

VILLAGE OF BOLIVAR

COUNCIL MEETING

May 2, 2024

The Bolivar Village Council met in a regular session at Village Hall on Thursday, May 2, 2024. 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, Nussbaumer, Oberlin, and White all answered yes to roll call. Diveley and Pancoe were absent.

A motion to approve the April 4, 2024, regular meeting minutes was made by White and seconded by Oberlin. Roll Call: Bellinger yes, Nussbaumer yes, Oberlin yes, White yes.

A motion to approve the April bills totaling \$44,763.88 was made by Oberlin and seconded by Bellinger. Roll Call: Bellinger yes, Nussbaumer yes, Oberlin yes, White yes.

Receipts for the month of February totaled \$66,345.64.

Additions/Correction to the Agenda – The June Council, Safety, and Finance meetings will be held on June 13, 2024, due to the Strawberry Festival the week of June 6, 2024. The motion to move the meeting was made by White and seconded by Bellinger. Roll Call: Bellinger yes, Nussbaumer yes, Oberlin yes, White yes.

Public Speaks –

Chris Berens told Chief Randy Haugh that it was so good to see him back and patrolling. She said her neighborhood needs additional police coverage.

Chris voiced concern about kids out on the playgrounds and ballfields while bad storms moved through the area. Wanted to know what could be done to make sure they are off the fields when bad weather comes through.

Chris has been working with Staci and Piper who will paint the library sign and the Welcome to Bolivar sign at the 3-way stop. Mayor Lloyd has agreed to pay them \$250 to paint the signs and to order the paint that they will need. They will also use the remaining monument paint.

Michela Huth advised the council that the display of Pray for Tusky Valley needs to be looked at stating the Village needs to enforce zoning. She stated she understands the sensitivity of the situation, but feels the signs need to comply with zoning regulations.

Michela expressed concern, via a public records request from Dwayne Flickinger, that the permits for the Wood Electric Sign had expired before installation.

Michela also stated the gazebo at the Canal Diner did not have a variance issued before installation. Michela stated this council and staff are not doing their jobs enforcing the zoning regulations and she would like to see this change. She stated the tables and chairs in front of the Canal Street Diner also violate the zoning regulations. Michela said she would issue a demand letter and force the council and staff to do their jobs in court if they do not start enforcing the zoning regulations.

Kayla Patton, owner of Canal Street Diner stated she was issued a permit for the gazebos. She also said the gazebo on the sidewalk with not have side walls or tables and chairs so it will not impede pedestrian traffic; it is only to protect waiting customers from the weather.

Old Business – None.

MAYOR – Mayor Lloyd read a proclamation for Motorcycle Awareness Month (May) and a proclamation for National Police Week (May 12-18).

Bellinger requested in the Finance meeting to re-establish the Policy and Procedure Committee. (Mayor, Bellinger, Kaser, App, Smith). Solicitor Babik said he will need to finish his review of the entire Policy and Procedure manual. Mayor Lloyd said the committee will be re-established when the solicitor review is completed.

Mayor Lloyd asked for a motion to allow \$250 to pay to have the Library and Welcome to Bolivar signs painted. White made the motion and Bellinger seconded. Roll Call: Bellinger yes, Nussbaumer yes, Oberlin yes, White yes.

Mayor Lloyd briefed the council on a grant the library has received to install ADA-compliant opening doors in the library at no cost to the Village. Wayne Dalton will install the equipment. A motion to allow was made by Bellinger and seconded by White. Roll Call: Bellinger yes, Nussbaumer yes, Oberlin yes, White yes.

COMMITTEE REPORTS

FINANCE – Bellinger reported a total of \$2,187.91 in interest earned for April from Huntington and StarOhio.

Bellinger stated the Trash Removal Ordinance is coming up for an increase. The amount of increase will not be known until June 15, 2024, and will be tied directly to the CPI index.

