

VILLAGE OF BOLIVAR

COUNCIL MEETING

December 7, 2023

The Bolivar Village Council met in regular session at Village Hall on Thursday, December 7, 2023. The meeting was called to order by the mayor at 7:08 pm.

The Pledge of Allegiance was said. White opened the meeting with a prayer. Bellinger, App, Lawver, White, and Oberlin, all answered yes to roll call. Diveley was absent.

A motion to approve the November 2, 2023, Regular meeting minutes, and both the November 16 and November 20, 2023, Special meeting minutes as written was requested by Mayor Finlayson. White made the motion that was seconded by Bellinger. Roll Call: All answered yes.

A motion to approve the November bills totaling \$61,288.70 was made by App and seconded by Bellinger. Roll call: All answered yes.

Receipts for the month of November totaled \$69,627.48

Additions/Correction to the Agenda – App stated she had no changes to the current agenda but would like to bring to the attention of the council that the July council meeting minutes are in error. There was a voice vote to hire Gary App as a seasonal part-time worker and the minutes stated Council member Maria App voted yes. App stated she wants this corrected as she abstained from this vote.

Old Business – None.

Public Speaks - Chris Berins expressed gratitude for Levi and Gary saying the Village looks great. She appreciated their hard work cleaning up the leaves this year and said they are doing a great job and are appreciated. She asked for continued police patrol to control excess speeding.

Chris was involved in a volunteer effort to raise funds for the impacted families involved in the tragic traffic accident this past month. She said volunteers made wreaths to sell and as fast as they could make them—they were sold. She reported \$1,200 was raised.

Chris talked about the public alert system, asking how residents get signed up to receive the alerts. Mayor Finlayson stated that if they are receiving a water bill and have given the information necessary, they should be receiving the alerts. He will investigate sending a message in the next water bill to inform anyone wanting to be added.

Steve Pancoe asked if there was any new information concerning future housing development in the cornfield by the towpath trail. Tedd stated nothing new has been heard but the Village is working on zoning and subdivision regulations to address future development.

Curtis Strauss stated the railroad has replaced many of the ties and just left the trash from them lying next to the tracks. Steve Babik said there was a court case in Stark County addressing this concern and the railroad was told to get them cleaned up. Curtis agreed and said they consider this waste as hazardous when the ties are taken out of the ground. He would like the council to contact the railroad and request the debris be cleaned up. Steve Babik suggested contacting the Tuscarawas County Health Department.

OLD BUSINESS – None

MAYOR

Mayor Finlayson received a request from Lawrence Township asking the Village to write a letter of support for their grant application concerning a Bobcat Utility machine. Tedd requested a motion to write a letter of support stating the total amount for the purchase of the vehicle with accessories is \$35,000. App made a motion for the Village to send a support letter and the motion was seconded by White. Roll call: all voted yes.

Mayor Finlayson requested the Village also write a letter to the TVLS district requesting the safe and in good repair playground equipment at the elementary school be salvaged and remain for use. This is in support of the Township Trustees also requesting the safe equipment remain for use as a playground after the demolition of the school building. Levi Kaser said he spoke with the Health Department and Trustee Ritterback about the condition of the equipment and believes most of it is salvageable. He introduced a letter the trustee had given him asking for support. App made the motion to send the letter supporting that

the safe playground equipment remains for use after the demolition of the school building. All equipment deemed unsafe should be removed and disposed of during the demolition. The motion was seconded by White. Roll Call: All voted yes.

COMMITTEE REPORTS

FINANCE – Will Bellinger reported \$61,288.70 in expenses and \$69,627.48 in receipts for the month of November and a total of \$2,199.98 in interest received from StarOhio and Huntington.

Maria said she would like to research potential time clock programs for remote employees. Tedd said he would send her the information he has concerning remote timekeeping programs.

Proposed council and Mayor raises were discussed. It was stated that the last council raise was in 2016. The council decided to hold on to any raises for the council members but approved the proposed increase for the mayor which allows the position to gain service credit through OPERS each month. Patty said legislation will be introduced at tonight's meeting to support the mayor's increase. The council also stated they are considering a 2% increase for all employees.

Levi purchased a plow for the international truck. He said the old plow had broken welds, was not in good repair, and was not maintained well. The total cost is \$1,500 plus \$500 anticipated shipping to the Village in the next two weeks. Patty said there is a PO in place for this purchase.

Levi is investigating the status of the meters at Hennis and Hattie's house and the purchase of a backup meter for these two facilities. The batteries are dead in the meter pit so meters cannot be read.

