

Buckeye Lake Village Council Meeting
Held in Village Hall
May 29, 2012
Meeting Minutes

Call to Order: By President of Council, Charlene Hayden at 7:30 pm

Pledge of Allegiance and Moment of Silence: Lead by President Hayden

Roll Call: Present Jeryne Peterson (0, 4), Arletta Ruton (0, 2), Clay Carroll (0, 1), A. Kaye Hartman (0, 1),
(Consecutive, Total Absences) Patrick Brighton (0, 1), Charlene Hayden (0, 1), Gerry Neff (0, 1)

Mayor Baker

Absent: None

Staff Present: Valerie Hans, Mike Cassidy, Pete Leindecker, Rod Riley, Bob Jordan and Toby Miller

Approval of Minutes:

Motion by Councilor Ruton to approve the minutes from the April 23, 2012 Regular council meeting with corrections, Seconded by Councilor Carroll.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton

Motion Passed 7-0

Motion by Councilor Ruton to approve the minutes from the May 14, 2012 Regular council meeting with corrections, Seconded by Councilor Hayden.

Discussion: Councilor Carroll and Councilor Peterson questioned whether the May 14, 2012 meeting was an actual meeting due to lack of a quorum.

Roll Call Vote; Yeas: Hayden, Ruton

Abstentions: Carroll, Hartman, Brighton, Neff, Peterson

Motion Passed 2-0

Approval of Clerk Treasurer's Report:

Motion by Councilor Ruton to approve the Treasurer's Report and make payments as listed on the payment report dated May 14, 2012, Seconded by Councilor Brighton.

Roll Call Vote; Yeas: Carroll, Hayden, Neff, Ruton

Abstentions: Hartman, Brighton, Peterson

Motion Passed 4-0

Motion by Councilor Ruton to approve the Treasurer's Report and make payments as listed on the payment report dated May 29, 2012, Seconded by Councilor Brighton.

Roll Call Vote; Yeas: Carroll, Hayden, Neff, Ruton

Abstentions: Hartman, Brighton, Peterson

Motion Passed 4-0

ELECTIONS AND APPOINTMENTS: None

NEW / UNFINISHED BUSINESS:

Susan Derwacter and Jim Roberts spoke to the Village Council regarding the storm water project updates. Ms. Derwacter explained that change order #1 is the removal of the additional 48" line that was proposed to connect to Wasteweir Run. Due to the bids coming in high, it was decided that they would use the existing 36" tie in near the fire house.

Ms. Derwacter explained that the catch basins are elevated to prepare for the upcoming curb & sidewalk extension. There will be additional change orders coming for moving the catch basin at the fire house & cutting the concrete as well as the concrete fill removal from an unknown sinkhole in the project area.

Lastly, Ms. Derwacter stated that the next project progress meeting with the contractor will be Friday, June 1, 2012 at the Village office.

Carroll commented that changes were discussed on February 10, 2012 and further stated concern for why council members were not kept in the loop on the project.

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Council Clerk Hans notified Council Members of an Indigent Burial application that was received for Eugene D. Ramsey.

Motion by Hartman to approve the application for indigent burial, seconded by Peterson.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton

Motion Passed 7-0

Councilor Carroll brought up the subject of the vote on Ordinance 2012-07. He stated that he felt that Council did not follow proper order on this Ordinance. Councilor Carroll made a motion to reconsider Ordinance 2012-07. Councilor Peterson seconded the motion.

Discussion: Mayor Baker suggested that Councilor Carroll should make a motion to rescind Ordinance 2012-07 rather than reconsider the Ordinance. Councilor Peterson stated that council had a meeting, but there were not enough members present to vote.

Councilor Carroll read Council Rule 27 and stated that Council Rule 27 allow Council members to challenge the opinion of the chair regarding council decisions.

Councilor Carroll made a motion to challenge the chair on the decision that the May 14, 2012 council meeting was considered an actual meeting.

Council Clerk Hans stated that there was already a motion on the table and council members needed to take action on the existing motion before moving on to another motion.

Councilor Carroll withdrew his motion to reconsider Ordinance 2012-07 and Councilor Peterson seconded his motion to withdraw the reconsideration.

