

# VILLAGE OF BOLIVAR

## COUNCIL MEETING

November 2, 2020

(Teleconferenced as advertised in the Times Reporter due to COVID-19)

The Bolivar Village Council met in regular session via GoToMeeting teleconference on **Monday November 2, 2020**. The meeting was called to order by the Mayor at 7:05 pm. The Pledge of Allegiance was said. Lloyd opened the meeting with a prayer. Gettan, Lang, Lloyd, Oberlin and Vincent all answered to roll call, Lawver was absent.

Gettan moved, seconded by Lang, 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 **October which totaled \$62,101.23**. Lloyd moved, seconded by Lang, to approve the bills. In a roll call vote, all members present voted yes.

There were no corrections and/or additions to the agenda.

**PUBLIC SPEAKS** – none

**OLD BUSINESS** –

Welcome packet status – The Mayor advised the packets have been sent to the printer for a final quote.

The Mayor advised she still needs pictures from Gettan, Vincent, and Lang for the ID badges.

The Mayor advised the Smart Shore trenching equipment has been delivered. The final cost was \$8595.00 The Dewalt storage container has been purchased in the amount of \$79.00. They are working on obtaining the hoses for the bladders.

**MAYOR** – Advised the Village website is under construction. It will need to be rebuilt to include attachments. The Mayor's email address is [Mayor@villageofbolivar.com](mailto:Mayor@villageofbolivar.com).

Announced she spoke with the Society of Equal Access and was informed that the organization receives very few requests for assistance from residents of the Village. The organization provides help with transportation and minor home repairs at little or no cost. If anyone needs this assistance, please contact the New Philadelphia office at 888-213-4452.

Thanked everyone for a very successful trick or treat. The fire department, Justin' DJ service, Jeep Club, and Lions Club all participated.

### COMMITTEE REPORTS

**FINANCE** – committee The Mayor deferred to App.

App reported the combined interest for STAR Ohio & STAR Plus for the month of October was \$61.50 and bank interest of \$6.52.

App requested council approval to amend appropriations as a Resolution by reallocating \$900.00 within the General Fund and to reallocate \$3262.00 in wages for Assistant Fiscal Officer Moore and Fiscal Officer App to the COVID Relief Fund. Lloyd moved, seconded by Vincent to approve the amended appropriations in the General Fund by \$900.00 and to

reallocate wages in the General Fund to the COVID Relief Fund as Resolution R-16-2020. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

App requested council approval to purchase smoke detectors/carbon monoxide detectors for all the municipal buildings. Franks advised he spoke with the fire department and was advised the fire department would provide six smoke detectors for free. App requested council approval to purchase three smoke detectors/carbon monoxide detectors for the Municipal building, Chief's office, and Council Chambers at a cost of \$33.00 each. Vincent moved, seconded by Lloyd to purchase three smoke detectors/carbon monoxide detectors for the Municipal building, Chief's office, and Council Chambers at a cost of \$33.00 each. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

App requested an exemption for water/trash at the Lebold estate retro to October 1, 2020 until the property is sold. Lang moved, seconded by Gettan to approve an exemption for water/trash billing for the Lebold estate retro to October 1, 2020 until the property is sold. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

The Mayor requested council approval to purchase her old village laptop the was replaced with a new laptop that was purchased with COVID Relief Funds. Solicitor Timberlake advised she would look at the legal aspect of the purchase. Vincent stated that if council agrees, then the laptop should just be donated to the Mayor. Lloyd stated if there is a legal issue with allowing the purchase just to keep the laptop and use both laptops for village business.

App advised that all five businesses within the village have been contacted and offered the small business grant through the COVID Relief Funds. Bolivar Pizza has donated the grant of \$500.00 back to the Village so that \$500.00 will now be split between the other businesses. The amount of the small business grants will now be offered to the remaining four businesses in the amount of \$1175.00. Lang moved, seconded by Gettan to approve the small business grants in the amount of \$1175.00 to the remaining four businesses in the village. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

App requested council approval to extend her accrued vacation time through the end of December 2020. She currently has 25 ½ unused vacation hours. Lang moved, Gettan seconded to extend App's 25 ½ unused vacation hours through December 2020. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

**PLANNING-** Gettan reported meeting for November 5, 2020 will be cancelled.

**SAFETY** - Lloyd advised here was a total of 50 calls for October.

Lloyd advised the training for AR15/taser has been completed.

