

Buckeye Lake Village Council Meeting
Held in Village Hall
June 25, 2018
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: John Geiger (0,0), Robert Masone, MD, (0,1), Doug Poorman (0,0),
(Consecutive, Total Absences) Arletta Ruton (0,0), Tom Wolfe (0,0), Catherine Zwissler (0,0),
Bill French (0,0)
Mayor Peggy 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 Inspector; Toby Miller, Water Superintendent.

Approval of Council Meeting Minutes:

Motion by Councilor Ruton to approve the minutes of the June 11, 2018 meeting as presented, seconded by Councilor French.

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

Approval of Clerk Treasurer's Report:

Motion by Councilor Ruton to approve the Treasurer's Report dated June 20, 2018, seconded by Councilor French.

Roll Call Vote: Yays: Geiger, Masone, Poorman, Ruton, Wolfe, French
Nays: Zwissler
Motion Passed 6-1.

Elections and Appointments: None.

NEW AND UNFINISHED BUSINESS: None.

Reports of Special and Standing Committees in the Following Order:

Planning Commission/BZA: Chairperson Cookston spoke to council and stated that they had 4 new applications last month. She further stated that there was no communication until the day of the meeting. Ms. Cookston stated that the Planning Commission needs cooperation with the administration and the Mayor. She also stated that there were no PC members present at the Pharma-Can Meeting.

Mayor Wells stated that Ms. Cookston insisted that Ms. Hans be present at the PC/BZA meeting. Ms. Hans rearranged her schedule to be there; and then was chastised each time a new application was presented at the meeting. Mayor Wells stated that she apologized to Ms. Hans for the way that Ms. Cookston treated her.

Councilor Ruton stated that she did not hear Ms. Cookston berate Council Clerk Hans at any time during that meeting.

Council Clerk Hans asked the Council President if she could say something as the comments were about her.

Council President Zwissler declined to let Ms. Hans speak.

Zoning: A report for June 2018 was included in the council packet. Mr. Stewart stated that he is issuing quite a few permits for decks, houses and garages. He further stated that he is catching people under construction without permits and stopping them to get the proper permits. Mr. Stewart stated that he was able to get the holes on 116 Park St. filled in by the property owner. He was also able to get a commitment from 46 Rosebraugh that they will tear down the dilapidated structure in the next 90 days.

Mr. Stewart stated that at some point in time, he will need to address people working on properties without permits.

Council President Zwissler asked if there was a fine for not getting a permit.

Mr. Stewart stated that there was.

Councilor Wolfe asked what residents need a permit for.

Mr. Stewart stated that they need a permit for building a deck, patio, driveway paving, home additions, new homes, garages.

Councilor Masone asked the cost of a permit.

Mr. Stewart stated that the cost varies depending on what type of improvement is being done.

Councilor Geiger asked if residents will need a permit when they put in their new sidewalk pavers on the waterfront.

Mr. Stewart stated that they would need a permit for that.

Councilor Geiger asked if ODNR knows this.

Mr. Stewart stated that he plans to meet with ODNR to discuss this further.

Code Enforcement: A report for the month of June 2018 was submitted. Mr. Adkins stated that the people living in the garage at 33 Seymour have been evicted and the garage has been boarded up. He also mentioned that 10 properties with high grass and weeds have been mowed and sprayed for weeds. The vehicle at 217 Renner has been towed and the property has been boarded up.

Finance Committee: No report.

Public Safety Committee: Councilor Masone stated that the Public Safety committee met this evening prior to the council meeting to discuss why police officers are being dismissed so quickly. He stated that they discussed some remedies and while the committee understands that employees can be terminated at will, they would like council to consider the remedies. Councilor Masone stated that the officers were in the process of remedying the questions about their CVT training. He further asked that council consider a motion to reinstate the officers.

Councilor Ruton made a motion to accept the recommendation of the Public Safety Committee and ask the Mayor to reconsider the termination of the two police officers, seconded by Councilor Masone.

Roll Call Vote: Yays: Masone, Poorman, Ruton, Wolfe
Nays: Geiger, Zwissler, French

Motion Passed 4-3.

Councilor Poorman stated that the officers appear to have accomplished everything that was asked of them.

Mayor Wells stated that she offered to go into executive session to discuss the issues further with the officer who was asked to resign.

Councilor Masone stated that he already knows the Mayor's answer. It is a strong mayor form of government.

Mayor Wells stated that last time she checked it was her name at the corporation limits. She further stated that there was information she felt was inappropriate to share in a public meeting forum.

Mayor Wells stated that she reconsidered the terminations and her answer is still no.

Rules Committee: Councilor Geiger stated that his committee met on 6/18/18. He submitted minutes from the Rules Committee meeting on 6/18/18. A copy of the minutes is attached the council record. Councilor Geiger scheduled a Rules Committee meeting for 7/16/18 at 6:00pm to discuss the council rules review and make recommendations.

