

Buckeye Lake Village Council Meeting  
Held in Village Hall  
**October 9, 2017**  
Meeting Minutes

**Call to Order:** By Council President Zwissler at 7:05 p.m.

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

**Roll Call:** Present: Kitty Zwissler (0,0), Robert Masone, MD (0,4), Doug Poorman (0,2),  
(Consecutive, Total Absences) Arletta Ruton (0,2), Tim Ryan (0,5), Peggy Wells (0,0), Tom Wolfe (0,2)  
Mayor Carroll  
Absent: None

**Staff Present:** Valerie Hans, Clerk of Council; James Hanzey, Police Chief; Dave Ruton, EMS Captain; Rod Riley, Code Enforcement.

**Approval of Minutes:**

Motion by Councilor Ruton to approve the minutes of the September 25, 2017 regular meeting, seconded by Councilor Ryan.

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

**Approval of Clerk Treasurer's Report:**

Motion by Councilor Ruton to approve the Treasurer's report dated October 4, 2017, seconded by Councilor Wolfe.

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

**COMMISSION REPORTS:**

**Parks & Recreation Commission:** No report.

**Planning Commission & Board of Zoning Appeals:** The Commission will meet on Tuesday, October 10, 2017 at 7:30pm.

Chairperson Cookston asked council members how they would like the PC/BZA meeting minutes sent to them. They stated that they prefer email. They also discussed whether council would like the draft minutes or if they would prefer to wait the 30 days and then receive the approved meeting minutes. Council members stated that they would prefer to receive the draft minutes.

**UNFINISHED BUSINESS/OTHER BUSINESS:** Council Clerk Hans read a letter dated October 9, 2017 from Rod Riley, Code Enforcement Officer, asking to certify property maintenance clean-up costs to the Licking County Auditor.

Councilor Wells asked if the \$250 on 236 Wood St. was for multiple clean ups?

Code Enforcement Officer Rod Riley stated that it was for multiple clean ups.

Motion by Councilor Ryan to approve the letter dated October 9, 2017 to certify property maintenance clean-up costs to the Licking County Auditor as presented, seconded by Councilor Ruton.

Council President Zwissler gave the floor to Marianne Perine to introduce Lori Carlson from the Licking County Humane Society.

Marianne Perine, 264 Park St, Buckeye Lake, Ohio. Stated that the possible tethering law for animals in the Village of Buckeye Lake would not allow animals to be tethered between the hours of 10pm and 6am. She stated that animals that are tethered can become aggressive, stressed and malnourished. They are also exposed unnecessarily to extreme heat and cold and may suffer injury or death as a result. Ms. Perrine introduced Lori Carlson who spoke on this subject as well.

Lori Carlson, Licking County Humane Society, 825 Thornwood Dr., Heath, Ohio. Ms Carlson stated that Ohio does not have a tethering law. She stated that dogs that are chained (tethered) have extensive psychological damage and can die of heat stroke in the summer and frost bite in the winter. She stated that they can have open sores around their collar. Other animals can harm them because they are on a chain and cannot get away. They knock over their water bowls and then do not have fresh water to drink. She stated that chained dogs get minimal affection and this can become a key factor in dog bites. Ms. Carlson stated that the anti-tethering legislation makes it easier for police departments and humane agents to respond to dog neglect cases and take action.

Councilor Ryan asked if we have had any cases in Buckeye Lake.

Ms. Carlson stated that the complaints typically come from neighbors that feel bad for the pet.

Councilor Ryan stated that if you pass legislation you should send it out to all of the residents to put them on notice.

Ms. Carlson stated that the Licking County Humane Society (LCHS) could help with publicity for the legislation if it is passed.

Chief Hanzey stated that we have a good partnership with the LCHS.

**COMMITTEE MEETINGS AND/OR REPORTS:**

**Finance Committee:** Councilor Wolfe stated that his committee met at 6pm to discuss the 2018 budget. He stated that the village is down on total revenue and the budget will be very tight. Councilor Wolfe stated that the levies are extremely important because the village is down over \$100K on total revenue over the past few years. All of the village departments including Police, Fire, Street and Water are seeing the hardship of losing these funds which makes it extremely important to pass the levies. He also stated that the committee discussed food truck pros and cons of a fee for a vendor food truck. We decided to postpone this discussion until 2018.

Councilor Wolfe scheduled a committee meeting to discuss the 2019 budget for Monday September 18, 2018 at 6:00pm.

**Public Safety Committee:** Councilor Masone scheduled a committee meeting for Monday, October 16, 2017 at 6:00pm to discuss anti-tethering legislation for the village.

**Public Service Committee:** Councilor Ruton reminded council members of her committee meeting scheduled for Monday, November 6, 2017 at 6:00pm to discuss street, water and storm water needs in the village.

Council President Zwissler asked Councilor Ruton if she could change her meeting. Zwissler stated that there is another community meeting that evening for BL2030 to discuss the results of the DPZ study.

Councilor Ruton stated that her committee meeting has been scheduled for a few months and she does not want to change it.