Lloyd advised they are looking into some electrical issues with the Explorer cruiser.

There have been some issues with the construction workers on Bolivar Street due to the Northstar paving at Sassafrass Alley.

**CHIEF-** nothing at this time.

**STREET & ALLEY** – Lang – advised the trash trucks to have damaged Strawberry Alley and the committee has been discussing a few economic solutions for the repair. A meeting has been scheduled on November 6, 2020 with Northstar Paving, Kimble Recycling, Franks, Lang, and App. Lang is asking council to authorize up to \$10,000.00 to repair Strawberry Alley. Lang moved, seconded by Lloyd to authorize up to \$10,000.00 to repair Strawberry Alley pending the meeting on November 6, 2020. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes. App ask Solicitor Timberlake if an Ordinance will need to be attached to this motion and Timberlake advised that no ordinance would need to be attached to this motion at this time since there is no contract yet.

**STREET SUPERINTENDENT- Franks** – advised the street department has began leaf vacuuming and asked that residents please rake the leaves to the edge of their yard and do not rake close to obstructions.

Franks advised the Village of Strasburg needs two crosswalk signs that the village has extra signs available. He is asking for council approval to donate the two signs to the Village of Strasburg. Lang moved, seconded by Vincent to approve the donation of two crosswalk signs to the Village of Strasburg. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

Franks advised he found a leak in the roof at the reservoir the houses the radio control tower. Nathan and himself put a metal roof on the reservoir to repair the leak.

Franks advised Christmas on the Canal will be November 21, 2020. Decorating for the event will begin on November 12<sup>th</sup>. The Mayor advised the parade will still be held this year with line up at St. John's church at 1:00pm and parade beginning at 2pm. The fire department will be escorting Santa and goodie bags provided by the Bolivar library and Hennis Care Center will be handed out. Letters to Santa will be distributed to the children that they can return to the Santa Box. The Mayor would like council approval to close Canal Street on November 21<sup>st</sup> from 2pm – 4pm for the parade. Vincent moved seconded by Lloyd to close Canal Street on November 21, 2020 from 2pm – 4pm for the Christmas on the Canal parade. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

**SHADE TREE** – Franks – advised he is getting quotes on limb removal for trees on Cherry Street and around the library. There is a tree on Poplar Street that will need to come down after a car hit it.

The Mayor advised she is working on the certification that is due December 6, 2020.

**RECREATION** – Vincent – thanked everyone for a successful trick or treat.

Franks announced the Little Trojan Football 3<sup>rd</sup> & 4<sup>th</sup> grade team won the super bowl over Indian Valley.

Franks announced the American Legion will be holding a swiss steak dinner on November 7, 2020. This will be a carry out only dinner and he will set up barricades for the drive thru.

#### **FISCAL OFFICER/ADMINISTRATOR –**

App advised the water meter project began October 30<sup>th</sup>.

App advised she is still working through the ODOT financials and is looking for additional funding for the out of pocket expenses for the downtown project.

**LAW DIRECTOR – Solicitor** presented the following ordinances.

#### **. THIRD READING OF AN ORDINANCE TO AMEND THE POLICY AND PROCEDURE MANUALS ARTICLE 4,5,7, 10, and 17**

Lang requested additional clarification on the grievance/due process procedures as he did not see this in the manual. Timberlake asked if council wanted to add a grievance/due process procedure, Lang asked if this is a requirement? Timberlake advised she would need to research this on the front end because the appeal process would not happen at the village level rather through the court of common pleas. Franks asked if this amendment would encompass all employees and Timberlake stated yes, all employees except for the police department because they follow Lexipro. Franks stated that it seems coincidental that these policies are being changed as a result of his issues in the last six months and feels that he is being targeted. Lang advised that he has been requesting these amendments for the past eighteen months and the manual has needed more detailed policies for the good of all parties involved. Lang moved, seconded by Gettan to approve **Ordinance O-41-2020 TO AMEND THE POLICY AND PROCEDURE MANUAL ARTICLES 4,5,7,10, AND 17**. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes.

