

Buckeye Lake Village Council Meeting
Held in Village Hall
October 22, 2018
Meeting Minutes

Call to Order: By Council President Zwissler at 7:02 p.m.

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

Roll Call: Present: Doug Poorman (0,0), Kitty Zwissler (0,0), Bill French (0,0),
(Consecutive Total Absences) John Geiger (0,0), Robert Masone, MD, (0,2)

Mayor Wells

Absent: Arletta Ruton (0,1), Tom Wolfe (0,2)

Staff Present: Valerie Hans, Clerk of Council; Rochelle Menningen, Clerk/Treasurer; Vicki Wardlow, Police Chief; Clifford Mason, Interim Fire Chief; Rex Adkins, Code Enforcement Officer; Toby Miller, Water Superintendent.

Approval of Council Meeting Minutes: Motion by Councilor French to approve the minutes dated October 8, 2018 Seconded by Councilor Poorman.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

Approval of Clerk Treasurer's Report: Motion by Councilor French to approve the Treasurer's report dated October 19, 2018, seconded by Councilor Poorman.

Roll call vote: Yays: Poorman, French, Geiger, Masone
Nays: Zwissler

Motion Passed 4-1

Parks and Recreation: Kellie Green 105 Anchor's Way, Buckeye Lake. Ms. Green stated that the Knights of Columbus replaced 4 of the 8 picnic tables at the park. She stated that the commission is working on a grant for additional park repairs to continue repairing the tables. The commission is also working on pricing for adding a toddler playground area to separate the smaller children from the larger children while playing.

Planning/BZA: Chairperson Cookston 113 Anchor's Way, Buckeye Lake. Ms. Cookston stated that the Planning Commission subcommittees are working diligently to update the regulations. She also stated that PharmaCann will be on the agenda for the November meeting. Ms. Cookston expects to have 3 applications for the December meeting.

Zoning: No report. Mayor Wells thanked Doug Stewart for his service to the village. She stated that Mr. Stewart ended his employment with the village on September 30, 2018 as it was affecting

his retirement benefits. She further stated that the village will be advertising for the position. If anyone is interested in applying, please do so.

Code Enforcement: A written report for the Month of October 2018 was submitted for the council record. Mr. Adkins stated that 217 Renner has been a problem property for the past 3 years. The trash and garbage have been cleaned up and hauled away from the property. He also stated that the final grass cutting on properties has been done for the season. Lastly, 90 Leroy sold at auction in October.

COUNCIL STANDING COMMITTEE REPORTS

Finance Committee: No report.

Public Safety Committee: No report.

Public Service Committee: Councilor Ruton submitted a written report for the October 15, 2018 committee meeting. A copy of that report is attached to the council record.

Rules Committee: Councilor Geiger stated that his committee will meet on 10/29/2018 to continue reviewing and discussing the council rules. The committee will discuss rule 46 at the next meeting.

Community Development: Councilor Poorman stated that The Harbor has surpassed the \$10K fundraising goal for the challenge grant. Therefore, they will have over \$20K to use for repairs and improvements to the façade of the building.

Council President Zwissler reminded everyone that The Harbor serves free lunches Monday-Friday to residents of Licking, Fairfield and Perry counties. Anyone interested needs to call 740-345-0821 extension 229 at least one day in advance to reserve a lunch.

Councilor Poorman stated that The Harbor should be opening the fitness center portion of the building soon. They are working on membership cost structure. He stated that the Silver Sneakers program will pay \$17-30/month for eligible medicare recipients.

Personnel: Councilor French stated that his committee meet prior to the council meeting at 6pm to discuss the employee handbook. They are working to make sure that all of the village documents do not conflict with one another.

REPORT OF VILLAGE OFFICIALS WRITTEN, AND VERBALLY BY REQUEST OF COUNCIL

Police Chief: A written report for September 2018 was submitted. Chief Wardlow thanked Councilors Ruton, Geiger and Poorman for stopping by the police department to see all of the work that is taking place. She stated that the radars cannot be calibrated because the license expired in 2013. A new license will last for 10 years but needs to be applied and paid for. Chief Wardlow stated that she handed out over 100 crime notices. She has inventoried 143 CPOs and found that

only 50 were valid. Chief Wardlow stated that the department received a 75% grant for ballistic vests. She also stated that she is having difficulty recruiting people to come work for the police department due to low pay and a hostile work environment. She further stated that people do not want to come somewhere with no promise of a future. Chief Wardlow stated that it is difficult to work in an environment where employees do not know if they will have a job from one week to the next.

Fire Chief: A written report for September 2018 was submitted. Chief Mason also submitted a roster of all part-time and volunteer fire department employees dated 10/22/2018. He also stated that the fire department and KOA Campground partnered together for a car show with 67 cars this past weekend.

Street Supervisor: A report for the month of September 2018 was submitted. Mr. Miller stated that the street department added a new salt spreader which will spread salt more efficiently and throughout the entire roadway. The previous spreader was inefficient and they could only dump salt in the intersections. The fall clean-up participation was low and only 2 dumpsters were used.

