

# VILLAGE OF BOLIVAR

## COUNCIL MEETING

January 5<sup>th</sup>, 2023

The Bolivar Village Council met in regular session at the Bolivar Fire Station on Thursday, January 5<sup>th</sup>. 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, Lawver, White, Oberlin, and Diveley all answered yes to roll call.

Mayor Lang opened by asking for a nomination for President Pro Tem. Tim White nominated Tedd Finalyson. Motion to accept by Oberlin with a second by White. In a roll call vote, Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all voted yes.

Mayor Lang asked for a motion to accept the minutes of the December 1<sup>st</sup> and December 15, 2022, meetings. Tim White moved, seconded by Loretta Diveley. In a roll call vote, Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all voted yes.

The mayor asked for a motion to approve the bills for December which totaled \$71,137.97. Bruce Lawver moved, seconded by Tedd Finalyson to approve the bills. In a roll call vote, Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all voted yes.

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

### **PUBLIC SPEAKS –**

- Becky Hubble told those in attendance that in 2025 it will be the 100<sup>th</sup> anniversary for the Village of Bolivar. She recommended we, the Village, should create a committee to begin the planning of the celebration. She suggested having some type of commemorative memento to sell to raise funds and for remembrance of the anniversary. She recommended a plate, or glass as examples of items that could be created for the sale. She requested the council to approve forming the committee now so we can provide adequate time to properly plan the celebration. She feels this is something big and needs to be given proper planning and needs to have residents of the Village to be part of the planning. Will Bellinger agreed with the idea of forming the committee. Mayor Lang suggested we include the Main Street Association with the planning of the celebration. Becky said that Bolivar Main Street will be part of the celebration, but Bolivar Main Street is not a committee of the Village they are an entity of the businesses of the Village. She stated she feels this is something the Village needs to take a hold and participate in the planning. Mayor Lang and Will Bellinger recommended Becky bring this to the next Parks and Rec meeting to discuss further. The next meeting is Thursday, January 9<sup>th</sup> at 5:30pm at the Bolivar Fire Station.
- Maria App asked if during the last round of raises in November that we realized we missed a key personnel person, the water operator, Chuck Williams. Asked if there was a reason Chuck was by passed because he was by passed in January 2022 as well? Mayor Lang stated he had spoken with Chuck in November, and he said he was okay with his pay as is. Maria said that Chuck was a modest man and wouldn't ask. Mayor Lang said he would

talk to Chuck and ask. Maria said you shouldn't ask a humble person. Mayor Lang said he would discuss it further with Chuck.

- Leland and Karen spoke as new residents of the area and asked if there was a process they needed to follow when creating a new business. It was discovered they are actually new residents of the Wilkshire Hills area and not within the Village limits. Dan Oberlin and Mayor Lang said they would need to set up with the tax department. Mayor Lang would have the tax admin call them. Karen then asked for clarification of Wilkshire not being part of the Village. Mayor Lang explained Wilkshire is actually part of Lawrence Township.
- Chris Berens wanted to make sure everyone was aware of the tragic loss of an eighth grade Tusky Valley student last night and to keep his family in your thoughts and prayers. She then asked when the office hours for the Village were set to 11am – 2pm stating those were very short hours and difficult for a working resident. Barb Kline stated the hours were posted by her after she was hired. Those are the hours we can guarantee someone will be in the office as she and Matt are only part time. Barb then clarified that both her and Matt had offered to stay later to help a resident who needed to stop in after they would normally leave. If a resident calls and asks, someone will adjust to help them be able to come into the office for assistance. Chris asked if this information was posted on the website, Barb said she would check and if it isn't she will get it added. Chris then gave an update on the statue for the new park. We have a prototype, and it was included at the last meeting down at PAC in December. They now have a design and students chosen and are working through the legal paperwork with the students. Barb asked if the prototype could be put on display in the town hall building? Chris said yes but no. The prototype will be in the conference room as they begin working on the statue. She also said they will need to let into the village hall on Monday, January 9<sup>th</sup> at 6pm.
- Jeremy spoke regarding the meetings the Village is having at the fire station. Mayor Lang clarified there are typically 3 meetings a month and are as follows: Zoning meetings on the 1<sup>st</sup> Monday of the month at 5:30; Council meetings are the first Thursday of the month preceded by the finance meeting starting at 6:00; Street and Alley is the third Thursday of the month at 5:30. The fire department board is just trying to get a better understanding of the Village's needs and is recommending we draw up a formal agreement between the two entities. Mayor Lang agreed we can do that but was told to hold off until after the next fire department board meeting which is the 25<sup>th</sup>. It was recommended to have a representative of the Village at the meeting on the 25<sup>th</sup>. Mayor Lang asked Tedd Finalyson to attend and represent for council and mayor. Tedd agreed to attend and bring back what the final decision was. Dan and Will stated that they didn't feel we needed to only have the council meeting at the fire station and have the committee meetings at council chambers. A final decision will be made after the fire department meeting on the 25<sup>th</sup>.
- Chief Shawn Lynch stated there was a tragic loss of life in Newcomerstown in a fire event. As a result, the Bolivar Fire Department has been giving out free smoke detectors to residents of both Bolivar and Lawrence Township. Since the announcement the fire department has given out 40 detectors. Those detectors were possible as the result of donations from the members of the fire department opening up their wallets. There is no way to know if smoke detectors would have prevented the tragedy in Newcomerstown, but the fire department wants to give everyone a fighting chance. However, to do so they need donations. They want to continue giving out free smoke detectors so there will be

