

Buckeye Lake Village Council Meeting
Held in Village Hall
September 10, 2018
Meeting Minutes

Call to Order: By Council President Zwissler at 7:06 p.m.

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

Roll Call: Present: Bill French (0,0) John Geiger (0,0), Robert Masone, (0,2),
(Consecutive, Total Absences) Doug Poorman (0,0), Arletta Ruton (0,0), Tom Wolfe (0,1),
Kitty Zwissler (0,0),

Mayor Wells

Absent: None

Staff Present: Valerie Hans, Clerk of Council; Clifford Mason, Interim Fire Chief; Dave Ruton, Assistant Fire Chief; Doug Stewart, Zoning Officer; Toby Miller, Water Superintendent.

Elections and Appointments: None

Approval of Minutes:

Motion by Councilor French to approve the council meeting minutes dated August 27, 2018, seconded by Councilor Geiger.

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

Approval of Clerk Treasurer's Report:

Motion by Councilor Wolfe to approve the Treasurer's report dated September 10, 2018, seconded by Councilor French.

Roll Call Vote: Yeas: French, Geiger, Masone, Poorman, Wolfe

Nays: Ruton, Zwissler

Motion Passed 5-2.

COMMISSION REPORTS:

Parks & Recreation Commission: The Parks and Recreation Commission met on Tuesday, September 4, 2018. Their next scheduled meeting will be on October 2, 2018, at 5:30pm.

Planning Commission & Board of Zoning Appeals: The commission will meet for their regular meeting on Tuesday, September 11, 2018 at 7:00pm. A draft of the August Planning Commission and BZA meeting minutes were submitted in writing to council and are attached to the council record.

Chairperson Cookston stated that they have 2 applications on the agenda this month. She has had several calls with the Landings at Maple Bay representatives and not a lot of communication with the administration as of this point. She stated that this continues to be an issue. Chairperson

Cookston stated that she is hoping to get access to village resources to get this project through. Once the Planning Commission does their part, it will need engineering review. She asked council for permission to use Council Clerk Hans as a resource with the engineers since there has been no communication other than what was sparked last week when Chairperson Cookston spoke with the attorney. She stated that this is a plan that needs to be moved on. It has been a month since the meeting at the LCPC and there is still nothing done. The only way the work will get done is if we work with the administration and that is still not happening until I walked in today and Mayor Wells said we will look at this. I shouldn't have to send emails and I shouldn't have to wait a month to get that done.

Councilor Ruton stated that we as council could have Council Clerk Hans work with the Planning Commission.

Council Clerk Hans stated that she is not the Development Director; and that is not in her job duties.

Councilor Ruton stated that she is not asking Council Clerk Hans to do the Development Director's job, she is asking Council Clerk Hans to assist with this process which you have done before. She stated that was well within Council's discretion to assign tasks as they deem necessary.

Council Clerk Hans stated that she is helping with the monthly work, but she hasn't been paid for that job since 2010. She further stated that she has two other paid jobs with the village that she has to keep up with, Mayor's Court and Council.

Councilor Ruton stated that we haven't had Mayor's Court in a few months.

Council Clerk Hans stated that just because we don't have Mayor's Court doesn't mean that we still don't have existing activity, cases and reports to file in Mayor's Court.

Council President Zwissler stated that she would like this to be discussed further at a Personnel Committee meeting.

Councilor Wolfe stated that we need to get Chairperson Cookston some help.

Councilor Ruton stated that she believes that Council Clerk Hans has the expertise to do that.

Council Clerk Hans stated that she would be willing to help, but does not have an interest in doing the work for free.

Council President Zwissler suggested assigning some of Council Clerk Hans council duties to other office staff to free up her time.

UNFINISHED/OTHER BUSINESS:

Mary Kay Andrews, Superintendent of Lakewood Local School District, spoke to council regarding the upcoming Bond issue. She stated that it was determined that it would be more cost effective to build a new building for K-5. She stated that the board decided on a 28 year levy for repayment purposes rather than the traditional 37 years to save the residents on financing costs. She stated that the buildings are in need of many improvements and it became more cost effective to build new buildings than to renovate the existing ones.

Councilor Geiger asked how old Hebron Elementary School is?

Ms. Andrews stated that it is 105 years old.

Ms. Andrews stated that the bond issue would cost the owner of a \$150,000 home \$267.75 a year. She also stated that the levy for the high school will be paid off in 2026. Ms. Andrews stated that there is a tax calculator on the Lakewood Schools website as well as a link to the homestead exemption.