Community Development Committee: Councilor Poorman stated that he was informed about some of the problems at the last Planning Commission meeting. He stated that he had a chance to talk with some of the village staff. It seems like part of the problem is that they are always extremely busy and they have their hands full with training staff. I wondered if there was a way we could look at our finances and set aside time for Valerie or whoever we think is the best person to set aside times to get those forms prepared for the planning commission. I think if we want to move forward, we have to have someone who is knowledgeable and can do it.

Personnel Committee: No report.

Public Service Committee: Councilor Ruton submitted a copy of an email dated 6/25/18 as well as a copy of Article 6, Section 6.01 of the village charter. A copy of this submitted is included in the council record. Councilor Ruton reminded everyone of the standing Public Service Committee meeting for the first Monday of each Month. The July meeting will be on 7/2/18 at 6pm.

Councilor Ruton also scheduled a Public Service/Finance Committee meeting for 7/9/18 at 6:00pm to discuss financing for projects.

CITIZEN'S COMMENTS: Jeff Haas, 4135 Walnut Rd, Lot 163, Buckeye Lake, Ohio. However, it takes a village; and stated you are right Mayor your name is on the sign when you enter the village. Mr. Haas further stated that it takes more than you to build a village. He further stated that he has been off of patrol for 2 months and went to Taco Bell where they asked when he would get to come back to work. Mr. Haas stated that he was told if he jumped through all of the hoops, he could have his job back. He stated that he did that and was still fired.

POLICE CHIEF'S REPORT: No report.

FIRE CHIEF'S REPORT: Interim Chief Mason stated that he submitted his report at the previous meeting.

STREET SUPERVISOR'S REPORT: A report for the month of May 2018 was submitted.

WATER DEPARTMENT REPORT: A report for the month of May 2018 was submitted.

MAYOR'S REPORT: Mayor Wells submitted a written report dated June 25, 2018. A copy of that report is attached to the council record. Mayor Wells also submitted a copy of the Newark Advocate editorial dated June 15, 2018 titled *Our View: Buckeye Lake police changes were necessary.*

Mayor Wells stated that Keith McQuillen passed away today. She gave an update on the police chief search process. Mayor Wells state that they received 19 applicants and have narrowed the process to 4 final candidates.

PRESIDENT OF COUNCIL: Council President Zwissler stated that she met with Alex Fisher and got the village a 10K challenge grant for the exterior and roof of the community center. She also thanked Councilor Ruton for volunteering at the community center. Council President Zwissler reminded everyone that the community center depends on volunteers to keep it open.

ORDINANCES

3rd Reading

2nd Reading

1st Reading

Motion by Councilor Wolfe to have a first reading on Ordinance 2018-25, seconded by Councilor Poorman.

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

The first reading of Ordinance 2018-25 is recognized.

2018-25 AN ORDINANCE TO DISPOSE OF UNNEEDED AND OBSOLETE ITEMS THAT ARE OWNED BY THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO

Motion by Councilor Wolfe to suspend the rules on Ordinance 2018-25, seconded by Councilor Poorman.

**Roll Call Vote: Yays: Geiger, Masone, Poorman, Ruton, Wolfe, Zwissler, French
Rules suspended 7-0.**

Motion by Councilor French to adopt Ordinance 2018-25 as presented, seconded by Councilor Ruton.

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

RESOLUTIONS:

3rd Reading

2nd Reading

1st Reading

Citizen's Comments: Marianne Perine, 264 Park St., Buckeye Lake, Ohio. Ms. Perine stated that there will be a school supply giveaway at First Community Church on 7/28/18 10am-2pm.

Council Clerk Hans stated that she misunderstood that there was a late ordinance that needed to go on the agenda this evening. She further stated that she would be happy to prepare that ordinance quickly and return to council this evening if council could take a brief recess.

Councilor Ruton stated her concern for placing an item on the agenda without it going to committee first. She also stated that she has not seen the financials for this prospective tenant.

Councilor Wolfe stated that if we need an ordinance to get this done, let's get it done tonight. He stated we have advertised the space for lease and there were very few people interested in the space.

Councilor Ruton stated that she objected to having this ordinance on for a reading this evening.

Council President stated that she would also like to get this ordinance moving so we can get the lease signed as soon as possible.

Council Clerk Hans left the room to prepare the ordinance.

Council President Zwissler stated that there was only one applicant for the lease space.

Councilor Wolfe stated that we just need to put up the ordinance and get this done.

Karen Cookston, 113 Anchor's Way, Buckeye Lake, Ohio. Ms. Cookston stated that many years ago she bought what was referred to as the swamp and turned it into a park. Ms. Cookston stated that now she has purchased the "wetlands" properties and plans to use the property as an open space or a park as well. She stated that she has taken out all of the dead ash trees and plans to plant oak trees after the area is cleaned out. We have worked with the wetlands and are planning to create a monarch sanctuary. Once it is finished, she will open it up to the public. So you will have an open area with a lot of wildlife.