letters going out to the area businesses asking for donations. If anyone wants to make a private donation all you need to do is reach out to the fire department. You can also reach out to the department for free community CPR training. They are willing to train anyone interested, just reach out to the fire department.

**OLD BUSINESS** – None

**MAYOR SPEAKS** –

- Announce the appointment of each of the following individuals:
  - Street Superintendent – Kyle Porter
  - Water Operator – Chuck Williams
  - Tax Administrator – Heather Lecce
  - Village Administrator – Matt Judy
- Appointment for each of the following committees:
  - Finance Committee – Tedd Finalyson as chair as well as Bruce Lawver and Tim White
  - Safety Committee – Bruce Lawver as chair as well as Tedd Finalyson and Tim White
  - Street & Alley Committee – Will Bellinger as chair as well as Loretta Diveley and Dan Oberlin
  - Parks & Rec – Loretta Diveley as chair as well as Will Bellinger and Dan Oberlin
- He spoke with Steve as well as street and alley as regards plowing drives for senior citizens to ensure the fire department has access. Steve recommends he research it further. There are non-chartered municipalities that do it, Bolivar is a non-chartered municipality. They do as the power of local self-government not because there is specific statute that states they can do it. They tie it back to health, safety, and welfare. Since there is no statute, it can be challenged and would be up to the courts. Mayor Lang discovered while researching for his December newsletter that some municipalities would clear senior residents once the roads were cleared. In those communities they would require the resident to be over the age of 65 and have no one else living in the home under 65 to do the snow removal or you were permanently disabled and have no one else in the home that is capable and have a doctor's signature stating the resident was incapable. The snow removal was for the purpose of ambulance would have access to the home without difficulty. This was discussed in the street and alley and wanted to add a caveat that the resident had to be on homestead. So, the resident must be either permanently disabled, over 65 and on homestead with no other person in the resident capable of removing the snow. The mayor then asked if everyone was still interested in proceeding. Dan, recommend we pass it on emergency because if we do it by three readings it will be spring until we are done. Dan asked Kyle what his thoughts were on doing it. Kyle asked that if we move forward that there be language in it that states no vehicles would be in the drive and that he would not be held liable if there is any damage as snow makes it difficult to see boundaries of the drive so he could be in

part of the yard etc. Tim White asked how residents would sign up? Mayor stated that we would start with sending letters to those with homestead since we know who those residents are. Steve explained waivers and how it must be done to prevent liability. Becky spoke up and said she understands the thought behind it but feels we would be opening the village up for a world of hurt. Dan and others also were concerned with the manpower it would take so the mayor recommended based on feedback to postpone further discussion to the next street and alley meeting.

- Mayor Lang said he needs to report out to council on the finances; however, he asked Matt Judy to provide the update. Matt handed out a copy of his update which stated the following information:
  - The general fund ended fiscal year 2022 with a balance of approximately \$712,604. An increase of \$35,377 from fiscal year 2021. Revenues for fiscal year 2022 were \$377,906. Our revenues decreased from fiscal year 2021 by \$25,873. The majority of the decrease was due to a decrease in the income tax revenue. Our disbursements for fiscal year 2022 were \$342,530. Our expenditures decreased from fiscal year 2021 by \$69,679.
  - The overall ending fund balance for fiscal year 2022 for the operating funds of the general, street construction & maintenance, state highway, income tax, permissive motor vehicle tax, policy levy, street construction levy, capital projects and water was \$1,316,000. An increase of \$128,518 from fiscal year 2021. Overall revenues for these funds for fiscal year 2022 were \$920,172. This was a decrease of \$35,196 from fiscal year 2021. The overall disbursements for these funds for 2022 as \$791,654 a decrease of \$90,495 from fiscal year 2021.
  - Highlights of expenditures for fiscal year 2022:
    - \$69,000 for paving projects
    - \$15,000 for storm sewer jetting
    - \$56,500 to make our first payment on the water meter project
    - \$12,000 to fix the truck
    - \$10,000 in tree removal
    - This was a total of \$162,500 and is 20.5% of our total disbursements
  - Wages for fiscal year 2022 were \$254,322 representing 31.2% of total disbursements. Wages for the fiscal year 2021 were \$263,526.
  - Highlights for revenues for fiscal year 2022 included an increase in water and trash rates.
  - This will be the last time we will see Barb Limbacher here representing the paper. She has been here a long time and it is a sad day and the end of an era. Mayor Lang asked Barb if she would like to speak. Barb stated she received a phone call a week before Christmas from the Repository. They told her that the budget had been drastically cut for the correspondents and that they could no longer justify paying her for meetings when people didn't click online to read them. And so, they said you are losing 15 meetings a month. She had been covering 20

