

Buckeye Lake Village Council Meeting
Held in Village Hall
November 23, 2015
Meeting Minutes

Call to Order: By Council President Jeryne Peterson at 7:00 p.m.

Pledge of Allegiance and Moment of Silence: Lead by Council President Jeryne Peterson.

Roll Call: Present: Barry Herron (0,1), Robert Masone, MD (0,3), Jeryne Peterson (0,3),
(Consecutive, Total Absences) Arletta Ruton (0,4), Peggy Wells (0,1), Tom Wolfe (0,0), Kitty Zwissler (0,0)
Mayor Clay Carroll

Absent: None

Staff Present:

Valerie Hans, Clerk of Council; James Hanzey, Police Chief; Pete Leindecker, Fire Chief; Rod Riley, Code Enforcement Officer; Toby Miller, Water Superintendent.

Approval of Minutes:

Motion by Councilor Ruton to approve the minutes from the November 9, 2015, regular council meeting as presented, seconded by Councilor Zwissler.

Roll Call Vote: Yeas: Herron, Masone, Peterson, Ruton, Wells, Wolfe, Zwissler
Motion Passed 7-0.

Approval of Clerk Treasurer's Report:

Motion by Councilor Masone to approve the Treasurer's Report dated November 18, 2015, seconded by Councilor Ruton.

Roll Call Vote: Yeas: Herron, Masone, Peterson, Ruton, Wells, Wolfe, Zwissler
Motion Passed 7-0.

Elections and Appointments: None.

NEW/UNFINISHED BUSINESS: None.

COMMISSION REPORTS:

Parks Commission: The Commission will meet on Tuesday, December 31, 2015 at 6:30pm.

Planning Commission & Board of Zoning Appeals: The Commission will meet on Tuesday, December 8, 2015 at 7:30pm.

COMMITTEE MEETING AND/OR REPORT:

Finance Committee: Councilor Herron stated that his committee met on 11/16/15 to discuss the 2016 Village budget. He stated that the water department is in excellent shape. The fire department is in ok shape. The soft billing brought in more money than originally anticipated which covers the increased salaries. However, if the fire department had a large equipment problem or catastrophic failure there would not be enough money to cover it. The police department is still under water. More than ½ of their money still comes from the general fund. The street department is also badly under-funded. Herron stated that we need to look at an operating levy in the very near future. He further stated that our village police department operates on ½ of what Millersport operates on and 1/8 of what Hebron operates on. Overall, he feels that the village is not in great financial shape overall.

Councilor Zwissler asked if there is any surplus in the street department? Herron stated that there is surplus in the street light fund which is to be used only on street lights; however there is no surplus in the street department. Zwissler further asked if the street light fund can be used for anything else. Herron responded that it must be used for street lights.

Public Safety Committee: No report.

Public Service Committee: Councilor Ruton stated that her committee met on 11/23/15 prior to the council meeting to discuss village owned properties. She stated that we have a few village owned properties that need tree removal and cleanup. Councilor Ruton stated that her committee decided to table

acting on these properties until the new council members take office after the first of the year. Councilor Herron asked if we could look at appraising the Village Office Complex, police and street department spaces to determine if it would be feasible to relocate and sell our buildings.

Rules Committee: No report.

Community Development Committee: No report.

Personnel Committee: No report.

COMMUNICATIONS: None.

CITIZEN'S COMMENTS: None.

POLICE CHIEF'S REPORT: A report for the month of October 2015 was submitted.

FIRE CHIEF'S REPORT: A report for the month of October 2015 was read and submitted.

STREET SUPERVISOR'S REPORT: A report for the month of October 2015 was submitted.

WATER DEPARTMENT REPORT: A report for the month of October 2015 was submitted. Council President Peterson and Councilor Wells asked for an update on the installation of the mixer at the water tower. Toby Miller stated that the mixer is installed at the water tower. They are now waiting to receive the proper sign-off to make the tower operational again after inspections. He handed out a packet of pictures that illustrates the progress made at the tower. Those pictures have been added to the council record. He further explained that the mixer runs at 1800-2000 rpms per minute.

DEVELOPMENT DIRECTOR'S REPORT: No report.

MAYOR'S REPORT: Mayor Carroll stated lots of work has been done at the park. There are still a few items being finished to close out the grant including the crosswalks. The benches are being installed and new toilet paper dispensers are being installed in the restroom.

PRESIDENT OF COUNCIL: Council President Peterson stated that the park looks really nice. She hopes that this will be the beginning of great things to come for the village.

ORDINANCES

3rd Reading

2nd Reading

2015-24 PERMANENT APPROPRIATIONS ORDINANCE.

Motion by Councilor Wolfe to table Ordinance 2015-24 to get more information on how \$125,000 is being spent in the police department, seconded by Councilor Zwissler.