Ms. Cookston stated that the prospective lessee's are best friends with Mayor Wells and Councilor Wolfe. She further stated that the Julian family bought coolers before they were the village's tenant for the drive-thru. Ms. Cookston stated that it has the appearance of a pre-adjusted agenda. She stated that we had other people interested in the property and we put them through the ringer and literally ran them out of town. While we have one man who spent 13 years in our village and was begging for help. We have the Julian's buying their coolers which I don't believe they have paid lease or rent for them sitting over there. We get a letter from these two individuals and they say it's ok. That doesn't look like the appropriate politics and the appropriate process for this village.

Mayor Wells asked who the people for 13 years are.

Ms. Cookston stated that was the previous renter. She further stated that the hoops you put him through as he tried to sell his business for the last four months were very unimpressive.

Councilor Geiger asked where to go from here. Do we move on to council member's comments? Or do we handle what is going on with the lease?

Council Clerk Hans returned with Ordinance 2018-26 for the first reading.

Council Member's Comments:

Councilor Ruton: Councilor Ruton stated that she agreed with Ms. Cookston. She feels that slipping this through with just a letter and not coming before a committee is wrong. Councilor Ruton also asked if the Julian's have coolers in the building did they pay rent to store them there? They should have been paying rent. This needs to come to committee and everyone needs to see the financial statement. We requested that from the other individuals and you can't do it one way and then another way for someone else. It's not right.

Councilor Ruton also asked why Bob was not involved in the selection of the Police Chief since he is head of Public Safety Committee.

Councilor Ruton also stated that she agrees with Officer Haas it takes everyone to make a village. She stated that how you were done was totally inappropriate.

Councilor Geiger: Stated that we need to make meetings more efficient. We must follow the three minute rule and limit comments to one subject. The meetings need to be handled in a more businesslike manner.

Councilor Wolfe: Stated that we should consider a waiver for fees on paver sidewalks around the dam following the completion of the ODNR construction. Council President Zwissler agreed that the fees for the paver sidewalks should be waived. Councilor Wolfe stated that he will add the topic to the Finance/Public Service Committee meeting on 7/9/18 at 6:00pm.

Councilor Masone: Baseball has a time between pitches and its 30 seconds. He then quoted Mayor Wells "I won't be like the previous mayor."

Councilor Poorman: No comment.

Councilor French: Thanked the Buckeye Lake Fire Department, Chief Mason and Tommy Lucas, Union Township Police Officer for the prompt and courteous service this morning when they responded to a call for the death of her husband.

Council President Zwissler: Stated that the steps are four feet and people are going to have to put pavers in there. She feels that we need to waive the cost of the permit for that.

Other Business: Motion by Councilor Wolfe to have a first reading on Ordinance 2018-26, seconded by Councilor Poorman.

Roll Call Vote: Yays: Geiger, Masone, Poorman, Wolfe, Zwissler, French
Nays: Ruton
Motion Passed 6-1.

The first reading of Ordinance 2018-26 is recognized.

2018-26 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE JULIAN FAMILY FOR A TWO YEAR LEASE OF 5186 WALNUT RD, FOR THE VILLAGE OF BUCKEYE LAKE, OHIO

Motion by Councilor Wolfe to suspend the rules on Ordinance 2018-26, seconded by Councilor French.

Roll Call Vote: Yays: Geiger, Poorman, Wolfe, Zwissler, French
Nays: Masone, Ruton
Rules suspended 5-2.

Motion by Councilor French to adopt Ordinance 2018-26 as presented, seconded by Councilor Geiger.

Councilor Ruton asked why are we rushing through this.

Councilor Wolfe stated that he doesn't feel we are rushing through this.

Councilor Ruton stated that we have not seen any financials.

Councilor Wolfe stated that the previous buyer would not produce any financials.

Councilor Ruton asked to see the Julian family's business financials.

Councilor Poorman stated that he is not opposed to selling the drive-thru, however he would like to see this on the agenda again in two weeks.

Council President Zwissler called for the question.

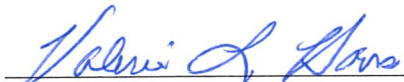
Roll Call Vote: Yays: Geiger, Wolfe, Zwissler, French
Nays: Masone, Poorman, Ruton
Motion Passed 4-3.

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

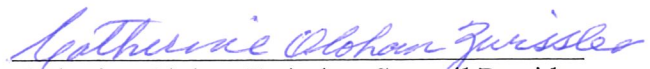
VOTE: IN-FAVOR: ALL YEAS; MOTION CARRIED 7-0

Meeting adjourned at 8:22 p.m.

NEXT MEETING: July 9, 2018



Valerie L. Hans, Clerk of Council



Catherine Olohan Zwissler, Council President