meetings a month, some of those twice a month. She lost Tusky Valley, Zoar, Garaway, Sugarcreek, Beach City, and Bolivar. They are allowing her to cover 5 meetings. She said she can come to the meetings, but she can't report them to the paper. She can report them on her Facebook page but will not pay her for them. She can report on the Strasburg Council, Strasburg Board of Education, Fairless, and the Joint Solid Waste District meetings. She wanted to thank everyone for putting up with her for this long. She has been reporting for close to 40 years!! We all wish her well!!

## **COMMITTEE REPORTS**

### **Finance – Finalyson**

- Payment for the bills of December totaled \$71,337.97. Interest received was as follows:
  - Huntington \$268.61
  - Star General \$965.84
  - Star Water \$376.42
  - Star Capital \$40.08
    - Total was \$1,435.04
- Resolution for the intra fund transfers for the month of December 2022. Motion made by Finalyson, second by White. In a roll call vote, Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all voted yes. Steve assigned this Resolution 2\_2023
- We received a letter from Lawrence Township requesting assistance in the cost of 2022 composting. Tedd made a motion to pay them \$1500 and was seconded by Dan Oberlin. In a roll call vote, Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all voted yes.
- Due to UAN end of year processes we are unable to officially close out 2022. We are balanced with the exception of \$8 and some change that we still need to complete the processing.

**Planning Commission** – Will Bellinger no update as it was canceled this month.

### **Safety – Bruce Lawver**

- We received a new contract from the Tuscarawas County Sherriff's Office for prisoner housing. The contract is included in the packets passed out. A motion from Lawver to suspend the rules and a second by Bellinger. In a roll call vote, Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all voted yes. This was assigned Resolution 1\_2023.
- Bruce also stated that we are looking to increase Randy O'Connor, a part time officer, up to 8 hours per week.
- They are also interviewing Don Worthy II and if he passes the interview process, they are looking to add him to the police department. If he is brought on Barb will need to run a background and get physicals done.
- The Tahoe will be taken to Troy's on Monday to get repaired.

**Chief – No updates**

**Street & Alley – Will Bellinger**

- Will deferred to Tedd Finalyson as he was chair in December. Tedd stated they discussed the parking on streets during snow emergencies. Need to get residents to watch their parking during snowstorms.
- Discussed purchasing signs for the newly named streets/allies. Tedd has the street names updated at the map office. Now need to order the signs.
- All paperwork was sent to OMEGA for the grant money for the joint Tuscarawas projects. The grant request is for paving and lighting for the trail head. We passed the resolution requested by OMEGA and received letters of support from Sublime, Canal Street Diner, and Towpath Tavern. Our request was for approximately \$250K.
- Also discussed possible digital signs for the Village at the 3-way stop and one at the trail head that can be seen on I-77. Discussion around placing a sign at the 3-way stop might cause more construction and take away from the look. Mayor Lang stated if you do it right it will be very nice.
- Kyle has been working on the leaf vac and has rebuilt the filters to improve them.
- Received the light pole that was ordered May 20, 2021. We have the pole, light fixtures, and banner arms. It will be very good for the parking area. The cost for pole, lighting, and banner arms was \$4,500. Dan asked if we are going to add more how much can we expect to pay, Kyle stated the inflated cost is more like \$6 - \$7K per. The mayor stated this is why we are working to get grant money to help cover the cost.
- Hometown heroes an organization has reached out to Kyle regarding banners. It is a way to get the names of our vets, emts, police, fire etc. out to the community. He stated he did some research and towns such as Cambridge, Zanesville, Newark, Parma, Newburg Heights are just a few that have the banners and they are very nice. Multiple people have called asking why we don't do it because we are set up for it. Now that we have the banner arms we can incorporate a banner or two on each pole along with the hanging flowers. There's cool quotes and various things we can do. Mayor Lang said he also received calls and one woman called and left 2 different messages on his phone and emailed 3 different times saying she really wants to display her son who lives in Bolivar. She said they do it in her hometown and isn't sure why we aren't a patriotic town. He told her that it is something he has proposed in the past and will bring it up again. Kyle said you can google it if you want to see more about it and felt we could do it on Canal Street and make it look very nice. Others stated Dennison also does it and it looks very nice. The mayor stated it is an idea that should be discussed further at Street and Alley.
- Kyle then asked about the Christmas lighting. When does the council want them taken down. He was told to take the Santa Mailbox down. He wants a date he can use in the future without bringing it to the council. The date was set as January 7<sup>th</sup>, anytime starting the 7<sup>th</sup> weather permitting.