**Rules Committee:** No report.

**Community Development Committee:** No report

**Personnel Committee:** No report.

**CITIZEN'S COMMENTS:** Gary and Sherry Snowden, 251 Lakeview Dr., Buckeye Lake. Mr. Snowden stated that he bought his property in 2015, what is commonly referred to as the point, and built his home in 2016. He stated he had the opportunity to buy the adjacent property that became publicly available for sale.

Mr. Snowden stated that he was here to share concerns about grave actions going on in the community by the village council president. He stated that these are serious charges. He stated that he hopes council pays close attention and that they would hear him out. He stated that right before they purchased this property, for 2-3 months before and ever since, every potential person in this village that could try to stop us has done so. Mr. Snowden stated that people on village council, planning commission, the zoning inspector, and the law director have been involved. He stated that you cannot use your position, in any capacity, under the Ohio Revised Code or under the Buckeye Lake Charter to use your position to try and stop your citizenry from using their property rights allowed. When you have a member of your council, especially your council president, that is spearheading these efforts to stop you, it's ridiculous, it's wrong and I am here to tell you tonight, we've had it. We are done and we will not tolerate it any more.

There have also been personal issues that I will not bother going into specifics. There are many issues that could be called defamation of character. There have been charges that we have stalked the village council president. There have been charges of elder abuse. They are all false. We have been treated wrongly and I am here to tell you tonight very simply you need to get on it. You have a chance to fix this problem and you have a chance to do it tonight. Ms. Zwissler needs to be removed, removed promptly. Let her have her chance over the next 10 days to state why she shouldn't. If she can prove otherwise, so be it. If you don't have the guts to do what is right, to stop this nonsense, I can promise you that I will stop it for you. I have my ways and there are legal remedies.

I will leave it at that and leave you fine people to make your judgments. Kitty, I am sorry this had to go to this, but it is unreasonable what we have been put through. The verbal harassment is beyond reason.

Council President Zwissler stopped the conversation and thanked Mr. Snowden for his comments.

Mr. Snowden thanked council for their time.

Council President Zwissler stated that she would like to address it right now. She asked, "Have I ever said to any of you people about the property next to me?" Councilor Ruton stated, "Yes you have." Ruton continued you have done it here in council meetings, especially about the fence and Kitty.

Council President Zwissler interrupted by saying have I tried to stop him from buying the property for god's sake.

Councilor Ruton stated no, what you have done is you have called me and this is very disturbing to me. I don't know how the rest of you feel about this, but back when this all started you did call me. You wanted me to use my influence because I am a friend with Karen and tried to use my influence with her to get the Planning Commission to stop the fence. I told you no and you got mad at me and you basically stated I was threatening you. In no shape, way or form did I threaten you but I let it go. From what we are hearing from Mr. Snowden this has continued on.

Council President Zwissler stated here's the issue.

Councilor Masone stated that there is a lot of here say and drama. Can we continue with the council meeting please.

Councilor Ruton stated you are right.

Council President Zwissler stated I feel very threatened.

Councilor Masone stated if a man has a problem, go get a lawyer. I'm not a lawyer, I'm a councilman.

Council President Zwissler stated this has nothing to do with it.

Councilor Masone stated I do not make decisions based on here say and drama.

Marianne Perine asked to make a citizen's comment.

Council President Zwissler, yes please.

Marianne Perine stated that she can say that I've had a problem with one of my rentals with the person next to my property and I wouldn't bring it up at council. I think that is inappropriate to make a blanket statement to the council and tell them to take care of it. I'm sorry but this is inappropriate. I would suggest that this person be given the steps that are

to be taken if they have a conflict of some kind because otherwise you just have this back and forth and nothing ever gets solved.

Councilor Wells stated that this is a civil matter.

Marianne Perine stated that it's a civil matter.

Councilor Masone stated that he didn't even know what it was, but thanks for the statements and I want to move on with our meeting.

Councilor Ruton asked Mayor Carroll to talk to the solicitor.

Council President interrupted saying it's not an issue.

Councilor Ruton stated that yes it is.

Council President stated it is not.

Councilor Ruton made a suggestion that the Mayor talk to the village solicitor about this. When you have a citizen coming in and making the complaint that he has made, about one of our elected public officials that is an issue. So Clay

Councilor Masone interrupted saying no it's not, it's here say. Have his attorney contact the Mayor. Let his attorney contact the Mayor if he wishes.

Councilor Ruton OK.

Councilor Masone stated let's move on with council meeting please.

Gary Snowden stated you are buying yourself a large lawsuit and you will be involved because

Councilor Masone stated please let's move on with our meeting.

Gary Snowden stated under the code of conduct under the Ohio Revised Code

Council President Zwissler stated you again are threatening me. I have to call the Police. Marianne has seen

Councilor Masone stated let's just move on, move on.

Council President Zwissler stated well why shouldn't I defend myself.

Councilor Masone stated you are making it worse.

Council President Zwissler said ok thank you.

Gary Snowden stated doesn't anyone have the guts to make a motion.

Council President Zwissler asked for citizen's comments, report of the Mayor. You are out of order please. Can you remove him please.

Police Chief Hanzey asked Mr. Snowden to sit down.

Gary Snowden responded absolutely.

