

VILLAGE OF BOLIVAR

COUNCIL MEETING

May 29, 2025

The Bolivar Village Council met in a regular session at 121 Canal Street SE on Thursday May 29, 2025, for the June meeting re-scheduled because of the conflict with the Strawberry Festival. The meeting opened with the pledge of allegiance and was called to order by Mayor Lloyd at 7:01 pm. White opened with prayer.

Bellinger, Conley, Diveley, Oberlin, Pancoe, and White all answered yes to roll call.

A motion to approve May 1, 2025, regular meeting minutes as written was made by Pancoe and seconded by Conley. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, and White yes.

A motion to approve May 15, 2025, special meeting minutes was made by White and seconded by Conley. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, and White yes.

A motion to approve the bills through May 28, 2025, totaling \$61,958.52 was made by Diveley and seconded by Pancoe. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, and White yes. Note: Month to date totals presented only; full reports for both May and June will be presented at the July 3, 2025, meeting.

Receipts to date for the month of May totaled \$85,930.58 as of 5/28/2025. Interest is NOT included. Will provide true-up at the July 3, 2025, meeting.

Additions/Correction to the Agenda.

Public Speaks –

Chris Berens reported that the last sign at the 3-way has been repaired, painted, and is installed. She commented that the sign looks wonderful.

Chris commented on the phone system at Village Hall. She also stated the flowers have been planted at the park.

Curtis stated the Rose of Sharons at the corner of Ft Laurens and Parkview have obstructed drivers' views for quite some time. He had requested something be done with these in the past and would like to see if they can be trimmed. Mayor Lloyd said he will talk with the homeowner and see if they can trim the trees back to eliminate the blocked view for drivers. Curtis said they are simply too high.

Old Business – None.

MAYOR –

COMMITTEE REPORTS

FINANCE –

Bellinger made a motion to allow \$1,300.00 for the purchase of a pergola from Costco for the Park on Canal, the motion was seconded by Pancoe. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, and White yes.

Bellinger stated the necessity of purchasing new water utility software at a cost of \$12,400. This will be handled in the legislative section of tonight's meeting.

Bellinger said work continues on the water leak at the reservoir. Mayor Lloyd said divers will need to be hired to enter the tank and find the leak. Water Operator, Chuck Williams stated the tank cannot be drained for inspection. Mayor Lloyd has two contractors he will reach out to for an estimate. He said this will be costly, but it is the only certain remedy.

Steve continues work on the library contract.

Planning and Zoning – Bellinger reported the two meetings for zoning in April and one in May with continued review of the proposed changes to the zoning regulations. Next meeting will be Monday, June 2nd at 5:30 PM, village hall. The committee will complete the review of the zoning regulations. The proposed changes will then be presented to Steve Babik for review prior to being brought to council for approval. Public meetings will follow.

Safety-

Pancoe reported the Tahoe is back from the shop and the brakes are repaired. He said the radio is not working. Interim Chief Randy O'Connor is working on getting the radio repaired.

Pancoe stated the Ford Explorer went in for an oil change.

Pancoe reported a total of 14 calls for the month of May.

Interim Chief Randy O'Connor said that Patrolman Minor will need to complete Taser Certification training on June 17th and 18th. He will investigate the cost of the training.

Pancoe stated a need for a light between the police station and CLP services. He said the area is very dark at night and a LED dusk to dawn is certainly needed.

Pancoe reported the pedestrian signs have arrived and will be installed soon. The committee is considering putting a 35MPH sign under the Elan speed signs on SR212 so drivers will be aware of the speed limit.

Chief- See Safety

Street & Alley- White said Street and Alley met on May 15, 2025. Present were White, Mayor Lloyd, Dan Oberlin, Will Bellinger, Patty Smith, and Scott Baker.

The committee discussed the grass clippings that are getting blown into the street and alleys while mowing. This creates a hazard for bicyclists and motorcyclists. A notice will be attached to the next water bill reminding residents of this hazard.

Discussion concerning the grass clippings put out for compost pickup. Scott said the barrels are sometimes too heavy to safely lift. Scott stated grass clippings should not be part of the composting.

Shade Tree- Nothing to report.

Parks and Recreation – Nothing to report. All running smoothly.

Street Superintendent – Scott stated he called McIntosh to inspect the village fuel tanks. He said he suspects water may be getting into the diesel fuel tank. McIntosh will also service the tanks with new filters and repair the gauges.

Scott reported that the solar powered stop signs have been installed.

Scott and Nate are working to keep up with mowing, trimming, tree trimming etc. Scott said to the council to please be patient, and they will get it all done, it's just going to take time. Scott applauded Nate, saying he is a very hard worker with valuable experience and knowledge of how this village works. He enjoys working with Nate.

Scott is working with Curtis Strauss who has volunteered to drill knob holes, router hinge joints, and stain the new library slab door. Curtis has also volunteered to assist Scott with aerating, seeding, fertilizing, and applying straw to the library grass area. Patty thanked both Scott and Curtis for all their work.

Scott reported a GFI receptacle was replaced at the library.

Patty said Scott is doing a super job for the village. She has had several comments where people are very happy with the way the village looks.