Ms. Andrews encouraged residents and council members to attend an open house at Hebron Elementary school on 9/12/18 at 5:30pm and tour the building.

Council Clerk Hans stated that it is time to set the date for trick or treat in Buckeye Lake. She stated that Hebron asked us if we could do this on the same night that they are considering, which is 10/31/18.

Motion by Councilor Masone to set the trick or treat date and time for 10/31/18 from 5:30-7:00pm, seconded by Councilor Ruton.

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

COMMITTEE MEETINGS AND/OR REPORTS:

Finance Committee: No report.

Public Safety Committee: Councilor Masone stated that the sidewalks and bike path on the water front has been completed and the fences are removed.

Public Service Committee: Councilor Ruton stated that the Public Service committee met on 9/4/18 to discuss energy rates and hear presentations. She stated that Archer Energy presented information and AEP energy submitted information. Councilor Ruton stated that AEP energy appears to be the less expensive of the two quotes.

Rules Committee: Councilor Geiger scheduled a Rules committee meeting for 9/17/18 at 6:00pm to discuss the council rules. He stated that the committee is working hard on revisions and hope to have a nearly complete product to present on 9/17/18.

Community Development Committee: Councilor Poorman stated that the house next to the Harbor is boarded up until the contractor can demolish it. He further stated that the Harbor now has a tenant paying rent. Councilor Poorman stated that the Harbor is getting closer to meeting their goal for the challenge grant. He stated that Mayor Wells and Andy Wolfe each donated \$500.

Personnel Committee: Councilor French stated that his committee is trying to organize the handbook. He further stated that they would like to incorporate the information that they received from Garry Hunter. Lastly, Councilor French stated that council needs to get a charter review committee together.

CITIZEN'S COMMENTS: None.

COUNCIL PRESIDENT'S REPORT: Council President Zwissler stated that there is a BL2030 meeting on Saturday, September 15, 2018 at 9am at Lakewood High School. She stated that people attending are welcome to stay for lunch.

Council President Zwissler stated that they are circulating a petition for a \$1.2 million dredger for the lake. She stated that this will help remove silt and other material being pulled up by boats.

MAYOR'S REPORT: Mayor Wells submitted a written report dated September 10, 2018. A copy of this report is attached to the council record. Mayor Wells stated that the Shelly Company is 95% complete on the Hunts Landing Road repaving project. She also stated that the ODOT curb & sidewalk project is 95% funded. A new HVAC system has been installed in the police department.

Mayor Wells stated that Prosecutor Hayes has taken it upon himself to follow up on the foreclosure proceedings for 90 Leroy St. The property has now been set for foreclosure auction. Chief Wardlow attended the new police chief's training over the past week. Mayor Wells stated that the office has a new phone system which was purchased within the current budget. She appointed a screening panel for the bridge project.

Mayor Wells stated that the employees are working very hard.

ORDINANCES

3rd Reading
2nd Reading
1st Reading

RESOLUTIONS:

3rd Reading
2nd Reading
1st Reading

Motion by Councilor Poorman to have a first reading on Resolution 2018-03 seconded by Councilor Ruton.

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

The first reading of Resolution 2018-03 is recognized.

2018-03 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Motion by Councilor Wolfe to suspend the rules on Resolution 2018-03, seconded by Councilor French.

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

Motion by Councilor Poorman to adopt Resolution 2018-03 as presented, seconded by Councilor Wolfe.

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

Motion by Councilor Wolfe to have a first reading on Resolution 2018-04 seconded by Councilor French.

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

The first reading of Resolution 2018-04 is recognized.

2018-04 A RESOLUTION REQUIRING THE VILLAGE SOLICITOR TO SHARE ALL COMMUNICATION IN WRITING DIRECTLY WITH THE COUNCIL PRESIDENT AND ALL COUNCIL MEMBERS AND TO DO SO AT THE SAME TIME AS THE MAYOR RECEIVES THE COMMUNICATION.

Motion by Councilor Poorman to suspend the rules on Resolution 2018-04, seconded by Councilor Masone.

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

Motion by Councilor Masone to adopt Resolution 2018-04 as presented, seconded by Councilor Poorman.

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

Motion by Councilor Masone to have a first reading on Resolution 2018-05 seconded by Councilor Poorman.