Planning and Zoning – Will stated the committee did meet in November and December. The Delaware property was discussed as well as the proposed subdivision rules. Discussion will continue at the next zoning meeting. Will said there is discussion about having an engineering firm review the proposed subdivision regulations.

Safety- The committee met this evening. Lawver, Bellinger, White, Oberlin present. Nothing to report.

Chief- Chief Haugh stated the current body cams are working but will need to be replaced soon. He would like to order 2 additional ones and use the current as backup early in the new year. The cost is approximately \$1,013.00. Chief Haugh said the porch pirates are beginning to surface suggesting all be aware of expected deliveries. He said resident use of personal cameras has been a big help in identifying the porch pirates in some areas.

Street & Alley- Dan reported the committee met on November 13, 2023. Dan Oberlin, Lawver, White, Diveley, and the mayor were present at the meeting. Dan stated Levi and Gary are doing a great job. The Village looks wonderful. Dan reported that a total of 97 trees on Park and Poplar streets were trimmed this year. He said sidewalk repair/replacement will be the focus in the coming year.

Parks and Recreation – Levi said that Loretta Diveley is checking into the possibility of using the American Legion building for future meetings.

Street Superintendent – Levi talked about the contract for snow removal the Village has with ODOT. He said if they are not out clearing snow off SR 212 or are running behind, he will clear the snow ensuring the safety of the Village residents. Levi talked about future Paving analysis. He has talked with a company that can come in and assess/rate the status of each street. He said the Village can push paving costs out by maintaining the roads through crack sealing and other methods. This could be a good alternative that allows the Village to budget for paving costs for the years 2025-2026.

Levi would like to increase the amount of sidewalk repairs/replacement in 2024. He will put a message on future water bills to gain residents interest in having their sidewalks repaired or replaced as some of the cost is borne by the homeowner. Dan Oberlin interjected that the Village has many sidewalks in need of repair/replacement.

Levi would like to purchase a salt buggy for the one-ton truck and replace the tires on the skid loader in 2024.

Fiscal Officer – Patty talked about pending legislation for this meeting concerning temporary appropriations and amending appropriations. She stated the total for

Temporary Appropriations 2024 is \$451,011. She said it seems quite a bit higher than 2023 but includes \$102,082 in ARPA funds that were not appropriated in 2023. She encouraged the council to hold all spending, except emergencies, until more time was allowed to assess the fiscal situation for the Village. Patty stated that tonight's legislation includes an ordinance to amend appropriations. She said as she re-allocates expenditures to the correct fund, she will need to move money several times to support the re-allocation making it impossible to give council firm figures in each fund. She will report the actual funds in the amendment at the January meeting.

Patty briefed the council that all council pay had been fixed and that Wyatt Jones would be returning to work hours to pay back the Village for his overpayment. Pay corrections for Chuck Williams are complete. The mayor's pay will be corrected/completed in the coming week. Patty said all taxes are now current however there is a suspected problem with two payments for the Bolivar Income Tax. These are being investigated through Huntington Bank. All bills that were in arrears have been paid. The contract billing with Zoar has been audited back to January 1, 2023, and billing is now current. An audit of the Healthcare withholding for 2023 will be completed in the coming week.

Patty reported that Barb Kline returned and worked for a total of 7 hours. Patty said she was helpful. Patty said Paula and Tony, the visiting clerks, had also completed all the work needed for the Village. She reported the Auditor of State has begun work on the bank reconciliation.

Village Administrator – See Street Superintendent.

Law Director- Solicitor Steve Babik

Legislation:

Third Reading for an Ordinance to establish the pay range and adopt job description and duties of combined appointed office of Village Fiscal Officer. 1st reading held Oct 5, 2023 regular council meeting. Second reading held Nov 2, 2023. **Legislation failed due to want of a motion.**

Third Reading of a Resolution to authorize the Mayor and two council members of the Village of Bolivar to execute an agreement for indigent defense services with the Tuscarawas County Public Defender's Commission. 1st reading held Oct 5, 2023 regular

council meeting. Second reading held Nov 2, 2023. **Motion to pass made by Bellinger and seconded by Lawver. Roll Call: All voted yes. Resolution passed 12/7/2023.**

Fourth Reading on an Ordinance to establish the hourly pay rate CAPS maximums/minimums for employees of the Village of Bolivar. 1st reading held September 7, 2023, Second reading held Oct 5, 2023 regular council meeting. Third reading held 11/2/2023. **Motion to pass on 4th reading was made by White and seconded by Oberlin. Roll Call: All voted yes. Ordinance passed 12/7/2023.**

