

Buckeye Lake Village Council Meeting
Held in Village Hall
May 14, 2018
Meeting Minutes

Call to Order: By Council President Zwissler at 7:03p.m.

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

Roll Call: Present: Doug Poorman (0,0), Arletta Ruton (0,0), Tom Wolfe (0,0),
(Consecutive, Total Absences) Kitty Zwissler (0,0), Bill French (0,0), John Geiger (0,0),
Robert Masone, MD (0,0)
Mayor Wells
Absent: None

Staff Present: Valerie Hans, Clerk of Council; Rochelle Menningen, Clerk/Treasurer;
Clifford Mason, Interim Fire Chief; Dave Ruton, Assistant Fire Chief; Rex
Adkins, Code Enforcement Officer; Doug Stewart, Zoning Officer; Toby
Miller, Water Superintendent.

Elections and Appointments: None

Approval of Minutes:

Motion by Councilor Ruton to approve the minutes of the April 23, 2018 regular meeting, seconded
by Councilor French.

Roll Call Vote: Yeas: Zwissler, French, Geiger, Masone, Poorman, Ruton, Wolfe
Motion Passed 7-0.

Approval of Clerk Treasurer's Report:

Motion by Councilor Wolfe to approve the Treasurer's report dated May 14, 2018, seconded by
Councilor French.

Roll Call Vote: Yeas: Zwissler, French, Geiger, Masone, Poorman, Ruton, Wolfe
Motion Passed 7-0.

COMMISSION REPORTS:

Parks & Recreation Commission: The Parks and Recreation Commission met on Tuesday, May
1, 2018. Their next scheduled meeting will be on June 5, 2018, at 5:30pm. A copy of the approved
meeting minutes from the April 3, 2018 meeting were submitted for the council record.

Planning Commission & Board of Zoning Appeals: The Commission met on Tuesday, May 8,
2018, at 7:00pm. A copy of the meeting minutes from the April 10, 2018 meeting were submitted
for the council record.

UNFINISHED/OTHER BUSINESS: Council Clerk Hans reminded council members that they
need to establish the dates for the Community Yard Sale in the Village. Council members stated
that they did not have a preference for the date and asked the clerk to pick a date. The clerk
suggested the middle of the month of June (6/15-6/17).

Motion by Councilor Ruton to establish June 15-17, 2018 as the Community Yard Sale days in Buckeye Lake, seconded by Councilor French.

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

COMMITTEE MEETINGS AND/OR REPORTS:

Finance Committee: No report.

Councilor Wolfe stated that he took a poll of his committee and all were in favor of moving forward with the exception of Councilor Ruton who abstained.

Public Safety Committee: Councilor Masone stated that it has been reported that there was a rape case in the Village and the police officer handling the evidence has been locked out of the police station and can't finish the investigation. Councilor Masone stated that he doesn't know what is going on; but it seems that the locks have been changed at the police station and that this police officer didn't have a key. He further stated that impacts public safety.

Mayor Wells stated that she would be happy to speak to that. She then called on Sgt. Adkins to speak.

Sgt. Adkins stated that the Mayor had contacted him to ask him to assist her in getting the police officers properly certified as quickly as possible. He further stated that OPOTA as they had suspended the officers' training certificates. Sgt. Adkins stated that Officers Justice and Ritter have completed their certifications for their continuing education. He has been working first on the remaining paid officers and had a meeting arranged with Officer Haas to that effect for this past weekend; however Officer Haas was unavailable to do so.

Councilor Masone said that causes you to change the locks on the police station. The chairman of public safety doesn't know anything about this nor does the public service chairperson. So this is good communication?

Councilor Ruton stated her concern as to what this will do to the case.

Councilor Masone stated that when the police officer spoke to him, he did not seem to know what the initial problem was. He stated that he was locked out and separated from evidence in a rape case. He wasn't given any explanation; and I wasn't given a call. It appears nobody knows what is going on with the police department; not even some of the police. This doesn't seem the right way to run things. Councilor Masone stated that he objects and protests this. He feels that he and his constituents are not safe.

Councilor Ruton asked what will this do to the evidence in the rape case. She stated that she knows evidence deteriorates over time. She also stated that she knows evidence has to get to BCI within a timely fashion so it can be analyzed and they can file charges. We have a man who is out on the streets and if he has done this once, he will do it again. I am concerned that the longer this is delayed, they will not be able to catch this person.

