

Buckeye Lake Village Council Meeting
Held in Village Hall
January 23, 2017
Meeting Minutes

Call to Order: By Council President Catherine Zwissler at 7:00 p.m.

Pledge of Allegiance and Moment of Silence: Lead by Council President Catherine Zwissler.

Roll Call: Present: Tim Ryan (0,0), Peggy Wells (0,0), Catherine Zwissler (0,0),
(Consecutive, Total Absences) Robert Masone, MD (0,0), Doug Poorman (0,0), Arletta Ruton (0,0)
Mayor Clay Carroll

Absent: Tom Wolfe (1,2)

Staff Present:

Valerie Hans, Clerk of Council; James Hanzey, Police Chief; Pete Leindecker, Fire Chief; Dave Ruton, EMS Captain; Rod Riley, Code Enforcement Officer.

Approval of Council Meeting Minutes:

Motion by Councilor Ryan to approve of the minutes from the January 9, 2017, regular council meeting as presented, seconded by Councilor Wells.

Roll Call Vote: Yeas: Ryan, Wells, Zwissler, Masone, Poorman, Ruton
Motion Passed 6-0.

Approval of Clerk Treasurer's Report:

Motion by Councilor Ryan to approve the Treasurer's Report dated January 19, 2017, seconded by Councilor Masone.

Roll Call Vote: Yeas: Ryan, Wells, Zwissler, Masone, Poorman, Ruton
Motion Passed 6-0.

Elections and Appointments: Council President Zwissler asked if there were any elections or appointments two different times. Councilor Masone responded by discussing Planning Commission/BZA and Parks and Recreation Commission member Stacie McCloud. He mentioned that according to Village Charter section 7.01d no appointed official can serve on two boards. He stated that it seems to be a violation that we should correct. Council President Zwissler stated that we should do that. She then stated that Stacie McCloud has been excellent on Parks and Recreation and that she would like to see her remain on Parks and Recreation. Council President Zwissler then suggested that Stacie McCloud be removed from Planning and Zoning Commission. Council Clerk Hans asked whose appointment she is. Council President Zwissler answered she is ours. Councilor Ryan suggested that Ms. McCloud should be notified prior to moving her to only serving on the Parks and Recreation Commission. Councilor Masone agreed with Councilor Ryan.

Mayor Carroll stated that he felt that Ms. McCloud should be given the opportunity to choose which board she wished to remain on. Council President Zwissler stated that it is our decision. Mayor Carroll suggested that council should pay attention to more than one line of the charter.

Motion by Councilor Wells to thank Stacie McCloud for her service on the Planning Commission/BZA and we reconfirm her for Parks and Recreation Commission but we now have an open seat on Planning and Zoning Commission due to a violation of this charter, seconded by Councilor Masone.

Discussion:

Mayor Carroll stated that he feels you should determine which commission she was on first and give her the right to choose. Council Clerk Hans stated that you may run the risk of offending Ms. McCloud if you simply remove her from one commission tonight. Thanking her for her service or not, the professional way to handle this is to contact her first before this is brought up at council. Councilor Ryan stated isn't that what we said. Council President Zwissler stated that the motion was to thank her for her service on the Planning and Zoning Commission and reconfirm her only to the Parks and Recreation Commission.

Councilor Wells stated that McCloud is not an elector, she doesn't live or vote in our village.

Roll Call Vote: Yeas: Ryan, Wells, Zwissler, Masone

Nays: Poorman, Ruton

Motion Passed 4-2.

Council members discussed that Council President Zwissler will need to contact Stacie McCloud to advise her of the change in her service on the Planning Commission/BZA.

UNFINISHED BUSINESS: Councilor Ryan stated that he has talked endlessly about fixing the sidewalk by the spillway. He stated that he witnessed a person in a wheelchair who couldn't navigate the sidewalk, wheel herself out into the street.

Councilor Wells asked Mayor Carroll if there were any new updates on this topic with ODNR in the last two weeks. The Mayor said it hasn't been since our last meeting.

Reports of Special and Standing Committees in the Following Order:

Zoning: January 2017 report is in the council members' office mailboxes.

Code Enforcement: No report.

Finance Committee: No report.

Public Safety Committee: No report.

Public Service Committee: Councilor Ruton scheduled a committee meeting for Monday, February 13, 2017 at 6:00pm to discuss storm sewers.

Councilor Wells stated that she asked a few months ago for the Public Service Committee to review the engineering RFQs.

Mayor Carroll stated that is not exactly correct. I stated that I was waiting for a recommendation from the Planning Commission and I would pass that recommendation on to the public service committee.

Rules Committee: Councilor Wells called a committee meeting for Monday, February 27, 2017 at 6:00pm to discuss the council rules.

Community Development Committee: No report.

Personnel Committee: No report.

CITIZEN'S COMMENTS: Gregg Kearns, 325 Lakeview Drive, Buckeye Lake. Mr. Kearns stated that one year ago he asked for help in changing the zoning rules to allow him to build a garage without living space in it. This was accomplished with several restrictions put in place. He stated that the language that was created has teeth in it and proceeded to show council members pictures of the end result of the garage that he built. Trying to put a deed restriction on the property is extremely difficult. No one ever followed up and asked if he met all the requirements placed on his garage variance.

POLICE CHIEF'S REPORT: A report for the month of December 2016 was submitted.

FIRE CHIEF'S REPORT: A report for the month of December 2016 was read and submitted.

STREET SUPERVISOR'S REPORT: No report.

WATER DEPARTMENT REPORT: A report for the month of December 2016 was submitted.

DEVELOPMENT DIRECTOR'S REPORT: No report.