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

The first reading of Resolution 2018-05 is recognized.

2018-05 A RESOLUTION REQUIRING THE MAYOR OF THE VILLAGE OF BUCKEYE LAKE, OHIO TO UTILIZE THE EMPLOYEE HANDBOOK, THE CHARTER, AS WELL AS THE OHIO REVISED CODE IN THE DISCIPLINE, DEMOTION, OR TERMINATION OF AN EMPLOYEE OF THE VILLAGE OF BUCKEYE LAKE, OHIO. THE MAYOR MUST HAVE PRIOR AUTHORIZATION OF THE COUNCIL TO DISCIPLINE, DEMOTE, OR TERMINATE AN EMPLOYEE OF THE VILLAGE OF BUCKEYE LAKE, OHIO AND DECLARING AN EMERGENCY.

Motion by Councilor Wolfe to suspend the rules on Resolution 2018-05, seconded by Councilor Masone.

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

Nays: Geiger

Abstentions: Ruton

Rules Suspended 6-1.

Motion by Councilor Masone to adopt Resolution 2018-05 as presented, seconded by Councilor Poorman.

Councilor Geiger stated that the resolution appeared to be a duplication of what we already do. He asked the author of the Resolution to provide some background on the issue.

Councilor Masone stated that he was not the author but the ORC and employee handbook were not used when disciplining, demoting and terminating employees.

Councilor Geiger asked for an example.

Councilor Masone stated that when police officers were terminated, Mayor Wells did not use the employee handbook. She stated the officer was an at will employee. The charter gives the Mayor all of the power. What we are trying to say is that there are other documents that need to be consulted especially when making big decisions that affect someones life.

Councilor Geiger stated that the Rules state resolutions must be presented with the author's/councilor's name on them. He further stated that Councilor Masone's background was helpful as he knew nothing about the situation.

Councilor Masone stated that the Assistant Fire Chief was demoted without consulting the employee handbook. He stated that if the previous Resolution 2018-04 would have been used, you would've known instead of being blindsided that a fire chief was demoted.

Mayor Wells asked to speak.

Council President Zwissler stated that she would not allow her to speak during council discussion.

Councilor Geiger stated that we continually hear about getting things at the last minute and this was definitely last minute. He stated that he hasn't had a chance to read about it and make a decision on the issue.

Roll Call Vote: Yeas: French, Geiger, Masone, Poorman, Zwissler

Abstentions: Ruton

Motion Passed 7-0.

Citizen's Comments:

Cindy Stewart, 4537 North Bank Rd., Buckeye Lake. Mrs. Stewart stated that council members need to get training. She further stated that you can't change the charter with legislation, you must have a vote of the people.

Charlene Hayden, 67 Lighthouse Lane, Buckeye Lake. Ms. Hayden stated that legislation is necessary because things are being done and no one knows what is going on. She further applauded council for taking action.

Council Member Comments:

Councilor Ruton: Councilor Ruton stated that she would like to be notified and would like to go over RFQs. She received a citizen complaint regarding the burglary at the KOA. She stated that there were two golf carts stolen and 3 cabins had items stolen off of the porch. Councilor Ruton stated that they want to know when we will have police officers.

Councilor Geiger: Councilor Geiger stated that the agenda needs to be synchronized.

Councilor French: Councilor French thanked Councilor Geiger for his hard work on revising the rules.

Councilor Poorman: No report.

Councilor Masone: Councilor Masone stated that he would like to be apprised of things affecting public safety in the village, especially regarding the Police and Fire Departments.

Councilor President Zwissler: Council President Zwissler thanked Councilors Wolfe and Geiger for all of their hard work.

UNFINISHED BUSINESS/OTHER BUSINESS: None.

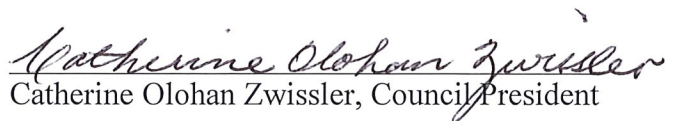
Adjournment: Motion by Council President Wolfe to adjourn the meeting, seconded by Councilor Ruton.

VOTE: IN-FAVOR: All YEAS; MOTION CARRIED 6-0
Meeting adjourned at 8:19 p.m.

NEXT MEETING: September 24, 2018



Valerie L. Hans, Clerk of Council



Catherine Olohan Zwissler, Council President