Mayor Wells stated that today is 5/14/18 and I had a conversation with the officer. 5/11/18 which was Friday, the officer mentioned that he wanted to get to the evidence. He stated that he wanted to pick up a report on the rape case. The rape occurred on 4/28/18. However, he left a report on 4/28/18 with the victim and asked her to fill out the report instead of staying there with the victim while she filled out the report. This was 5/11/18 and the report was still incomplete. Mayor Wells further stated that whether the locks get changed on any offices in the building is up to her.

Councilor Masone interjected stating that he is not concerned about the officer, he is concerned about a rape case.

Code Enforcement Officer Adkins stated in his opinion the evidence in the police department lacks the ability to be prosecuted properly.

Councilor Masone stated that we had a police officer terminated and now we have this. I am happy that everything will be labeled properly and that all reports will be completed; however we still have no police.

Mayor Wells stated that we do have police, you are mistaken, just look at the back of the room where Officer Ritter is standing.

Council President Zwissler asked if Interim Fire Chief Mason had any information to share with council.

Interim Fire Chief Mason passed out a packet of information on Lexipol to the council members and the mayor. The clerk received a packet of information to be entered into the council record. He stated that he has been researching policies and procedures in the fire department and felt that they needed updating so he contacted Lexipol for assistance. Chief Mason stated that he met with the officers in the fire department and Lexipol has proposed to work with us in creating 160 policies and procedures based on best practices in fire departments around the country. Chief Mason stated that he would like council to move forward with this project as soon as possible. He stated the cost is \$2642 per year for a 3 year agreement. He stated that we get a reimbursement of 50% the first year, 40% the second year and 30% the third year for being part of the Ohio Plan.

Councilor Geiger asked if there are other departments in the area that use Lexipol?

Chief Mason said that there are several in the area that use them.

Clerk/Treasurer Menningen stated that there is money in the fire department budget to cover this expense.

Councilor Wolfe took a vote of his finance committee members to determine if they were in favor of moving forward with this project. French-yes, Ruton-abstain, Geiger-yes, Wolfe-yes. 4-0 with one abstention.

Councilor French stated that he has spoken with the Interim fire chief and gave him some protocols to consider.

Interim Fire Chief Mason stated that they will pick out the most pressing issues and work on those first.

Public Service Committee: Councilor Ruton stated that her committee met this evening before council meeting. They discussed the ADR contract and came to the conclusion that they would like to move forward with it. The committee asked to amend the legislation to read that the contract will be for 18 months with an expiration date of 12/31/2019. She also stated that the committee discussed the CAP grant which will finish this summer as well as the bridge grant.

Rules Committee: No report.

Community Development Committee: Councilor Poorman stated that the community lunches have been a success so far. They are 13 people per day and Licking County Aging wants them to have at least 5 people per day. He also stated that hopefully the demolition contractor will have an opening in his schedule to get the building next to the Harbor down in the next three weeks.

Councilor Poorman set a Community Development committee meeting for Tuesday, May 29, 2018 at 6:00pm to discuss a development project in the village.

Personnel Committee: No report.

CITIZEN'S COMMENTS: None.

MAYOR'S REPORT: Mayor Wells stated that she has a report in the packet dated May 14, 2018. A copy of this report is attached to the council record.

COUNCIL PRESIDENT'S REPORT: Council President Zwissler stated that they have had a great response to the lunch program at the Harbor with a few issues. She stated that the lunches are free to people over the age of 60 who live in Licking County. She has found a sponsor for the people for Fairfield County so those lunches are now free also. However, Perry County was contacted and they stated that they did not have it in the budget to cover the cost of lunches for seniors. The first day that people from out of county came, they were charged \$3.00 and the second day, \$4.00. Also, they had a 58 year old amputee who came for the lunch and was charged \$6.00 for his lunch.

Council President Zwissler stated that she would like everyone to respect the agenda deadline of 12:00pm on the day of the meeting and not add anything after that point.

ORDINANCES

3rd Reading

Motion by Councilor Poorman to have a third reading on Ordinance 2018-12, seconded by Councilor Ruton.

Roll Call Vote: Yeas: Zwissler, French, Geiger, Masone, Poorman, Ruton, Wolfe
Motion Passed 7-0.

The third reading of Ordinance 2018-12 is recognized.