Council members then moved on to a vote of the second motion.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Neff, Peterson

Abstentions: Hayden, Ruton

Motion Passed 5-0

Councilor Ruton stated that she feels Solicitor Bindley should rule on whether the May 14, 2012 meeting was an actual council meeting.

Motion by Councilor Carroll to reconsider Ordinance 2012-07, seconded by Councilor Peterson.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Neff, Peterson

Nays: Hayden, Ruton

Motion Passed 5-2

Motion by Councilor Carroll to approve Ordinance 2012-07, seconded by Councilor Peterson.

Discussion: Mayor Baker stated that he disagreed with Village Council proceeding with the vote on this Ordinance.

Roll Call Vote; Yeas: Hayden, Neff, Ruton

Nays: Carroll, Hartman, Brighton, Peterson

Motion Passed 3-4

Motion by Councilor Carroll to bring Ordinance 2011-05, an Ordinance to establish the registration fee for under-speed vehicles including golf carts, back to the councilor floor. Seconded by Councilor Neff.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton

Motion Passed 7-0

Motion by Councilor Ruton to bring Ordinance 2011-06, an Ordinance to authorize the Finance director to create a law enforcement special revenue fund, back to the council floor. Seconded by Councilor Carroll.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton

Motion Passed 7-0

REPORTS OF SPECIAL AND STANDING COMMITTEES:

Zoning: Report for May 2012 submitted

Code Enforcement: No Report

Finance Committee: Chairperson Hartman stated that the Finance Committee met on 5/21/12. Mr. Popo stated that there was no new business to discuss. The next meeting will be 6/18/12 at 6:30pm.

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Public Safety Committee: No Report. Chairperson Carroll scheduled a committee meeting for 6/4/12 at 6:30pm to discuss the fire levy, police department activity and policies.

Public Service Committee: No Report. Chairperson Ruton scheduled a committee meeting for 6/4/12 immediately following the Public Safety Committee to discuss changing the street name of West Northbank Road back to Northbank Road.

Rules Committee: No Report.

Community Development: No Report. Chairperson Peterson scheduled a committee meeting for 6/18/12 immediately following the Finance Committee meeting to discuss the elected officials' plaques, growth and development in the Village and the new development director Mike Cassidy.

Council President Hayden asked if Councilor Peterson could give council a status update on the Scuttlebut newsletter. Councilor Peterson stated that she gave this task back to council and feels that the Village office should handle this.

Personnel: No Report. Council President Hayden asked Councilor Brighton when he would be getting started on the job descriptions. Councilor Brighton stated that they are all done except for the Fire Department. He further stated that he has spoken to Mr. Ruton to get the fire department job descriptions.

COMMUNICATIONS: None

CITIZEN'S COMMENTS: Marianne Perine asked how long will the street be blocked on Route 79. Council members stated that it should only be blocked for another week.

Peg Wells stated that council should get clarification from the clerk on how abstentions are counted. She further stated how refreshing it was to hear that council members care enough to try and determine what the rules really are. Ms. Wells stated that a few people just wanted to get one person a \$45,000 pay increase instead of reviewing all employees' pay scales. Lastly, she stated that she was offended that a meeting of two council members could possibly constitute a meeting.

REPORTS OF VILLAGE OFFICIALS:

Police Chief: Council Clerk Hans read and submitted the April 2012 Police report.

Fire Chief: Chief Leindecker read and submitted a report for April 2012.

Street Supervisor: Mark Dymek submitted the April 2012 Street Department report.

Water Department: No Report.

Development Director: stated that the state recently settled a lawsuit. Licking County will receive just over 1 million dollars to be used towards demolition of properties in the County. The City of Newark will be administering the grant and Buckeye Lake applied for money last week.

Mayor's Report: No Report.

President's Report: President Hayden read and submitted a written report dated May 29, 2012.

ORDINANCES:

3rd Reading

2011-05 AN ORDINANCE TO ESTABLISH THE REGISTRATION FEE FOR UNDER-SPEED VEHICLES INCLUDING GOLF CARTS.

Motion by Councilor Carroll, to approve Ordinance 2011-05, seconded by Councilor Peterson.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton

Motion Passed 7-0

2011-06 AN ORDINANCE TO AUTHORIZE THE FINANCE DIRECTOR TO CREATE A LAW ENFORCEMENT SPECIAL REVENUE FUND.

