

Buckeye Lake Village Council Meeting
Held in Village Hall
November 28, 2016
Meeting Minutes

Call to Order: By Council President Catherine Zwissler at 7:04 p.m.

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

Roll Call: Present: Robert Masone, MD (0,2), Doug Poorman (0,1), Arletta Ruton (0,4),
(Consecutive, Total Absences) Tim Ryan (0,2), Peggy Wells (0,2), Tom Wolfe (0,4) Catherine Zwissler (0,0)
Mayor Clay Carroll

Absent: None

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 Ruton to approve of the minutes from the November 14, 2016, regular council meeting as presented, seconded by Councilor Wolfe.

Roll Call Vote: Yeas: Poorman, Ruton, Ryan, Wells, Wolfe, Zwissler

Abstentions: Masone

Motion Passed 7-0.

Approval of Clerk Treasurer's Report:

Motion by Councilor Ruton to approve the Treasurer's Report dated November 23, 2016, seconded by Councilor Wolfe.

Roll Call Vote: Yeas: Masone, Poorman, Ruton, Ryan, Wells, Wolfe, Zwissler

Motion Passed 7-0.

Elections and Appointments: None

UNFINISHED BUSINESS: Councilor Ryan asked for an update on the sidewalk repairs near the spillway. Council Clerk Hans stated that Mayor Carroll provided a written report which will answer that question later in the meeting.

Councilor Ryan stated that he read the documents that ODNR sent to the residents and neither letter provides information that tells me the village should not be issuing zoning permits for construction that is on private property and off of the dam. Councilor Ryan stated that he would like an answer to Mr. Fornatero's dilemma. Furthermore, he feels that we need to have a definitive answer in writing from ODNR or we should continue to issue permits to the property owners.

Council President Zwissler agreed with Councilor Ryan. She referred Mr. Fornatero to Mark Anthony at ODNR and gave him Mr. Anthony's cell phone number to make contact in an effort to resolve the situation. Lastly, Zwissler stated that the Mayor and Council of the village have a responsibility to the residents of the village to resolve the situation.

Councilor Wolfe stated that he feels our village solicitor should be involved in determining specifically what we need to know and the guidelines that we need to follow for issuing or not issuing permits.

Mike Fornatero, 4259 Northbank Rd., Buckeye Lake. Stated that he wants to build a carport on the back of his house at 5279 Northbank Rd., Buckeye Lake. He stated that he called the Millersport park office and did not receive a response.

Council President Zwissler stated that she has given Mr. Fornatero Mark Anthony's cell phone number.

Councilor Ryan stated that we have no official document saying that we can't issue a zoning/building permit within the village. Therefore, he feels we should continue issuing permits until the time that we receive a letter saying we can't issue permits.

Councilor Wolfe would like our Village Solicitor to contact Mark Anthony at ODNR.

Councilor Wells asked if the carport is on the back side of the property on the flat ground?

Mr. Fornatero stated that it is.

Councilor Wells asked if the carport is completely away from the dam.

Mr. Fornatero stated that it is.

Reports of Special and Standing Committees in the Following Order:

Zoning: October Report is in the council members' office mailboxes.

Code Enforcement: No report.

Finance Committee: Councilor Wolfe stated that the committee is still working on the budget. He stated that he is in communication with the Mayor on this and council will be presented with a temporary budget.

Councilor Ryan asked why do we never have a zoning report from PC/BZA? He stated that he wants a report.

Public Safety Committee: No report.

Public Service Committee: No report.

Rules Committee: Councilor Wells called a committee meeting for December 12, 2016 at 6:00pm to discuss modifying the council rules.

Community Development Committee: No report.

Personnel Committee: No report.

CITIZEN'S COMMENTS: Marianne Perine, 264 Park St., Buckeye Lake. Commended council on the wonderful installation of the crosswalk. She then asked if there will be signs and lighting?

Council President Zwissler stated that the signs and lighting have already been purchased and will be installed when they arrive.

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

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

STREET SUPERVISOR'S REPORT: A report for the month of October 2016 was submitted.

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

DEVELOPMENT DIRECTOR'S REPORT: No report.

MAYOR'S REPORT: In Mayor Carroll's absence, Council Clerk Hans read his printed report. The following items were mentioned:

ODNR is working with their contractor to get the sidewalk completed in front of the spillway. ODNR's real estate representatives are considering if they have an interest in acquiring the piece of property in front of the spillway.

