alley a one-way. None requested to speak.

Council had a **third reading on making Lover's Alley one way and decided to table this matter with no further discussion.**

**MAYOR** – Mayor Hubble wished everyone a Merry Christmas and prosperous New Year. She thanked all the volunteers who helped make Christmas on the Canal a great success this year. Mayor Hubble also thanked everyone for allowing her to remain serving as Mayor for the Village.

**FINANCE** – Gettan announced the Star Ohio interest for the month of November, 2019 totaled \$630.51; \$8,359.17 year to date.

Motion from Gettan and seconded by Lang to amend appropriations as **RESOLUTION R-22-2019**. Gettan asked the Fiscal Officer to brief council on the needed amendment of appropriations. Smith stated appropriations are: decreasing in the general fund \$190.20 from legal and accounting and increasing bank fees and misc. in the amount of \$190.20: Towpath fund is decreasing in the amount of \$443.45: Capital fund increasing appropriations for the library in the amount of \$5,000.00. In a roll call vote, all members present voted yes.

Gettan made a motion to approve \$72.00 for Dante Mariani for installing Carbonite for the Police Department. The motion was seconded by Lloyd. In a roll call vote, all members present voted yes.

Gettan made a motion to allow for the destruction of 2-APC battery back-up devices, a camera bag, curtain rods/valances, a toilet, an answering machine and a Dell Printer. All items are no

longer serviceable and/or obsolete. The motion was seconded by Vincent. In a roll call vote, all members present voted yes.

Gettan made a motion to allow \$175.00 to purchase a new office chair for the Mayor. The motion was seconded by Vincent. In a roll call vote, all member present voted yes.

Gettan briefed council on the need to replace several water gate valves in the Village. The estimate received from Core & Main totaled \$11,473.14 to purchase the needed values. Gettan made a motion to allow for the purchase of 1 12" value, 2 4" values, 3 6" values, 2 8" valves, and 2 10" valves. The motion was seconded by Lloyd. In a roll call vote, all members present voted yes.

Gettan stated Maria App is scheduled to return on 12/16/2019. Maria has requested an extension to 12/20/2019 to allow time to complete several on-going special projects. Gettan made a motion to set Maria's return date to 12/20/2019. Vincent seconded the motion. In a roll call vote, all members present voted yes.

**PLANNING-** No meeting was held in November. Gettan said the next planning meeting is scheduled for December 5, 2019 at 5:30PM.

**SAFETY-** A total of 50 calls were received; 36 were service calls and 14 were warnings issued. Mayor Hubble stated the accreditation for the Police through Lexipol is close to being presented to the attorney for review. The Police departments goal is to have accreditation by the new year.

The Police Departments' Taser gun battery requires replacement. Cost is approximately \$80.00. Gettan made a motion to allow a not to exceed \$80.00 for the battery replacement. The motion was seconded by Lloyd. In a roll call vote, all members voted yes.

The evidence room at the Police Department is in need of a dehumidifier. Gettan made a motion to allow a not to exceed \$200.00 for the dehumidifier. The motion was seconded by Lloyd. In a roll call vote, all members voted yes.

**ADMINISTRATOR/CHIEF-** None.

**STREET & ALLEY –** Tim Lang stated the Asset Management plan for the Village requires an exercise schedule the water gate valves in the Village. He said this will need to be implemented with the purchase of the new gate valves.

Lang said a business owner on Canal has requested council look into the parking situation on Canal Street. Lang said the Street an Alley committee will be researching parking and zoning for Canal Street.

**STREET SUPERINTENDENT-** Franks stated leaf pick-up for the season will finish December 11, 2019 at noon and the last day for composting will be December 9, 2019. Franks said this will allow time to get the snow plow and salt spreader ready for the season.

**SHADE TREE –** Mayor Hubble said she is working on the very lengthy application for Tree City USA. It is her goal to have this completed by this end of this year.

**RECREATION** – Vincent stated the Recreation Committee met Monday November 18, 2019.

Vincent stated most of the Committees discussion has already been presented at this meeting. She said there was discussion however on the problem with the plug in power on the light poles. The contractor was to return and re-set the GFCI plugs. Mayor Hubble stated the contractor did reset the GFCI's but there are still issues. Franks stated he contacted the contractor and they did go out and tape the boxes so water did not get in. He said he contractor is contacting the supplier of the GFCI boxes to see what needs to be done to remedy the situation. Mayor Hubble stated the project remains in the hands of Central Allied and they will need to fix this. She said we cannot legally reset the GFCI's as the contractor has not completed and turned the project over to the Village.

Vincent stated the Pee Wee football organization is using the Village field and the Village has not received a Certificate of Insurance. Franks talked with the Pee Wee football representative and will get a Certificate of Insurance issued to the Village before any further use of the field is granted.

Vincent updated council on the progress with the repairs at the library. She said an additional window will be required and that there was hidden damage that is being addressed as well.

Vincent said Christmas on the Canal was a huge success and everyone had a good time.