Village Administrator –

Patty thanked Maria App for the flowers she picked up saying they had been planted in the pots around the flagpole and are beautiful.

Patty said the grant funded solar powered pedestrian signs were ordered last week and received today.

Patty distributed the ODNR certified arborist report concerning the 3 birch trees at 320 Canal Street. She said the report indicated the trees were topped in such a way that the entirety of the canopies was removed, leaving the trunks remaining, resulting in the recovery of these trees unlikely. Patty said the tree ordinance does allow the village personnel to remove trees in poor condition and, although this is a created problem, it still needs to be corrected with the removal of the trees. Patty requested a motion of the

council to allow the removal of the 3 trees. Motion made by Pancoe to allow the 3 birch trees on Canal to be completely removed. Motion seconded by Diveley. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, and White yes.

Fiscal Officer – Maria thanked Scott Baker for all the work he is getting done saying she is very impressed with his progress. She stated he and Nate are making a difference and the village looks great.

Zoning Inspector – Matt Bailey has been working on the revision of the zoning regulations. He also has been providing applications/documentation for Mayor Lloyd concerning lot splits and vacated alleys.

Legislation:

LEGISLATION:

Steve briefed the council on a case update known as Miller vs Cincinnati. He said this case involves a taxpayer demand lawsuit which he believes that the village has had threats of and been involved in in the past. Steve said typically you have to demonstrate that you are vindicating a public right to bring a taxpayer demand lawsuit, and it can be a difficult process. The Ohio Supreme Court has taken up the issue as to what constitutes a public right. Some concerns with municipalities across the state is that if the supreme court expands the idea of a public right it gives standing to anybody to challenge any decision. The Miller case involved a zoning matter where a variance was sought and granted. This resulted in a taxpayer demand lawsuit with the taxpayer saying this was unauthorized, improper, and not permitted under the zoning ordinance. The taxpayer was given standing in this for the lawsuit. Steve said this is something to watch and offered additional information to anyone wanting. He said depending on the supreme court decision of what constitutes a public right, all decisions could possibly be challenged.

Steve explained 2-way street legislation.

Steve thanked Maria for getting all the Ordinance and Resolution files to him saying it was very helpful.

A Resolution authorizing the Fiscal Officer to amend the certificate of estimated resources for the Year 2025; and declaring the same to be an emergency.

Motion to approve made by Pancoe and seconded by White. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, and White yes. **R-11-2025.**

A Resolution supplementing and amending the 2025 Annual Permanent Appropriation Resolution; and declaring the same to be an emergency. Motion to approve made by White and seconded by Pancoe. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, and White yes. **R-12-2025.**

An Ordinance to authorize a contract with Government Accounting Solutions Inc. for Water Billing Software Services; and declaring an emergency. Motion made by Diveley and seconded by Conley. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, and White yes. **O-17-2025.**

3rd Reading of an Ordinance to provide for wage increases for all hourly and salary employees who are not elected, of the Village of Bolivar. 2% beginning with the pay period beginning on 7/6/2025. Motion to approve was made by Pancoe and seconded by Conley. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, and White yes. **O-18-2025.**

1st reading on an Ordinance implementing a change to traffic patterns and designating roadways located on a portion of Plains Street and Strawberry Alley within the Village of Bolivar as a Two-Way Street.

Steve Pancoe said he has spent a great deal of time investigating, gathering information, researching, and giving much thought to the selection of a Police Chief for the Village of Bolivar. He said he talked with Officer Hilty several times when he was employed by the Village and remembers he was always professional, respectful, and visible around the village. Steve said Officer Hilty knows this village and its residents. Steve made a motion that council select Officer Chad Hilty as the new Police Chief for the Village of Bolivar. Tim White seconded the motion. Roll Call: Bellinger no, Conley yes, Diveley no, Oberlin no, Pancoe yes, White yes.

Steve Babik explained the procedure is for the mayor to make a recommendation to the council and the council can either accept or reject the recommendation. This procedure is why the mayor cannot break a tie vote.

Mayor Lloyd recommended Officer Chad Hilty to be the new Police Chief of the Village of Bolivar.

Will Bellinger requested and made a motion that the council enter executive session pursuant to RC 121.22 (G)(1) for the purpose of considering personnel matters and specifically the appointment of a public employee. Action will not be taken in the executive session but may be thereafter. Diveley seconded the motion. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, White yes.

Executive session entered at 7:33PM.

Bellinger made a motion to come out of executive session at 8:02PM. The motion was seconded by White. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, White yes.

Mayor Lloyd recommended Officer Chad Hilty be appointed the Chief of Police for the Village of Bolivar.

Motion made by Pancoe and seconded by White to select Officer Chad Hilty as the new Police Chief for the Village of Bolivar. Roll Call: Bellinger no, Conley yes, Diveley no, Oberlin no, Pancoe yes, White yes.

Steve stated the statute requires the mayor to make a recommendation. The mayor can elect to make another recommendation, but if not there is no new recommendation the there is no appointment for Chief.

Bellinger asked if Mayor Lloyd was willing to recommend Officer Nedro as the new Police Chief. The mayor did not recommend Officer Nedro.

