

## ZOAR VILLAGE COUNCIL MEETING November 10<sup>th</sup>, 2020

The Zoar Village regular council meeting was called to order by Mayor Scott Gordon at 6:00 pm. This meeting was held via telecommunication.

Roll Call	David Irwin	Present	Judy Meiser	Present
	Tom Klingaman	Present	Gayle Potelicki	Present
	Hans Fischer	Present	Joe Potelicki	Present

Motion to approve the 10/13/2020 regular meeting minutes as received and amended was made by Gayle and seconded by Judy. Roll call on the 10/13/2020 regular minutes: David abstained, all others Yes. Motion to approve the 10/8/2020 special meeting minutes as received and amended was made by Judy and seconded by Tom. Roll call on the 10/8/2020 special meeting minutes: David abstained, all others Yes.

The following bills were presented for signature to be paid in November 2020.

AEP	282.26	Oct Street Lighting
Scott Gordon	150.00	Nov Mayor salary
Heather Lehmilller	450.00	Nov Fiscal Officer
OPERS	108.00	Nov Clerk
Patty Smith	450.00	Independent Contactor
Scott Gordon	1079.76	Air purifiers (2)/Covid Reimbursement
FIA Card Services	720.60	Trees/Copies/Cert. Mailing
	91.16	Asphalt patch/Bolivar Service Center
Wex Bank	20.25	Fuel Village Truck
State of Ohio	10.10	State Taxes
Harold Raines	200.00	Burial
Haueter Landscaping	375.00	Grave opening/closing
Brahler's Cleaning & Restoration	1888.64	Clean Town Hall & School House
ZCA	947.82	Covid Reimbursement
Design One	316.04	Covid Reimbursement
Zoar United Church of Christ	274.95	Covid Reimbursement
Tin Shop Coffee House	807.82	Covid Reimbursement
Donnie's Tavern	1300.00	Covid Reimbursement
Village of Bolivar	644.00	Police Protection October
C N A Surety	340.00	Fiscal Officer Bond

Motion to acknowledge receipt of financial statements and pay the monthly bills for November was made by Joe and seconded by Judy. Roll Call: All yes.

**Public Speaks:**

Mayor Gordon announced that Shawn Lynch, Patrick Eddy and Barb Limbacher were in attendance.

**Fiscal:**

Heather Lehmilller reminded everyone present to please continue to use the village email. Also we would be doing the second reading for the Temporary Appropriations. The report for the Covid funds were submitted to OMB. The EDG Grant was completed, and the final draw down was submitted and we were waiting to receive the reimbursement check. Patty Smith and Heather Lehmilller are still working on transferring all accounts to Heather.

**Street Committee:**

David explained that the oil change was complete on the truck as discussed in the October meeting. However, the sway bar bushings need replaced. He obtained a quote for \$155.00 but asked for \$175.00 just in case of another finding with the truck. Judy questioned who was servicing the truck. David said Bolivar Service Center. Motion was made by Judy and seconded by Tom. All were in favor.

**Safety Committee:**

Tom gave an update on the 3 concerns that PEP had. (1) The Zoar Market could remove the slide and concrete pilings for an estimate of \$275.00. Tom's hope is to get a new one when funding is available but he believes the old one has outlived its life. David spoke up and said he believes the old one can be retro fitted to get more use out of it. Tom stated it just isn't feasible and Joe agreed stating that the cost to repair it would exceed the expense to buying a new one. David mentioned that the vocational school would refurbish the old one for free. Scott informed David that is likely possible, but would require a lot of effort by the Village to get this done. Scott stated; the platform is half the size it should be, the handles are unsafe and it currently has no top. Judy added that no matter what is done it has to be safe. She had a grandson fall off and was rushed to Akron Children's Hospital. He broke his elbow. She again reiterated that the slide needs to be made safe for all. Scott suggested that the playground be moved to the ballfield and possibly putting in a new smaller playground on the west side of the schoolhouse. He also said that the highest priority right now is the slide which needs to be removed or made safe. The consensus by several council members and the ZCA about the old playground equipment is to remove them. There are serious safety issues with the slide and swings. (2) David also said that the electric in the town hall is a high priority. Joe and Tom fixed this. There were too many plugs at the socket and extension cords to the candles in the windows. Again, Joe and Tom rectified that situation by putting one plug at each outlet only. Joe said there is no overloading of outlets and the plug adapters have been eliminated. Tom and Joe also addressed the fuel/propane stored in the town garage by moving them to one specific area.