MAYOR'S REPORT: Mayor Carroll stated that the street department has a backhoe in need of costly repair. They are considering the options of repair vs. replacement to determine the most cost effective option. The Mayor stated the repair would cost \$17,000 which probably wouldn't require council action, but I would like your opinion on it. We have it in the budget at least for this year.

Councilor Poorman asked how many days a year they typically use a backhoe and if renting one would be a better option.

Mayor Carroll mentioned that the Fire Department applied for a \$20,633 Fire Marshall's grant; and are in the process of applying for an ODOT sidewalk grant.

Mayor Carroll stated that the legislation for the annual contract with the Licking Council Humane Society will be presented for first reading at the next meeting. He stated that he attended the BLR2030 meeting on Saturday.

Mayor Carroll stated that the village owns a lot at 138 2nd St. which is directly across the street from the park. There are trees on the lot coming down on neighboring properties. We are getting quotes for tree removal and will bring the quotes back to council.

Mayor Carroll stated that he met with MedBill. He stated that some insurance companies are considered out of contract with the village. As a result, the insurance company pays the patient directly for the emergency squad bill. If the village chooses to contract with these insurance companies, it will allow the emergency squad bill to be paid directly from the insurance company; therefore simplifying the process. They are also giving us information so we can determine chargemaster rate.

Lastly, Mayor Carroll passed out pictures of chickens in the backyard at 128 Anchor's Way. He asked that any council members who know these residents, please advise them to remove the chickens as they are a violation of section 803 of the Buckeye Lake Zoning Code.

PRESIDENT OF COUNCIL: Council President Zwissler stated that the Mayor and I have been working to get grants at the state level. Representative Tim Shaffer is working on a large grant for the village. She also mentioned that Steve Stivers, Pat Tiberi and Sherrod Brown are also working on getting grants for the village.

Councilor Ryan asked what the \$970,000 + \$10,000? Council President Zwissler stated that the \$970,000 is the un-granted portion of state grant? It was sitting there because the rules of the grant prevented people from going after it because their business loss had to be at least 40%. I have been working to get them to lower it to 10%. The money is not for administration it is for the businesses.

Councilor Ryan reminded Council President Zwissler that we all worked on the grant not just her. He also reminded everyone that only businesses surrounding the lake will be eligible for the grant.

Councilor Ryan then asked if the Mayor or Council President Zwissler has heard any discussion of designating the old dam as a state and federal historical site. Mayor and Council President

Zwissler stated that they had not heard that. Because he has said it's a dangerous step and would require a lot of discussion.

Councilor Wells asked what negative consequences does this have for the residents. Council Ryan said it would be bad for people that live adjacent to the dam as to what they can do with their property.

Councilor Poorman stated that he will ask around about this.

ORDINANCES

3rd Reading

2nd Reading

2017-01 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE LICKING COUNTY PLANNING COMMISSION FOR THE ADMINISTRATION OF FLOODPLAIN REGULATIONS.

1st Reading

2017-02 AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE 2017 EDITION OF THE MODEL OHIO MUNICIPAL CODE – ADMINISTRATION, GENERAL OFFENSE AND TRAFFIC CODE AS REVISED THROUGH NOVEMBER 1, 2016, PUBLISHED BY AMERICAN LEGAL PUBLISHING FOR THE VILLAGE OF BUCKEYE LAKE, OHIO; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

Motion by Councilor Ruton to suspend the rules on Ordinance 2017-02, seconded by Councilor Poorman. Councilor Ruton stated that the purpose for suspending the rules was to get the most up-to-date version of the Model Ohio Municipal Code into use by our village officials.

Roll Call Vote: Yeas: Ryan, Wells, Zwissler, Masone, Poorman, Ruton
Rules Suspended 6-0.

Motion by Councilor Ruton to adopt Ordinance 2017-02 as presented, seconded by Councilor Poorman.

Roll Call Vote: Yeas: Ryan, Wells, Zwissler, Masone, Poorman, Ruton
Motion Passed 6-0.

RESOLUTIONS:

3rd Reading

2nd Reading

1st Reading

Citizen's Comments: None.

Council Member's Comments:

Councilor Masone: Stated that his first council meeting was in March 2015. Moving forward, he agrees with the mayor that he would like to see us all treat each other with more respect and love.

Councilor Poorman. Stated that he attended the BLR2030 meeting last Saturday. The group now has a website up with lots of great information. He encouraged people to visit the website.

Councilor Wells: Stated that she has had people complain that they can't hear us. She then stated to the public, "Right before council comments she called for citizen's comments."

Well stated that last Thursday she attended an all-day seminar at Licking County on government efficiency. She will get council more information on what was discussed within a couple of days.

Councilor Ruton: No comment.

Councilor Ryan: Stated that Winterfest is this Saturday. This year there are 19 businesses participating around the lake. There will be fireworks at 7:00am at North Shore State Park and Benny the Bass is ready to eat whatever we give him.

Council President Zwissler: Stated that Councilor Ryan is a joy to be around. She stated that Winterfest is a great event for the businesses. She encouraged everyone to get involved in this event.

Other Business: Councilor Wells asked that we advertise for the Planning Commission/BZA vacancy. Council President Zwissler asked the clerk to place an ad in the Beacon. Council Clerk Hans asked Council President Zwissler when the ad should start. Council President Zwissler stated that it should start as soon as possible. Council Clerk Hans asked if you would like a chance to contact Ms. McCloud before the ad goes in the newspaper. Council President Zwissler stated, "I think, but still put the ad in." Council President Zwissler asked who wants to call her. Councilor Wells responded that you need to.

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


VOTE: IN-FAVOR: ALL YEAS; MOTION CARRIED 6-0

Meeting adjourned at 7:56 p.m.

NEXT MEETING: February 13, 2017



Valerie L. Hans, Clerk of Council



Catherine Zwissler, Council President