Mayor Lloyd apologized to the council stating he was not aware that he could have had all of the council in the interview process. He asked Councilman Oberlin if he would like a new interview session with all of council in a special session. Oberlin stated yes, he would as two council members that were part of the interview are against Officer Hilty. He said that weighs a lot with him.

Bellinger stated the Village will have to advertise the position again and interview again if the mayor is not willing to recommend Officer Nedro.

Mayor Lloyd said he will advertise again and interview again with the full council in a special session of council.

Patty stated the current Interim Chief will be done with the time he agreed to prior to new interviews in a special session of the council, making it necessary to appoint a new Interim Chief. Mayor Lloyd stated he will have to appoint Officer Eric Minor as Interim. Steve stated upon the Interim Chief leaving, the village will not have a marshal and there must be a village marshal in place for the operation of the police department. Bellinger asked if the mayor could just appoint Officer Minor or did the council need to appoint. Steve stated the mayor can appoint with the advice and consent of the council. If the mayor appoints without council advice and consent, the appointment of Officer Minor would be incorrect. Steve suggested that the mayor should make a recommendation to the council to appoint Officer Eric Minor as Interim Police Chief followed by a vote of the council to avoid the vacancy in the position.

Discussion of the council concerning the current applicants and the appointment of Eric Minor as Interim Police Chief.

Bellinger again stated the mayor can either re-interview or make a recommendation to appoint Nedro. Mayor Lloyd stated the council may want to go back into executive session.

Bellinger motioned council go back into executive session pursuant to RC 121.22 (G)(1) for the purpose of considering personnel matters and specifically the appointment of a public employee. Action will not be taken in the executive session but may occur thereafter. The motion was seconded by Diveley. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe no, White yes.

Second Executive Session began at 8:20PM.

Motion made by Bellinger to come out of executive session. Pancoe seconded the motion. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe no, White yes.

Executive session ended at 8:51 PM.

Mayor Lloyd recommended the appointment of Eric Minor as Temporary Interim Police Chief for the Village of Bolivar. Pancoe made the motion to appoint Officer Minor as Temporary Interim Police Chief and White seconded the motion. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, White yes.

Bellinger asked the council if all are good with the requirement of the person have had experience of a supervisory position sergeant or above in law enforcement. All agreed. Bellinger instructed Maria App to make sure this is in the advertisement for the Police Chief position. He requested the council increase the rate of pay for the Chief to \$32 or \$34 per hour. Fiscal Officer Maria App said that the council should be aware that the budget will not support this. She encouraged the council to review and become familiar with their budgets. Bellinger suggested App contact Randy Haugh concerning possible additional advertising sites. He stated the money will need to be spent to expand the search parameter in advertising.

Bellinger said the advertising will need to be expanded to include OML, the Times Reporter, and the Bargain Hunter.

Steve Babik requested a motion to amend the agenda to include legislation to replace the ordinance to appoint a Chief with a resolution to appoint Officer Eric Minor as Interim Police Chief and declaring this an emergency. Bellinger made the motion, and it was seconded by White. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, White yes. This amends the agenda.

A motion was made by Bellinger and seconded by Diveley for a Resolution to appoint Officer Eric Minor as Interim Police Chief for the Village of Bolivar upon the occurrence of Interim Chief Randy O'Connor stepping down on 6/6/2025 whichever occurs first to maintain continuity in the Bolivar Police Department. Declaring the same as an emergency. The rate of pay is set at \$26.00 per hour, 40 hours per week. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, White yes. **R-13-2025.**

Bellinger stated he is resigning his council seat for the Village of Bolivar.

Maria asked for a motion to accept the resignation of Will Bellinger. Pancoe made the motion, and it was seconded by White. Roll Call: Bellinger yes, Conley yes, Diveley yes, Oberlin yes, Pancoe yes, White yes.

Motion to appoint a new president pro-tempore made by Pancoe recommending Tim White. Diveley seconded the motion. Roll Call: Conley yes, Diveley yes, Oberlin yes, Pancoe yes, White yes.

Mayor Lloyd appointed Melissa Conley as chair of the finance committee and credit card compliance officer.

Mayor Lloyd appointed Dan Oberlin as president of the zoning committee.

Mayor Lloyd asked Barb Limbacher to put in the Bargain Hunter the announcement that the Village is seeking applicants for the open council seat. Anyone interested can send a letter of intent to the Mayor by emailing Mayor@villageofbolivar.com or mailing to PO Box 117, Bolivar, Ohio 44612. The deadline for interest letters is Monday June 16, 2025, by 5PM. Interviews will be held the week of the 16th, and the appointment will be made at the July 3, 2025, regular council meeting. This will also be posted on the village website.

A motion was made to adjourn the meeting until the next regular meeting scheduled for July 3, 2025, at 7:00 PM at 121 Canal Street SE, by Diveley and seconded by Conley. Roll Call: Conley yes, Diveley yes, Oberlin yes, Pancoe yes, and White yes.

Meeting adjourned at 9:05 pm.

Mayor, Robert Lloyd

Fiscal Officer, Maria App