**FISCAL OFFICER** – None.

**LAW DIRECTOR** – The Solicitor stated the requirement of a **third and final reading on O-30-2019 an Ordinance allowing the Mayor of Bolivar to enter into an agreement between the Village of Bolivar, Ohio and the Tuscarawas County Metropolitan Sewer and Water District for the reading of meters.** Motion to pass **O-30-2019** was made by Lang and seconded by Lloyd. In a roll call vote, all members present voted yes. Ordinance passed.

The Solicitor stated the requirement of a **third and final reading on O-31-2019 an Ordinance to appoint Megan Gettan and Tim Lang to the Village of Bolivar's Volunteer Peace Officers Dependents Fund Board.** Motion to pass **O-31-2019** was made by Lang and seconded by Vincent. In a roll call vote, all members present voted yes. Ordinance passed.

The Solicitor stated the requirement of a **third and final reading on O-32-2019 an Ordinance providing for the contractual services of legal counsel of Tara Wright-Timberlake for the Village of Bolivar as Solicitor** at the un-changed rate of \$60.00 per hour. Motion to pass **O-32-2019** was made by Lloyd and seconded by Lang. In a roll call vote, all members present voted yes. Ordinance passed.

The Solicitor stated the requirement of a **third and final reading on O-33-2019 an Ordinance contracting with the Tuscarawas County Public Defender Commission to provide indigent defense services for the year 2020** that would take effect January 1, 2020 at an annual fee of \$2,500.00. Motion to pass **O-33-2019** was made by Lang and seconded by Gettan. In a roll call vote, all members present voted yes. Ordinance passed.

The Solicitor stated the requirement of a **third and final reading on O-34-2019 an Ordinance approving the 2020 Water Rates for the Village of Bolivar.** Residential flat rates of \$129 per quarter or \$43 per month, Non-Resident rate of \$150 per quarter or \$50 per month, and Homestead rate of \$108 per quarter or \$36 per month. Motion to pass **O-34-2019** was made by

Lang and seconded by Gettan. In a roll call vote, all members present voted yes. Ordinance passed.

Lang and Gettan addressed the residents present saying the increase was not wanted but necessary as the asset management study indicated the Village was way below cost of other water companies in the State of Ohio and that many new capital improvements will be demanded in the next few years. Mayor Hubble stated everything possible was done to seek grant funding to no avail.

The Solicitor stated a **second reading is necessary for an Ordinance providing for the contractual services of legal counsel for the Village of Bolivar as Village Prosecutor (Fitzpatrick, Zimmerman, and Rose)**. She stated the rate of \$80.00 remains the same as 2019. This is the second reading.

The Solicitor stated the requirement for a **second reading on an Ordinance to approve a new contract with the Village of Zoar to provide police services for Zoar through the year 2022**. This is a second reading.

The Solicitor stated the requirement for a first reading on an **Ordinance to authorize the Mayor and Fiscal Officer of the Village of Bolivar to execute the agreement between the Village of Bolivar and the Tuscarawas County Commissioners to provide Inmate Housing at the Tuscarawas County jail**. This is a first reading.

The Solicitor stated the requirement for a first reading on an **Ordinance for Contract Services for the Tuscarawas County Public Library** for a period of 5 years with utility reimbursing set at \$3,000. This is a first reading.

Solicitor stated the requirement for a first reading on an **Ordinance amending the Village Municipal Income Tax to comply with HB 166**. This is a first reading.

Solicitor stated the requirement for a first reading by title only on an **Ordinance to establish a share percentage for health insurance coverage for the Village employees and to amend section 12.3 of the Village of Bolivar's policies and procedures manual**. This is a first reading.

There was a discussion on the purchase of bulk water from the Tuscarawas Metropolitan Sewer and Water district. Ordinance 0-30-2019 originally addressed this concern. Mayor Hubble, council and the Solicitor discussed and extracted the bulk water purchase out to 0-30-2019.

Mayor Hubble asked for a first reading on an **Ordinance authorizing the Mayor of the Village of Bolivar to enter into an agreement with the Tuscarawas County Commissioners for the purpose of purchasing bulk water**. The solicitor will prepare ordinance. This is a first reading.

Gettan asked the Mayor when the Tax Grievance Committee members will need to be appointed. Lang said this committee is established to handle any disputes as to how residents have been taxed. Mayor Hubble stated the appointments will be in January.

Lloyd made a motion to go into executive session for the purpose of personnel to discuss employment, compensation, and/or promotion/demotion of public employees. Action may be taken. The motion was seconded by Gettan. In a roll call vote, all members present voted yes. Council adjourned to executive session at 7:40pm.

Council adjourned executive session at 8:32pm. Mayor Hubble stated no action will be taken on items discussed in executive session. She stated there will be a special meeting of council on December 16, 2019 at 5:30pm. Mayor Hubble stated if there were no more concerns, we will need a motion to adjourn.

Motion to adjourn made by Vincent and seconded by Lloyd. In a roll call vote, all member present voted yes. Meeting adjourned at 8:33pm.

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Mayor Rebecca S. Hubble

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ATTEST: Patty Smith, Interim Fiscal Officer

**Approved:**