Water Supervisor: A report for the month of September 2018 was submitted. Mr. Miller stated that he has had people out sick in the department. He reminded council that there is a lot of legislation on the agenda which pertains to the ODOT bridge project and needs immediate attention. Mr. Miller stated that he only has 13 days of funding left for his department employees and it is causing job insecurities among employees. He stated that this is an appropriations issue not a budget issue. He stated that they will need to pass a supplemental appropriation prior to the next meeting to continue paying his department employees.

Others: None.

Report of Council President: Council President Zwissler stated that she met with David Goodman and is working to get more funds for the village. She stated that the feds have finally given out guidance on the rules for the opportunity zones. Council President Zwissler also mentioned that AEP is considering setting up electric charging stations in the area.

Report of Mayor in writing, and verbally by request of Council: Mayor Wells submitted a written report dated October 22, 2018. A copy of that report is attached to the council record.

Mayor Wells stated that she swore in Keisha Amspaugh at the fire department.

Mayor Wells stated that Chief Wardlow is doing an excellent job. She is working on weekends and overtime. She further stated that we could not have better people leading our safety forces.

Mayor Wells stated that she was informed by Union Township that the cost of salt will be doubled this season. That will make the new salt spreader even more important.

Mayor Wells stated that the lien for 340 Highland Ave. was purchased by the Land Bank and they are in the 28 day waiting period to move forward on demolition.

ORDINANCES

1ST READING

Motion by Councilor Poorman to have a first reading on 2018-35, seconded by Councilor French.

Roll call vote: **Yays:** Poorman, Zwissler, French, Geiger, Masone

Motion Passed 5-0.

2018-35 AN ORDINANCE APPROVING CHANGE ORDER NUMBER 2 FOR THE HUNTS LANDING ROAD IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY

Motion by Councilor Poorman to suspend the rules on Ordinance 2018-35, seconded by Councilor French.

Roll call vote: **Yays:** Poorman, Zwissler, French, Geiger, Masone

Rules Suspended 5-0

Motion by Councilor Poorman to adopt Ordinance 2018-35 as presented, seconded by Councilor French.

Roll call vote: **Yays:** Poorman, Zwissler, French, Geiger, Masone

Motion Passed 5-0.

Motion by Councilor Poorman to have a first reading on 2018-36, seconded by Councilor French.

Roll call vote: **Yays:** Poorman, Zwissler, French, Geiger, Masone

Motion Passed 5-0.

2018-36 AN ORDINANCE EXTENDING THE CONTRACT FOR REFUSE COLLECTION SERVICES FOR THE VILLAGE OF BUCKEYE LAKE, OHIO, AUTHORIZING AND DIRECTING THE MAYOR TO SIGN A CONTRACT EXTENSION FOR SAID SERVICES.

Motion by Councilor Poorman to have a first reading on 2018-37, seconded by Councilor French.

Roll call vote: **Yays:** Poorman, Zwissler, French, Geiger, Masone

Motion Passed 5-0.

Council President Zwissler stated that she would like to see language in the contract that specifies that we get 6 dumpsters for spring and 6 dumpsters for fall cleanup. She also wants to see a notation in the contract that the dumpster for the cleanup of the LEADS building demo will be included in the contract.

Council Geiger stated that it was 3 dumpsters for spring and 3 dumpsters for fall cleanup.

Council members discussed that the dumpster for the LEADS building demo is a good faith effort.

Council Clerk Hans stated that the requested modifications will be made on subsequent readings of the ordinance.

Councilor French stated that Ordinance 2018-23 will need to be repealed before we adopt Ordinance 2018-36.

2018-37 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AEP ENERGY FOR A FIXED PRICE, ALL-INCLUSIVE ELECTRIC RATE FOR THE VILLAGE OF BUCKEYE LAKE, AND DECLARING AN EMERGENCY.

Motion by Councilor Poorman to suspend the rules on Ordinance 2018-37, seconded by Councilor French.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Rules Suspended 5-0

Motion by Councilor Poorman to adopt Ordinance 2018-37 as presented, seconded by Councilor French.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

Motion by Councilor French to have a first reading on 2018-38, seconded by Councilor Poorman.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

2018-38 AMENDING ORDINANCE 2018-18 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARATION OF EMERGENCY

Motion by Councilor Poorman to suspend the rules on Ordinance 2018-38, seconded by Councilor French.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Rules Suspended 5-0

Motion by Councilor Poorman to adopt Ordinance 2018-38 as presented, seconded by Councilor French.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

Motion by Councilor French to have a first reading on 2018-39, seconded by Councilor Poorman.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone

Motion Passed 5-0.