Councilor Ruton stated that there was a Finance Committee meeting to discuss issues prior to the last council meeting. Discussion continued regarding the need to have more information on the budget and more input from council members. During the discussion, Mayor Carroll stated that this was only the second reading and that Finance Committee could meet again and gather more information prior to the third reading to clarify their questions while still not holding up getting a budget into place by January 1, 2016. Councilor Zwissler stated that we should be meeting with the departments. She also stated that she had an issue with Section 3 of the legislation because she feels it gives the administration too much power to move items between lines. She further asked why were the department managers not present when the Finance Committee went over the budget.

Mayor Carroll stated that the Clerk/Treasurer is out of town until Tuesday and it will take her a few days to get the information together. Councilor Masone stated that he doesn't agree with section 3 of the legislation and that there is a need for more breakdown in the budget.

Councilor Herron stated that once the budget is approved it is the Mayor and the department heads responsibility to work within their budget. Herron further stated that there are 40 line items in the Police Department budget. The needed items are spelled out in the budget and have been discussed in detail prior to bringing this ordinance to council. Herron also stated that this village is grossly underfunded and we need to decide whether we are going to pass an operating levy or continue to make cuts. Councilor Wells suggested getting more information into the legislation on how funds can be spent.

Council Zwissler stated that she hasn't received the legal opinion that she asked for yet. Mayor Carroll stated that our solicitor got the information verbally from another attorney that has experience in this matter. Therefore, our solicitor cannot give a written opinion on something that he did not do. If we have to have a written opinion, it will cost the village at least \$1000 to receive this.

Council members continued a lengthy discussion and finally decided that it would be best to rescind tabling the Ordinance and instead have an additional committee meeting to answer any additional questions. Mayor Carroll stated that he will get in touch with the Clerk/Treasurer and get a meeting scheduled prior to the next council meeting.

Motion by Councilor Zwissler to rescind her second of Ordinance 2015-24 and motion by Councilor Wolfe to rescind his first of the motion. This Ordinance will move forward at the December 15, 2015 council meeting for third reading.

1st Reading

2015-25 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR REIMBURSEMENT OF LEGAL COUNSEL FOR INDIGENT DEFENDANTS FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO.

2015-26 AMENDING ORDINANCE 2014-25 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARATION OF EMERGENCY.

Motion by Councilor Zwissler to suspend the rules on Ordinance 2015-26, seconded by Councilor Wolfe.

Roll Call Vote: Yeas: Herron, Masone, Peterson, Ruton, Wells, Wolfe, Zwissler
Motion Suspended 7-0.

Motion by Councilor Wells to adopt Ordinance 2015-26, seconded by Councilor Ruton.

Roll Call Vote: Yeas: Herron, Masone, Peterson, Ruton, Wells, Wolfe, Zwissler
Motion Passed 7-0.

RESOLUTIONS:

3rd Reading

2015-05 A RESOLUTION TRANSFERRING CERTAIN FUNDS AS PROVIDED BY OHIO LAW.

Motion by Councilor Ruton to suspend the rules on Ordinance 2015-26, seconded by Councilor Masone.

Toby Miller was asked to give additional information on what the pre-construction pre-assessment money could be used for before council proceeded with approving legislation to transfer funds. Miller stated that our options are to leave it there and do nothing with it, refund it to all of the people who paid into it (which would be virtually impossible, time consuming and costly to locate the people nearly 10 years later or to transfer it into the water debt service to pay down the debt for the system that the money was designed to be used for. He further stated that the debts are bonds and we pay them down annually. The transfer of funds will allow the village to show 8 years of debt payments for that fund. Councilor Wells stated that this sounds like good money management. Miller further stated that the law allows this money to be used for debt service. It is not able to be transferred out of the water fund without a court order.

Motion by Councilor Ruton to adopt Resolution 2015-05, seconded by Councilor Masone.

Roll Call Vote: Yeas: Herron, Masone, Peterson, Ruton, Wells, Wolfe
Nays: Zwissler
Motion Passed 6-1.

2nd Reading

1st Reading

Citizen's Comments: None

Council Member's Comments:

Councilor Masone: The discussions heard tonight were very productive. I am looking forward to working with everyone in 2016.

Councilor Herron: No comment

Councilor Wells: No comment

Councilor Wolfe: Happy Thanksgiving!

Councilor Ruton: Happy Thanksgiving!

Councilor Zwissler: Happy Thanksgiving! We really worked well together this evening.

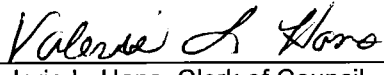
Council President Peterson: Happy Thanksgiving!

Adjournment: Motion by Councilor Zwissler to adjourn the meeting, seconded by Councilor Ruton.

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

Meeting adjourned at 8:20 p.m.

NEXT MEETING: December 14, 2015



Valerie L. Hans, Clerk of Council



Jeryne Peterson, Council President