

Buckeye Lake Village Council Meeting
Held in Village Hall
May 22, 2017
Meeting Minutes

Call to Order: By Council President Catherine Zwissler at 7:01 p.m.

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

Roll Call: Present: Peggy Wells (0,0), Tom Wolfe (0,2), Catherine Zwissler (0,0),
(Consecutive, Total Absences) Robert Masone, MD (0,3), Doug Poorman (0,1), Arletta Ruton (0,1),
Tim Ryan (0,3)
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; Randy Bucy, Street Department; Toby Miller, Water Superintendent.

Approval of Council Meeting Minutes:

Motion by Councilor Ruton to approve the minutes of the May 8, 2017, regular council meeting as revised to change the words "utility companies" to "communities on page two under Councilor Ryan's comment, seconded by Councilor Masone.

Roll Call Vote: Yays: Wells, Wolfe, Zwissler, Masone, Poorman, Ruton, Ryan
Motion Passed 7-0.

Approval of Clerk Treasurer's Report:

Motion by Councilor Ruton to approve the Treasurer's Report dated May 18, 2017, seconded by Councilor Wolfe.

Roll Call Vote: Yays: Wolfe, Zwissler, Masone, Poorman, Ruton, Ryan

Abstentions: Wells

Motion Passed 7-0.

Elections and Appointments: None.

UNFINISHED BUSINESS: None.

Reports of Special and Standing Committees in the Following Order:

Planning Commission/BZA: Karen Cookston handed out a package of information to each council member. This packet included a proposal for reconfirmation of a Commission Member, Article 7 of the Village Charter (Boards and Commissions, Council Rules (Council Conduct with Boards, clubs, Committees, and Commissions & Organizations), April 11, 2017 draft planning commission meeting minutes, Thursday, March 9, 2017 email regarding Stacie McCloud and procedures for Reconfirmation, & February 1, 2017 memo from Mark Gardner, Village Solicitor. The clerk received a copy of all documents to be included in the official council minutes. Ms. Cookston stated that she felt that the process by which council attempted to remove Ms. McCloud from Planning Commission/BZA was inaccurate and invalid based on the Village Charter's criteria for reconfirmation. Ms. Cookston asked council members to review the information in the packet and develop a process for reconfirmation that could be applied equally to all boards and commissions. She provided a proposed process for council members to review. Ms. Cookston stated that since the inception of the village charter, it has been commonplace to be on more than 1 board and/or commission. Ms. Cookston urged council members to speak with the Planning Commission members individually to learn their opinion of how Ms. McCloud has performed her

duties on the Planning Commission/BZA. Ms. Cookston urged council members to look at the charter and consider that just because a person is not a voter in the village doesn't mean that they do not have a vested interest in the village.

Councilor Wolfe stated that he attended the Planning Commission meeting on May 9, 2017 and originally did not think there was anything on the agenda. He was at the meeting for over two hours and took nine pages of notes. He would like to see the Planning Commission make a note on their agenda of what will actually be discussed at the meetings so people would be able to attend and learn more about what is going on.

Ms. Cookston stated that when there isn't any regular business on the agenda, they use the meeting as a workshop to discuss items and educate members on items.

Councilor Wells stated that the charter trumps the council rules. She then asked, "Are you suggesting that we review and then discuss the process with you?" The charter refers to non-electors needing to be reconfirmed, not non-residents.

Council President Zwissler suggested that we should have a charter review commission to discuss these items.

Ms. Cookston stated that we have many people who own homes and businesses in the village and live somewhere else. We ask as part of reconfirmation if people still own a property or a business in the village. She then stated that Matt and Stacie are both non-electors. They are willing to go through the reconfirmation process.

Councilor Wells asked, "Do you consider Stacie McCloud to be a current member of the Planning Commission?"

Ms. Cookston stated that she was not removed correctly.

Councilor Ruton stated that she firmly believes that Stacie McCloud is still a member of the Planning Commission because council did not handle the situation properly before.

Zoning: A report for the month of May 2017 is in the council mailboxes.

Code Enforcement: No report.

Finance Committee: Councilor Wolfe stated that his committee met this evening to discuss the 4831 Walnut Road purchase proposal from ODNR. Their committee accepted the offer and stated that they would like to include in the purchase contract that there would be a sidewalk, landscaping at the edge of the neighboring properties and that the property would be a no-build zone.

Motion by Councilor Masone to approve the purchase contract with the following conditions: that the buyer would replace the sidewalk, place a landscaping buffer at the edge of the neighboring properties and that the property would remain a no-build zone, seconded by Councilor Ruton.

Discussion: Councilor Wells stated that when we were talking about the sidewalk needing to be improved, we were talking also about the fence.

Councilor Masone also stated that a fence and landscape buffer were brought up.

**Roll Call Vote: Yays: Wells, Wolfe, Zwissler, Masone, Poorman, Ruton, Ryan
Motion Passed 7-0.**

Public Safety Committee: No report.

Public Service Committee: Councilor Ruton stated that her committee met prior to the council meeting this evening to select an engineering firm for the village. The committee selected ADR. She further stated that the bids are out for the stormwater utility engineering. Councilor Ruton stated that the village has received three bids so far. She stated that her committee members have copies. Councilor Ruton would like the committee to review the stormwater utility engineering bids and be prepared to discuss at a Public Service Committee meeting on 6/26/17 at 6:00pm.

Rules Committee: Councilor Wells stated that her committee met at the last meeting and forwarded their recommendation to council with a 3-1 vote. The committee recommended removing the Development Director's Report from the council agenda until the time at which we fill that vacant position. They also recommended adding a topic called "open discussion for council members" to the agenda.

Councilor Wells moved to add "Open Discussion for Council Members" as an agenda item for both council meetings of the month", seconded by Councilor Wolfe.