Judy stated that with it getting darker earlier now it is hard to see people walking across 1<sup>st</sup> Street near the Tavern. People wearing dark clothing making it exceptionally hard to see them and suggested better lighting in that area. She asked if there was a light there previously and also asked Tom if he could look into this. Tom also inquired if there was a light there before and if it was removed when the tavern put new siding on the building. Scott said the tree committee did get approval to trim and/or remove some of the hemlock trees in the parking lot. That will help with the lighting problem. Scott asked David if he replaced the parking lot lights bulbs. David said yes, all lights now have LEDs and are much brighter. David also said he believed at one time there was a light on the tavern building once but was taken down when the new siding went up. Scott suggested having a discussion with the Tavern owner.

**Planning Commission and Historic Preservation Commission:**

The Planning Commission approved three permits. The first was for driveway improvements at 126 Park St and the second was for rebuilding a sunroom type structure at 249 4<sup>th</sup> St. Also, a conditional use permit at 204 E 4<sup>th</sup> St was granted to the owners to operate a bed and breakfast without being on site at all times. Scott also stated that the planning commission approved this with a detailed list of conditions.

**Cemetery Board:**

None.

**Solicitor Report:**

None.

**Mayor's Notes:**

Gayle made changes to the letter she would like to mail as suggested by Scott and David. David inquired how the letter was being sent. Gayle responded that the letters were being sent by mail and only to village residents. Hans asked if the letter was being reviewed by an independent contractor, stating that the safety committee was impartial. Judy also asked if the letter was being sent out by the safety committee. Gayle replied that council majority would be sending out the letter. A motion for the cost of stamps and mailing the letter was made by Joe and seconded by Tom. Roll call: Tom-yes, David-yes, Joe-yes, Gayle-yes, Judy-no on cost, abstaining from letter being sent, Hans-no.

Scott stated that the Army Corps work on the relief wells was delayed due to the weather but will finish by the end of this month. Also good news is that the recent seismograph field readings taken while installing the relief wells was below the target vibration level set for the historic buildings. Since the trench construction is expected to generate less vibration, no damage to any structures is expected. Scott also received a letter from ODOT informing the village that SR 800 will be resurfaced next year from the Dover dam to the Stark County line, just outside Mineral City. Scott notified the Army Corps and sent them a copy of the letter since this could cause temporary closing of the road during the levee construction. The next Army Corps meeting is November 19<sup>th</sup> from 3-5pm.

Five trees were purchased and planted by volunteers last weekend in the school house area where the old Hemlocks were removed. (3 Snow Drift crab apples, 1 Buckeye, and 1 Dawn Redwood). In the spring Scott will level and re-seed. Tom informed Scott that the deer were eating the trees already. Scott said he would put some fencing around them.

Scott also checked with the township, on purchasing a portable sanitizing sprayer that can be used periodically to sanitize rooms or vehicles. The cost of the machine is between \$700-1,000. He already purchased two air purifiers and Brahler's is scheduled to clean/sanitize the lower levels of the Town Hall and the School House on the 16<sup>th</sup> of November. Gayle briefed council on the breakdown for the CARES Act funding for each business.

Scott received a letter requesting a donation from the village in the amount of \$500.00 to Lawrence Township for the compost/mulch project site. Motion to make the donation of \$500.00 was made by Judy and seconded by Joe. Roll call: All yes. Motion to include the funds into Ordinance 2020-22 was made by Gayle and seconded by Tom. Roll call: All yes.

There was a discussion about Ordinance 2020-17 appointing Mark Gaynor as cemetery administrator. David voiced concern that a cemetery board meeting was supposed to be called to discuss this and the meeting was never held. He would like the cemetery board to hold the meeting for discussion on this ordinance. David also had concern that the ordinance does not state specifically where the money to pay Mark was going to come from. Scott said the money will be paid out of the sale of lots and that he would correct this in the ordinance. Patty said Mark has a lot of great ideas he would like to implement in the cemetery. She said he will also take the lead on writing grants to gain funding needed to develop the new land in the cemetery. Patty said the Village should be grateful that Mark is willing and eager to take this on. Council voted on this ordinance and the vote ended in a tie with 3 voting yes, and 3 voting no. Scott rendered the tie breaking yes vote. The ordinance passed.

Scott talked about a noise problem reported by a resident in Cherry Hill. The noise is coming from a helicopter owned by a resident in Lawrence Township. Scott spoke with Ron Weekly, township zoning inspector, and said Ron will speak with the owner.