2018-12 AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE VILLAGE OF BUCKEYE LAKE FOR

ENFORCEMENT OF THE OHIO BUILDING CODE WITH THE CONDITION THAT THE LICKING COUNTY BUILDING CODE ENFORCEMENT DEPARTMENT EXERCISE ENFORCEMENT AUTHORITY AND ACCEPT AND APPROVE PLANS AND SPECIFICATIONS, AND MAKE INSPECTIONS, AND AUTHORIZING AN AGREEMENT FOR SUCH ENFORCEMENT BETWEEN THE VILLAGE OF BUCKEYE LAKE, HEREINAFTER REFERRED TO AS THE VILLAGE, AND LICKING COUNTY, HEREINAFTER REFERRED TO AS THE COUNTY.

Motion by Councilor Poorman to adopt Ordinance 2018-12 as presented, seconded by Councilor Ruton.

Roll Call Vote: Yeas: Zwissler, French, Geiger, Masone, Poorman, Ruton, Wolfe
Motion Passed 7-0.

2nd Reading

Motion by Councilor Poorman to have a second reading on Ordinance 2018-17 seconded by Councilor French.

Roll Call Vote: Yeas: Zwissler, French, Geiger, Masone, Poorman, Ruton, Wolfe
Motion Passed 7-0.

The second reading of Ordinance 2018-17 is recognized.

2018-17 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT WITH ADR FOR ENGINEERING AND CONSULTING SERVICES FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO.

Motion by Councilor Poorman to amend the legislation to include the words for 18 months expiring 12/31/2019 at the end of the third Whereas clause, seconded by Councilor Ruton.

Roll Call Vote: Yeas: French, Geiger, Masone, Poorman, Ruton
Nays: Zwissler, Wolfe
Motion Passed 5-2.

Ordinance 2018-17 legislation is now amended.

Motion by Councilor Ruton to suspend the rules on Ordinance 2018-17, seconded by Councilor Masone.

Roll Call Vote: Yeas: French, Geiger, Masone, Ruton
Nays: Zwissler, Poorman, Wolfe
Motion Passed 4-3.

However, a two-thirds supermajority was not achieved. Ordinance 2018-17 will be on the May 29, 2018 agenda for a third reading.

1st Reading

RESOLUTIONS:

3rd Reading

2nd Reading

1st Reading

Motion by Councilor Poorman to have a first reading on Resolution 2018-01, seconded by Councilor Masone.

Roll Call Vote: Yeas: Zwissler, French, Geiger, Masone, Poorman, Ruton, Wolfe
Motion Passed 7-0.

The first reading of Resolution 2018-01 is recognized.

2018-01 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO APPLY TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDING, AND DECLARING AN EMERGENCY.

Motion by Councilor Ruton to suspend the rules on Resolution 2018-01, seconded by Councilor Poorman.

Roll Call Vote: Yeas: Zwissler, French, Geiger, Masone, Poorman, Ruton, Wolfe
Rules Suspended 7-0.

Motion by Councilor Poorman to adopt Resolution 2018-01 as presented, seconded by Councilor French.

Roll Call Vote: Yeas: Zwissler, French, Geiger, Masone, Poorman, Ruton, Wolfe
Motion Passed 7-0.

Citizen's Comments: None

Council Member Comments:

Councilor Masone: Councilor Masone stated that he would like to apologize to my fellow council members because in the wee hours of the meeting on May 7-8, 2018, he got testy with some of the council members.

Councilor Poorman: Thanked Officer Ritter for being at the council meeting this evening.

Councilor French: Thanked Toby Miller for being at the meeting this evening.

Councilor Geiger: Stated that we need to get together and summarize the processes in the council rules.

Councilor Ruton: Stated that she hopes that what you brought up Bob, that there is justice for this lady. We have a man on the streets who has committed rape. She further stated that she hopes something will be done.

Councilor Wolfe: Thanked Interim Fire Chief Mason for the work that he did on getting information on Lexipol.

Councilor President Zwissler: Council President Zwissler thanked everyone for coming to the meeting tonight. She reminded everyone to sign up for a garden plot at the water tower.

UNFINISHED BUSINESS/OTHER BUSINESS: None.

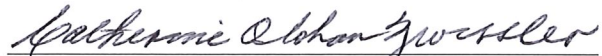
Adjournment: Motion by Councilor Ruton to adjourn the meeting, seconded by Councilor French.

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

NEXT MEETING: May 29, 2018



Valerie L. Hans, Clerk of Council



Catherine Olohan Zwissler, Council President