. **SECOND READING OF AN ORDINANCE PROVIDING FOR THE CONTRACTUAL SERVICES OF LEGAL COUNSEL FOR THE VILLAGE OF BOLIVAR AS VILLAGE SOLICITOR THROUGH 12/31/2021 AT \$60.00 PER HOUR.**

. **SECOND READING OF AN ORDINANCE PROVIDING FOR THE PROSECUTOR CONTACTUAL SERVICES FOR THE VILLAGE OF BOLIVAR WITH STEVE ANDERSON/FITZPATRICK ZIMMERMAN AND ROSE LPA THROUGH 12/21/2021 AT \$80.00 PER HOUR.**

. **SECOND READING OF AN ORDINANCE CONTRACTING WITH THE TUSCARAWAS COUNTY PUBLIC DEFENDER COMMISSION TO PROVIDE INDIGENT DEFENSE SERVICES FOR THE YEAR 2021 AT \$2500.00 A YEAR.**

Solicitor Timberlake advised she researched the question of allowing the Mayor to purchase the old laptop during this meeting and found that gifting the laptop is allowable per O.R.C. 102.04. Lang moved, seconded by Vincent per O.R.C. 102.04 to gift the old Laptop the Mayor has been using before the purchase of a new laptop with COVID Relief Funds.

App requested legal guidance regarding the use of COVID Relief Funds for the Fiscal Officer and Assistant Fiscal Officer wages in the administration of the funds. During the Finance Committee meeting it was discussed the App has 483 overtime hours year to date. The Finance Committee is requesting council approval if allowable to pay App for overtime devoted to COVID-19 since she is a salaried employee. The Mayor advised that App has accumulated these hours due to the mitigation of COVID-19 through webinars, research, ordering and receiving items purchased, accounting, and updating reports and should be compensated for her overtime. Timberlake advised that if the Fiscal Officer's wages are an eligible expense for the COVID Relief Funds then it would be allowable per the same O.R.C. 102.04 as the Mayor's laptop. It was determined the Fiscal Officer's wages are an eligible expense for the COVID Relief Funds and App advised she has calculated a conservative accounting of 110 hours for COVID mitigation, research and administration of the relief funds. Council agreed with the compensation and Lloyd moved, seconded by Vincent to allow compensation per O.R.C. 102.04 for 110 hours of overtime to be paid to Fiscal Officer App for the administration of COVID Relief Funds. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – no, Vincent – yes. Motion passes.

The Mayor read a letter submitted by council member Megan Gettan announcing her resignation effective November 2, 2020, her term ends December 31, 2021. The Mayor stated that Gettan has been an important part of the village during her time on council and will be sorely missed. Lang and Vincent echoed the Mayor's statement and asked if there was anything that could be done to change Gettan's mind. Ms. Gettan thanked everyone for their thoughtfulness but respectfully declined. Ms. Gettan did agree to remain on the zoning committee. Lang moved, seconded by Vincent to unwillingly accept Gettan's resignation as council member effective November 2, 2021. In a roll call vote Gettan -yes, Lang – yes, Lloyd – yes, Oberlin – yes, Vincent – yes. Motion passes. The Mayor advised that council will be accepting letters of intent for anyone who is interested in filling the vacant council seat until November 16, 2020. The Mayor would like to appoint someone to the vacant seat at the December 2020 meeting.

The Mayor asked for a motion to adjourn until the next regular council meeting on December 7, 2020 at 7:00 p.m. The platform will be via teleconference. Lang moved, seconded by Vincent to adjourn until December 7, 2020. In a roll call vote, all members present voted yes. The meeting adjourned at 8:28 p.m.

---

Mayor Rebecca S. Hubble

---

ATTEST: Maria A. App, Fiscal Officer

**Approved:** December 7, 2020