Scott said he received a complaint from the Postmaster about people dumping trash in the post office trash cans. He stated that the lack of trash cans in the parking lot is the likely reason people are using the post office cans.

Ordinance 2020-15: Kenstar Contract Refuse. 3<sup>rd</sup> and final reading. Judy/Gayle. Roll Call: All yes. Ordinance passed.

Ordinance 2020-17: Ordinance to hire Mark Gaynor as Cemetery Administrator. 3<sup>rd</sup> and final reading. Gayle/Tom. Roll Call: 3 No's, 3 Yes's. Mayor tie breaker vote of yes. Ordinance passed.

Ordinance 2020-18: Public Defender Contract. 2<sup>nd</sup> reading.

Ordinance 2020-19: Temporary Appropriations. 2<sup>nd</sup> reading

Ordinance 2020-20: Cemetery Burial Fees. Tabled for December.

Ordinance 2020-21: Cemetery Burial Cost/Harold Raines/Excavator. Tabled for December.

Ordinance 2020-22: Resolution to move money. Motion to suspend rules and regulations made by Judy/Joe. Roll Call: All yes. Motion to pass as an emergency made by Judy/Joe. Roll Call: All yes. Ordinance passed.

Meeting adjourned by Joe and seconded by Gayle.

  
Heather Lehmillier, Fiscal Officer

Date: 12-10-2020

  
Scott Gordon, Mayor

**SPECIAL ZOAR VILLAGE COUNCIL MEETING**  
**November 30<sup>th</sup>, 2020**

Special Council Meeting called to order at 6:30pm.

Sole purpose of meeting is to review the proposed BVFD Fire Contract with the Township; and to approve Resolution 2020-23 to participate in the Fire Protection & EMS Contract between the Bolivar Volunteer Fire Department, Inc., and the Trustees of Lawrence Township.

Roll Call	Judy Meiser	Present	Gayle Potelicki	Present
	David Irwin	Present	Tom Klingaman	Present
	Hans Fischer	Present	Joe Potelicki	Present

Scott informed council that Resolution 2020-23 can be passed as an emergency if enough yes votes are cast to suspend the rules and regulations, otherwise this will be a first reading.

Scott stated the Safety Committee reviewed and agreed the resolution was in good standing after a few typographical errors had been fixed. The Committee also reviewed and was in general agreement the proposed BVFD Fire Contract with the Township was acceptable. Scott said the township trustees will meet on the 10<sup>th</sup> of December after receiving a review of the proposed BVFD Fire Contract by their attorney. Scott would like this to pass Resolution 2020-23 prior to this meeting.

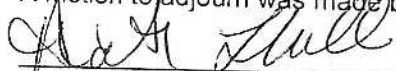
Hans asked what happened at the Safety Commission meeting. Scott informed Hans that the resolution was reviewed by the committee and those present were in full agreement. Hans said he had an issue with the resolution, stating that in the third paragraph it says there is no current contract with Zoar volunteer fire department and this is also repeated in section 5. Hans expressed that he fully disagrees with that statement adding that he recalled the village did have a contract through the end of the year. Gayle said that is incorrect, the village does not have a contract through the end of the year and all negotiations with the ZVFD were terminated. Judy said Scott stated in a previous meeting that the contract with Zoar VFD would be in place until the end of 2020. Patty stated there is no contract with the ZVFD. She said council wanted to extend the contract to the end of the year but the ZVFD refused to agree. Patty said the minutes will prove this is fact.

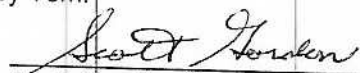
Judy expressed concern that any action on the proposed BVFD Fire Contract with the Township is premature and that council should wait until the Township Attorney reviews it. She said the meeting scheduled on the 10<sup>th</sup> is a closed meeting for trustees only. Scott said he was not aware that the meeting was an executive session. Judy said it is not executive session but is closed to the public allowing trustees only. Scott will clarify this with the township.

Gayle made a motion to suspend the rules and regulations to pass Resolution 2020-23 as an emergency and the motion was seconded by Tom. Roll Call: David: Yes, Gayle: Yes, Joe: Yes, Tom: Yes, Judy: No, Hans: No. Heather said there is not enough yes votes to suspend rules and regulations. Scott said this will be a first reading.

Scott tentatively scheduled a special meeting to be held December 3<sup>rd</sup> at 6:30PM for a second reading. He said he would email confirmation and post the meeting.

A motion to adjourn was made by David and seconded by Tom.

  
Heather Lehmill, Fiscal Officer

  
Scott Gordon, Mayor

Date: 12-10-2020