Third Reading on a Resolution authorizing Temporary Appropriations 2024. 1st reading held November 2, 2023, Second reading held November 16, 2023. **Motion to pass made by Oberlin and seconded by White. Roll Call: All voted yes. Resolution passed 12/7/2023.**

Emergency Ordinances:

Ordinance declaring certain streets within the Village of Bolivar as snow removal streets and designating limited parking thereon for snow removal purposes. **Motion to pass made by White and seconded by Oberlin. Roll Call: All voted yes. Ordinance passed 12/7/2023.**

Ordinance to grant Village Administrator/Street Superintendent Levi Kaser a probationary raise. **Motion to pass made by Oberlin and seconded by Bellinger. Roll Call: All voted yes. Ordinance passed 12/7/2023.**

Ordinance fixing and establishing the rate of pay for the office of the Mayor of the Village of Bolivar for the years 2024 through 2028. **Motion to pass made by App and seconded by White. Roll Call: All voted yes. Ordinance passed 12/7/2023.**

Ordinance to approve a new contract with the Village of Zoar to provide Police Services to the Village of Zoar through the year 2024. **Motion to pass made by Bellinger and seconded by Oberlin. Roll Call: All voted yes. Ordinance passed 12/7/2023.**

Ordinance to establish and increase the salary of the Village's Water Operator. **Motion to pass made by White and seconded by App. Roll Call: All voted yes. Ordinance passed 12/7/2023.**

Resolution for Amended and Supplemental Appropriations. **Motion to pass made by Bellinger and seconded by Lawver. Roll Call: All voted yes. Resolution passed 12/7/2023.**

Ordinance to repeal and replace Income Tax Legislative Amendments at State Level. **Motion to pass made by White and seconded by Bellinger. Roll Call: All voted yes. Ordinance passed 12/7/2023.** Steve thanked Heather Lecce, Bolivar Tax Administrator, for all her assistance with this Ordinance, stating she was extremely helpful in working through this legislation.

Resolution to appoint and authorize Dan Oberlin to serve on the Village Bicentennial Committee and act in his official capacity. **Motion to pass made by White and seconded by Bellinger. Roll Call: All voted yes except Oberlin who abstained. Resolution passed 12/7/2023.**

Ordinance to authorize the hiring of Gary App on a part-time seasonal basis effective 7/6/2023. **Motion to pass made by Oberlin and seconded by White. Roll Call: Oberlin, yes, White yes, Bellinger yes, and Lawver yes, App abstained. Ordinance passed 12/7/2023.**

Steve stated it was his understanding that Patty Smith would like to resign and terminate her contract as Independent Contractor as Interim Fiscal Officer for the Village of Bolivar. Patty stated this is correct. A motion was made by Bellinger and seconded by Oberlin to accept Patty Smith's resignation and let the minutes reflect that the contract terms are terminated effective immediately. Roll Call: All voted yes.

Steve stated a motion was needed on an Ordinance authorizing the hiring of Patty Smith as Assistant Fiscal Officer for the Village of Bolivar. **Motion to pass made by Oberlin and seconded by White. Roll Call: All voted yes. Ordinance passed 12/7/2023.**

Steve stated it was his understanding that Maria App, Council member, would like to resign her position on Village Council. Council member App stated she would like to resign as a council member effective immediately. A motion to accept Maria App's resignation from the Village Council was made by White and seconded by Oberlin. Roll Call: All yes. App abstaining.

Steve stated a motion is needed on an Ordinance to hire Maria App as Village of Bolivar, Fiscal Officer. **Motion to pass made by Oberlin and seconded by White. Roll Call: Bellinger, Lawver, Oberlin, and White all voted yes. Ordinance passed 12/7/2023.**

The council briefly discussed the open council seat and asked that Lori Feeney place in her article that any interested person should send letter of intent to the Village Mayor. The council has 30 days to appoint this seat.

White requested Lori Feeney be added to the agenda for question/answer time for each meeting.

A motion was made to adjourn the meeting until the next regularly scheduled meeting on Thursday, January 4, 2024, by Oberlin and seconded by White. Roll Call: Bellinger, Lawver, Oberlin, and White voted yes. Meeting adjourned at 8.15pm.

Interim Fiscal Officer

Patty Smith

Mayor Tedd Finlayson