Police Chief Hanzey stated I will remove him if he acts up again. -

Council President Zwissler stated you saw how violent he was the other morning. Report from the Mayor.

**MAYOR'S REPORT:** Mayor Carroll stated that he received a letter of resignation from Bob Jordan, Zoning Officer. He will be retiring/resigning his position the first part of November. Mayor Carroll stated that we will be running an ad for a new zoning officer and accepting resumes for that position.

Mayor Carroll stated that our agreement with the Licking County Planning Commission (LCPC) for Flood Plain Administrator in the Village expires December 31st. He stated that we will be bringing the annual legislation to council shortly to enter into contract with them again for next year.

Councilor Ryan asked if there was anything new on the lot.

Carroll mentioned that we are waiting on the purchase agreement to come back from ODNR on the property at the spillway. He further stated that they have been reminded of the need to repair the sidewalk prior the asphalt plants closing for the season.

Councilor Wells today when I drove by the water truck was down there hosing off and there was this big slab of concrete that I forgot was there. So the sidewalk that they make will not have to be so big.

Mayor Carroll stated that is the approach for the driveway.

Councilor Wells asked has that always been there.

Councilor Ryan stated that it has been there a long time.

**COUNCIL PRESIDENT'S REPORT:** Council President Zwissler stated that on October 23, 2017 there will be a public meeting and Mike Fornatero will share the results of the DPZ study. If Mike has a conflict Stacy from Lakewood High School and Councilor Poorman will do the meeting. We are going to do this at 6:30pm and everyone is welcome to that.

### **ORDINANCES**

3rd Reading

2nd Reading

1st Reading

### **RESOLUTIONS**

**3rd Reading**  
**2nd Reading**  
**1st Reading**

**Citizen's Comments:** Karen Cookston, Anchor's Way, Buckeye Lake. Ms. Cookston stated that Matt Simon has been asked to resign due to poor attendance from the PC/BZA. It is a mayoral appointment.

Councilor Poorman asked if there were particular qualifications you are looking for.

Karen Cookston attendance would be important and attention to detail.

Councilor Poorman stated that at the last meeting he attended it appeared that several members of the committee were taking on different responsibilities and he thought that was wonderful.

Council President Zwissler asked Charlene Hayden to say something about the levies.

Charlene Hayden stated that Dave will be reporting.

Dave Ruton sorry I was going to do this earlier but I got called to the front desk. I wanted to remind everyone about candidates' night on the 16<sup>th</sup> at the fire department. There will be fliers going out this week.

The association is putting on a dinner for Officer Davis on November 11, 2017 from 4-7pm at the Buckeye Lake Fire Department. We have had such a response that we figured we should sell some tickets so we know how much food to prepare. The police and fire departments will have tickets and they are going to get a few other places to sell tickets. Tickets are \$8 each for chicken and noodles and all the trimmings to go with it. We would appreciate any help with this event we can get. The money raised is earmarked for his kids.

**Council Member Comments:**

**Councilor Masone:** Stated that the new Pizza Cottage signs look awesome!

**Councilor Wells:** Stated that the shopping center paving looks great. She also mentioned that Lakewood is having a candidates' night on October 18, 2017 at the Hebron Fire Department. She encouraged people to attend this event.

**Councilor Ryan:** Stated that the Buckeye Lake Chamber board is sending out information to support the Buckeye Lake fire and operating levies as well as the Lakewood school levy.

Councilor Ruton encouraged people to support the Buckeye Lake Youth Association Trunk or Treat. She stated the event is a great way to support the youth and families in Buckeye Lake. Ruton also encouraged everyone to support the Fire and Operating levies.

**Councilor Wolfe:** Councilor Wolfe thanked everyone who worked on the budget. He also encouraged everyone to vote for all of the levies. Councilor Wolfe asked everyone to

support Andy Davis and his family by attending his fundraiser. Lastly, he encouraged everyone to attend Trunk or Treat because it is a hoot!

Councilor Ryan thanked Lori Carlson for a magnificent job presenting the information on the anti-tethering legislation.

**Councilor President Zwissler:** Council President Zwissler thanked Bonnie Mansfield and Marianne Perine for all of their hard work on the anti-tethering legislation.

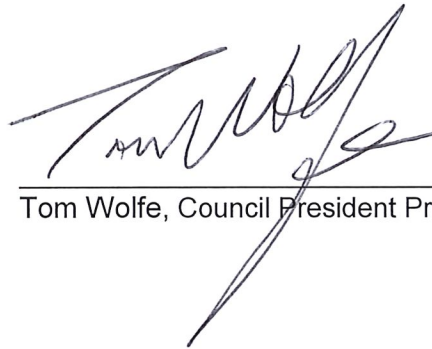
**Adjournment:** Motion by Councilor Ryan to adjourn the meeting, seconded by Councilor Ruton.

**VOTE: IN-FAVOR: ALL YEAS; MOTION CARRIED 7-0**  
Meeting adjourned at 8:01 p.m.

NEXT MEETING: October 23, 2017



Valerie L. Hans, Clerk of Council



Tom Wolfe, Council President Pro Tem