The crosswalk signs have arrived and will be installed soon. In addition, the flashing crosswalk lights will be made operational soon.

The holiday decorations will go up along route 79 this Friday.

We are getting prices to review the outsourcing ideas that were discussed at the last Finance committee meeting.

Lastly, we are trying to schedule a meeting with ODNR to discuss building near the dam and get a resolution to the current questions.

PRESIDENT OF COUNCIL: Council President Zwissler thanked the civic association for their generous \$500 contribution for the LEADS building. She also thanked everyone who is helping Mr. Fornatero in getting the permits so he can build his carport.

ORDINANCES

3rd Reading

2nd Reading

2016-15 TEMPORARY APPROPRIATIONS ORDINANCE

2016-16 AN ORDINANCE REGULATING THE USE OR OCCUPATION OF ALL PUBLIC RIGHT-OF-WAYS, THE ISSUANCE OF RIGHT-OF-WAY PERMITS TO PERSONS FOR SUCH USE OR OCCUPANCY AND TO SET FORTH THE POLICIES OF THE VILLAGE RELATED TO ITS PUBLIC RIGHTS-OF-WAYS (R-O-W) FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO.

1st Reading

2016-17 AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE WITHIN THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO AND DECLARING AN EMERGENCY.

Motion by Councilor Wells to suspend the rules on Ordinance 2016-17, seconded by Councilor Ruton. Councilor Wells stated that the purpose for suspending the rules was to get the most up-to-date version of the property maintenance code into use by our Code Enforcement Officer.

Roll Call Vote: Yeas: Masone, Poorman, Ruton, Zwissler

Nays: Ryan, Wolfe

Rules Suspended 5-2.

Motion by Councilor Wells to adopt Ordinance 2016-17 as presented, seconded by Councilor Ruton.

Councilor Wells stated that we could get around this if we had our own code. She further stated that we rely on what the state code says because we don't have our own.

Councilor Ryan stated that he didn't understand the emergency issue. Councilor Masone stated that he feels we use the emergency clause too much; however he stated that in this instance it seems appropriate to pass in emergency

Councilor Wells stated that we need to get the most up-to-date version of the code into use as soon as possible.

Roll Call Vote: Yeas: Masone, Poorman, Ruton, Zwissler

Nays: Ryan, Wolfe

Motion Passed 5-2.

RESOLUTIONS:

3rd Reading

2nd Reading

1st Reading

Citizen's Comments: None.

Council Member's Comments:

Councilor Ryan: Stated that he really has a problem with the zoning and building permits. He stated that we need to be basing our decisions on more than a verbal direction from a park manager.

Councilor Ruton: No comment.

Councilor Wolfe:

Councilor Masone: No comment.

Councilor Poorman: Reminded council members of the steering committee meeting for the community center on Wednesday at 9:30am at PetPlex.

Councilor Wells: Suggested that we hold off on sending out the draft minutes until they are approved. She would prefer that the draft minutes are only available to council and the mayor.

Council Clerk Hans suggested that she could watermark the draft minutes and then once approved resend without the watermark to all recipients. She stated that there are standing public records requests for the entire council packet for each meeting.

Council members discussed all options and it was decided to have the clerk continue to send out the draft minutes with the council packet as long as they have the watermark of draft on them.

Councilor Wells mentioned that she would like to see Karen Cookston, Planning Commission/BZA chairperson attend the council meetings and provide reports.

Council President Zwissler: Thanked everyone who attended the meeting. She suggested that we should have all Planning Commission/BZA members attending the council meetings.

Councilor Ruton stated that former Council President Hayden used to attend the PC/BZA and Parks and Recreation commission meetings and then report back to council each month on what was happening with each commission.

Councilor Ryan scheduled a Personnel Committee meeting for Monday, December 12, 2016 at 6:30pm to interview the PC/BZA applicants.

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

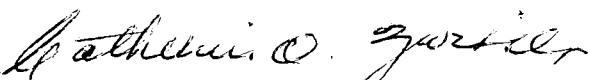
VOTE: IN-FAVOR: All YEAS; MOTION CARRIED 7-0

Meeting adjourned at 8:06 p.m.

NEXT MEETING: December 12, 2016



Valerie L. Hans, Clerk of Council



Catherine Zwissler, Council President