Councilor Wells stated that there are times when council members want to exchange ideas among themselves during the meeting rather than at the end of the meeting.

Councilor Ruton stated that wouldn't it be more appropriate to discuss whatever you need to under unfinished business.

Councilor Wells stated that our agenda changes from meeting to meeting. The agenda calls for reports of village officials on one meeting and not the next.

Council President Zwissler stated that is why we have the committee meetings. She further stated that historically open discussion has bogged down the council meetings.

Councilor Ruton stated that she is not in favor of open discussion.

Councilor Ryan suggested that rather than calling the topic open discussion, it should be called new business. He stated that presently there is no framework on the agenda to bring up new business.

Councilor Poorman stated that he doesn't want anything added to the meeting agenda that will give someone the chance to hijack the meeting.

Councilor Ryan stated that if we added the word new to unfinished business on the 2nd council meeting of the month, this should solve the issue.

Councilor Wells rescinded her original motion.

Motion by Councilor Ryan to change item #4 of the council agenda for the second meeting of the month to read "New and Unfinished Business", seconded by Councilor Wells.

Councilor Ruton stated that she feels that we need rules or structure to what should be discussed during this topic item so things don't get bogged down.

Roll Call Vote: Yays: Wells, Wolfe, Masone, Poorman, Ryan

Nays: Zwissler, Ruton

Motion Passed 5-2.

Motion by Councilor Wells to remove "Development Director's Report" from the council agenda, seconded by Councilor Wolfe.

Roll Call Vote: Yays: Wells, Wolfe, Zwissler, Masone, Poorman, Ruton, Ryan
Motion Passed 7-0.

Community Development Committee: Councilor Poorman stated that Heritage Ohio will be in the village for the next few days meeting with people.

Personnel Committee: No report.

CITIZEN'S COMMENTS: Charlene Hayden, 57 Lighthouse Lane, Buckeye Lake Ms. Hayden feels that the way that Stacie McCloud was treated was an abomination. She first learned about her removal from the Planning Commission/BZA in the newspaper. She further stated that she felt that was pitiful. Ms. Hayden stated that she hopes that council will reconfirm her and give her a vote of confidence.

POLICE CHIEF'S REPORT: No report. The Police Chief stated that he is still having computer issues.

FIRE CHIEF'S REPORT: A report for the month of April 2017 was submitted.

STREET SUPERVISOR'S REPORT: A report for the month of April 2017 was submitted.

WATER DEPARTMENT REPORT: A report for the month of April 2017 was submitted.

DEVELOPMENT DIRECTOR'S REPORT: No report.

MAYOR'S REPORT: Mayor Carroll asked the Finance Committee to begin discussing the levy renewals. He asked Councilor Wolfe if he would like to schedule a meeting.

Councilor Wolfe stated that he would be able to meet with the Mayor and the Clerk/Treasurer at their earliest convenience.

PRESIDENT OF COUNCIL: Council President Zwissler encouraged people to attend the meeting with Heritage Ohio at Lakewood High School cafeteria on May _____, 2017 from 6-8pm. She stated that she will be focusing on the uniqueness of the Buckeye Lake region. Council President Zwissler also mentioned the following events:

Buckeye Lake Fest June 17, 2017 from 12:00pm-dark with a DJ, kids activities, fireworks and fun.

BLAAST Fireworks July 3, 2017 at dark

Buckeye Lake Boat Parade July 4, 2017

ORDINANCES

3rd Reading

2nd Reading

2017-09 AN ORDINANCE AMENDING ORDINANCE 2016-16 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 (ROW) FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO.

1st Reading

RESOLUTIONS:

3rd Reading

2nd Reading

1st Reading

Citizen's Comments: John Getz, 257 Union Ave, Buckeye Lake stated that he works all over the place and as soon as people learn I live in Buckeye Lake, they ask if the lake is back up and running. He further stated that it appears that people do not realize that the lake is coming back. He asked if there was a way that we could get that information out to people on a wider basis in Central Ohio.

Council Member's Comments:

Councilor Masone: None.

Councilor Poorman: None.

Councilor Wells: Thanked the water department for working on the flower beds in the village. She said she posted their hard work on Facebook.

Councilor Ryan: None.

Councilor Ruton: None.

Councilor Wolfe: None.

Council President Zwissler: Thanked everyone for coming to the meeting.

Other Business: Council Clerk Hans read a liquor license renewal application for Barrel Bar LLC. Council members did not appear to have any objections or request a hearing on this application.

Council Clerk Hans read a Public Notice on the Buckeye Lake Dam project. This was a Notice of Receipt of 401 Application and Public Hearing on project LRH-2013-257-MUS-Buckeye Lake. The Ohio EPA ID number for the project is 175310. There will be a public review period beginning on May 10, 2017 by going to <http://www.epa.ohio.gov/dsw/401/permitting.aspx>. There will be a public information session and public hearing on Monday, June 26, 2017 at 6:00pm at Millersport Elementary School Auditorium, 11850 Lancaster Street, Millersport, Ohio 43046. The Ohio EPA will continue to accept written comments on the application through the close of business on Monday, July 3, 2017. Comments should be directed to epa.dswcomments@epa.ohio.gov or by mailing them to: Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049. A copy of the information received will be a part of the council minutes as well.

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

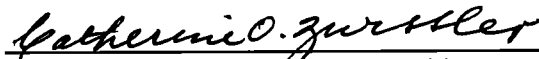
VOTE: IN-FAVOR: AII YEAS; MOTION CARRIED 7-0

Meeting adjourned at 8:02 p.m.

NEXT MEETING: June 12, 2017



Valerie L. Hans, Clerk of Council



Catherine Zwissler, Council President