Bellinger suggested a 3rd but not final reading on wage increases stating caps and minimums require additional review. The ordinance will likely get final approval at the June meeting.

Bellinger reported all ARPA reporting requirements were completed on time.

Planning and Zoning – None.

Safety – Chief stated new body cams have been received and the cruiser purchase through Statewide Ford is on-going.

Chief- None.

Street & Alley- Tim reported the committee met on April 18, 2024. Tim White has been walking the Village and spray painting/marketing sidewalks in need of attention.

White received a request from a resident on Park Ave stating the need for a sewer riser on the east side of Park Ave between King and Yant streets.

White said there is a deep rut needing attention in front of the mailbox on the northeast corner of Park Ave.

A resident on Ladyne Ave spoke with White about a tree root under the sidewalk and the street.

The committee discussed possible tree removal after the sidewalks are completed.

Shade Tree- Mayor Lloyd has purchased the seedlings. He and Levi will determine where they will be planted.

Parks and Recreation – Committee met on April 18, 2024. The committee discussed the possibility of installing numbering plaques on the ballfield fencing. Zac said this would make it easier for teams to find the field they are to play on and parents to find their kids.

Street Superintendent –

Levi requested a not-to-exceed expense amount of \$1,500 for the library. The funds will be used for needed topsoil, straw, mulch, and edging.

Discussion of hanging flower baskets or planting flowers in the Canal Street bump outs. Levi said the bump outs are pretty full already.

Levi reported he has hired Nathan Alexander at a rate of \$16.50 per hour. He said Wyatt Jones will be returning to work around the middle of May at a rate of \$15.00 per hour.

Levi received a quote for \$2,700 to build a wall in the Village Hall bathroom and to install a window in his office. White made the motion allow and Bellinger seconded. Roll Call: Bellinger yes, Nussbaumer yes, Oberlin yes, White yes.

Village Administrator – Levi stated concerning the Monument Park, he will get with Chris Berens on all issues.

Levi announced he has resigned as zoning inspector for the Village of Bolivar.

Fiscal Officer – Request all get any agenda items to the Fiscal Officer no later than the Friday before the meeting.

Law Director- Solicitor Steve Babik

Steve suggested that Attorney Huth review the case of Brooks vs Village of Canfield. He said it is interesting to note that a taxpayer brought an action under Section 733-56 related to a sign and the Village's misuse of corporate powers. It was determined that there was no misuse of corporate power and interestingly the Planning and Zoning of the Village of Canfield provided for a procedure to resolve disputes outside of a court of law. Steve stated, as all would agree, litigation should be the last step and not the first step for the resolution of matters.

Legislation:

An Ordinance by title only to appoint two (2) council members to set on the Board for the Police Dependents Fund. 1st Reading.

An Ordinance to increase the amount of the trash/refuse service billing to \$15.00 per month for the Village of Bolivar. 2nd Reading.

An Ordinance to provide for wage increases for employees of the Village of Bolivar. 3rd but not final Reading.

A Resolution to allow the Gazebo at 157 Canal Street to be a permanent structure on Village sidewalks/property and pass by Emergency. The motion was made by Bellinger and seconded by Oberlin. Roll Call: Bellinger yes, Nussbaumer yes, Oberlin yes, White yes. **R-6-2024.**

Michela Huth stated she is very concerned this resolution was passed by emergency and not allowed three (3) readings.

Robert stated the next meeting on June 13th will be held at 121 Canal Street, formerly the American Legion building for the Regular Council meeting and safety and finance committee meetings.

A motion was made to adjourn the meeting until the next scheduled meeting on Thursday, June 13, 2024, by White and seconded by Oberlin. Roll Call: Bellinger yes, Nussbaumer yes, Oberlin yes, White yes.

The meeting adjourned at 7:50 pm.

Minutes approved, June 13, 2024

Mayor, Robert Lloyd

Fiscal Officer, Maria App