- Maria App asked if we had paving projects planned for this year? If so, looking at Eberly Alley there are 2 man holes that need be raised. Kyle stated that the allotment for that is 2" and are and they are not at threshold of needing replaced. She went on to say that the cross street with the no name alley that is so bad that you have to almost drive in people's yards because the hump in the center is so bad. Asked if Kyle could take a look at it and start at Fairview and head east, not sure how far east is bad. Last year the streets chosen for repaving were based on traffic. Maria asked, if possible, to add it to the list this year.
- Kyle needs to rent a lift to remove the Christmas decorations. Vote to approve up to \$850 for the rental of a lift. Motion to approve made by White, seconded by Bellinger. In a roll call vote, Bellinger, Finlayson, Lawver, White, and Diveley all voted yes. Oberlin voted no.

**Parks & Rec – Lorretta Diveley**

- The next meeting is scheduled for the 19<sup>th</sup>. She will know more after that. Dan did give her the numbers for the baseball and the softball field person.
- Mayor Lang stated a gentleman reached out to him wanting to bring a blues festival to Bolivar. They are wanting to do a two-day festival in September. He told him that is something he needs to reach out to Main Street to get their buy in. He asked Dan if he would take the email to the next meeting with Main Street. Dan asked if anyone was sponsoring it because he is concerned about the impacts to the businesses. Becky spoke up and said he also reached out to her and she told him she would also take it to the Main Street Association. He told her that he isn't the person in charge but is a part of it and believes they could get enough financial sponsors/backers. Mayor Lang stated that they ran a three day blues festival in downtown Canton for years but it got stopped due to Covid and hasn't been restarted. It was a big thing and a lot of people like blues festivals. Matt stated there was a one-day festival out at the Atwood Yacht club and it had a huge turnout. They want September because they want a small gig to wrap up the end of the year.

**Fiscal Officer – Barb Kline, nothing to add today**

**Village Admin – Matt Judy**

- We received our letter from the county engineer to participate in the paving program. We need to start putting a list together and have it back to them by February 20<sup>th</sup>.
- He stated that he and Barb are working on the permanent appropriations and hope to have them complete by the end of November.

**Law Director – Solicitor Steve Babik**

- He was asked at the last meeting to contact IT Secure Now has agreed to allow a 90-day termination provision. We will terminate March 10<sup>th</sup>. One thing that they did note to him was that IT Secure Now holds all the licenses for Microsoft. Barb stated that she was aware.
- As a note you may have seen Senate Bill 288 passed on January 3, 2023. It was titled The Criminal Justice Omnibus Bill and it certainly was. It was 1800 pages full of various

criminal Justice reform measures. Of particular note to the village is it makes distracted while driving a primary traffic offense now. Before law enforcement had to see another offense before being able to pull you over.

- February 1<sup>st</sup> is 90 days before the primary, so if there are any levies needing filed it is February 1<sup>st</sup>. The council and Mayor both stated we have no levies planned for 2023.

**3<sup>rd</sup> Reading:**

- Ordinance to enter into a contract with Schneider Computers for IT services. Motion to enter into the contract made by White and a second made by Diveley. In a roll call vote, Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all voted yes. Assigned Ord 2023\_01.
- Ordinance to contract with Blue Technologies for a new printer and services. Motion by Bellinger with a second by Lawver. In a roll call vote, Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all voted yes. Assigned Ord 2023\_02.
- Ordinance for the probationary raise for Eric Minor of \$1.00 per hour. Motion to approve made by Oberlin, seconded by White. In a roll call vote, Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all voted yes. Assigned Ord 2023\_03.

**2<sup>nd</sup> Reading:**

- Ordinance to enter into a contract with ODOT for maintenance services and snow and ice removal of State Route 212.

**1<sup>st</sup> Reading:** None

Tedd asked if we could update the new resident packet. Barb told him to please stop in and go over with her. She also asked to be notified when there is a new resident in town. Becky stated Barb can reach out to Holly for assistance and to have it updated.

- The mayor asked for a motion to adjourn until the next regular council meeting on February 2<sup>nd</sup>, 2023, at 7:00 p.m. at the Bolivar Fire Station. Motion to adjourn by Lawver and seconded by White. In a roll call vote, Bellinger, Finlayson, Lawver, White, Oberlin, and Diveley all voted yes. The meeting adjourned.

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Mayor Tim Lang

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ATTEST: Barb Kline, Fiscal Officer