Motion by Councilor Peterson, to approve Ordinance 2011-06, seconded by Councilor Ruton.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton

Motion Passed 7-0

2012-09 AN ORDINANCE TO REGULATE UNDER-SPEED VEHICLES, INCLUDING GOLF CARTS, REGARDING STOPPING VEHICLE; SLOW SPEED; AND POSTED MINIMUM SPEEDS.

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2nd Reading

2012-11 AN ORDINANCE AMENDING ORDINANCE 2011-24 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARATION OF EMERGENCY

1st Reading

2012-12 AN ORDINANCE APPROVING CHANGE ORDER NUMBER 1 FOR THE BUCKEYE LAKE STORM SEWER PHASE 1, AND DECLARING AN EMERGENCY.

Motion by Councilor Hartman to suspend the rules on Ordinance 2012-12. Seconded by Councilor Peterson.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton
Motion Passed 7-0

Motion by Councilor Hartman, to approve Ordinance 2012-12, seconded by Councilor Peterson.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton
Motion Passed 7-0

RESOLUTIONS:

3rd Reading

2nd Reading

2012-05 A RESOLUTION TRANSFERRING CERTAIN FUNDS TO PROVIDE FOR THE DAILY OPERATION OF THE VILLAGE GOVERNMENT AND DECLARING AN EMERGENCY

Motion by Councilor Hartman to suspend the rules on Resolution 2012-05. Seconded by Councilor Peterson.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton
Motion Passed 7-0

Motion by Councilor Hartman, to approve Resolution 2012-05, seconded by Councilor Peterson.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton
Motion Passed 7-0

1st Reading

CITIZENS COMMENTS: Charlotte Basnett stated that it is embarrassing that five council members decided not to attend the May 14, 2012 meeting. She further stated that council members should bring items up at committee meetings instead of at council meetings. Lastly, she stated that she is getting unhealthy vibes from what is going on here and feels that council members should be a show of unity.

Peg Wells handed out a sheet which was a copy of page 19 or 23 from the Village employee handbook with point #3 and #5 highlighted from the Ohio Ethics Laws. She pointed out that the Fire Chief authorized training for 7 students to take a class where only 1 out of 7 passed the class. She further stated that two people, the Pete Leindecker's son and Missy Miller, got kicked out of the class for cheating according to the instructor. The Fire Chief's son was then enrolled at CTEC and a new training bill was submitted to the Village office and paid before the first bill was received. Lastly, she stated that she feels Council members should look into this further.

COUNCIL MEMBER COMMENTS:

Kaye Hartman: Councilor Hartman asked to go into executive session to discuss a personnel matter.

Motion by Hartman to go into executive session, seconded by Peterson.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton
Motion Passed 7-0

Executive session began at 9:25pm.

Executive session ended at 10:00pm.

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Motion by Hartman to come out of executive session, seconded by Peterson.

Roll Call Vote; Yeas: Carroll, Hartman, Brighton, Hayden, Neff, Peterson, Ruton

Motion Passed 7-0

Aretta Ruton: Reminded council that there will be a car show at the KOA campground on 6/9/12 at 4pm.

Jeryne Peterson: Mentioned that Roger Manifold's family donated a beautiful bronze bench to the Buckeye Lake Library.

Gerry Neff: No Comment

Clay Carroll: No Comment

Patrick Brighton: No Comment

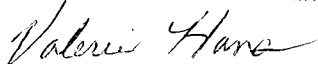
Charlene Hayden: No Comment

Adjournment: Motion by Councilor Peterson to adjourn the meeting, Seconded by Councilor Ruton.

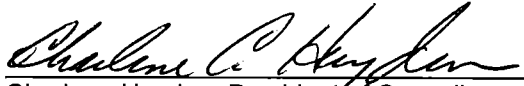
VOTE: IN-FAVOR: ALL YEAS; MOTION CARRIED 7-0

Meeting adjourned at 10:04pm

NEXT MEETING: June 11, 2012



Valerie Hans, Clerk of Council



Charlene Hayden, President of Council