2018-39 PRELIMINARY LEGISLATION FOR ODOT PROJECT LIC-SR 79-03.98 AND DECLARING AN EMERGENCY

Motion by Councilor Poorman to suspend the rules on Ordinance 2018-39, seconded by Councilor French.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Rules Suspended 5-0

Motion by Councilor French to adopt Ordinance 2018-39 as presented, seconded by Councilor Poorman.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

Motion by Councilor Poorman to have a first reading on 2018-40, seconded by Councilor French.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

2018-40 PRELIMINARY LEGISLATION FOR ODOT PROJECT LIC-SR 79-03.67 AND DECLARING AN EMERGENCY

Motion by Councilor French to suspend the rules on Ordinance 2018-40, seconded by Councilor Poorman.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Rules Suspended 5-0

Motion by Councilor Poorman to adopt Ordinance 2018-40 as presented, seconded by Councilor French.

Mayor Wells asked why the language is exactly the same on Ordinance 2018-39 and 2018-40.

Mr. Miller stated that the title is slightly different. Ordinance 2018-39 is for project LIC-SR 79-03.98 while Ordinance 2018-40 is for project LIC-SR 79-03.67

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

Motion by Councilor Poorman to have a first reading on 2018-41, seconded by Councilor French.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

2018-41 AN ORDINANCE TO VACATE AN UNUSED EASEMENT

Mayor Wells asked if this Ordinance could be adopted with suspension of the rules to expedite the process.

Mr. Miller spoke on the Ordinance and stated that up until 1.5 years ago this easement did not exist. It was written into a plat which was recorded at the county at the request of the county. The property owner has gone to great lengths to verify that none of the utilities have an interest in keeping this easement. Mr. Miller stated that he researched the easement and worked with legal counsel to determine the appropriate process to vacate this easement.

Motion by Councilor French to suspend the rules on Ordinance 2018-41, seconded by Councilor Geiger.

Roll call vote: **Yays:** Poorman, Zwissler, French, Geiger, Masone
Rules Suspended 5-0

Motion by Councilor Poorman to adopt Ordinance 2018-41 as presented, seconded by Councilor French.

Roll call vote: **Yays:** Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

Motion by Councilor Poorman to have a first reading on 2018-42, seconded by Councilor French.

Roll call vote: **Yays:** Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

2018-42 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LOCAL GOVERNMENT SERVICES FOR GUIDANCE AND GENERAL ASSISTANCE TO THE FISCAL OFFICER IN UPDATING THE UAN SYSTEM AND DECLARING AN EMERGENCY.

Motion by Councilor Poorman to suspend the rules on Ordinance 2018-42, seconded by Councilor French.

Roll call vote: **Yays:** Poorman, Zwissler, French, Geiger, Masone
Rules Suspended 5-0

Motion by Councilor French to adopt Ordinance 2018-42 as presented, seconded by Councilor Poorman.

Roll call vote: **Yays:** Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

RESOLUTIONS

1ST READING

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

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

2018-04 A RESOLUTION DECLARING THE SELECTION OF ADR & ASSOCIATES, LTD., AND INTENT OF THE VILLAGE OF BUCKEYE LAKE, OHIO TO ENGAGE IN FEE NEGOTIATIONS WITH THE FIRM FOR ENGINEERING SERVICES REGARDING THE MUNICIPAL BRIDGE REPLACEMENT AND TRANSPORTATION ALTERNATIVE PROGRAM FOR THE VILLAGE OF BUCKEYE LAKE AND DECLARING AN EMERGENCY.

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

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Rules Suspended 5-0

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

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone
Motion Passed 5-0.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Council Clerk Hans notified council that a liquor license transfer application was received for 10884 Milldam Road. The application request will transfer the existing liquor license for the Beechridge Lounge from Bryan Bragg to Wendell Parkinson.

CITIZENS' COMMENTS:

Casey Clark, 241 Lakeview Dr., Buckeye Lake, Ohio. Ms. Clark asked if council gave any consideration to adding recycling to the trash contract.

Council President Zwissler stated that they did give consideration to that; however it would add at least \$3 to the monthly cost for every household.

Mayor Wells asked if the senior discount was discussed for the trash contract rates.

Councilor Geiger stated that it was.

Ms. Clark also asked what is considered to be the downtown area for the purpose of the Ordinances this evening.

Mr. Miller stated that is a term that ODOT uses in their ordinance language. He further stated that the area is considered to be the entrance to the village down to the end of the boulevard.

Karen Cookston, 113 Anchor's Way, Buckeye Lake, Ohio. Ms. Cookston requested that the village look into the road condition on Anchor's Way. She stated that the street is caving in. She also stated that trucks which are too large for the area are not clearing street signs and telephone poles. Ms. Cookston suggested placing signage at the entrance to keep overweight and oversized trucks out of the area.

Council President Zwissler asked if we have funds available to fix this issue.

Mr. Miller stated that \$50K was appropriated and they are in the Myers addition doing trench repairs at the moment. They will get to Cranberry Bay; however it may not be this season.

Ms. Cookston stated that there are cars stalling out in the standing water on Anchor's Way and she feels this could be treacherous once winter weather hits.

COUNCIL MEMBER COMMENTS:

Councilor Masone: No comment.

Councilor Poorman: Asked to go into executive session to discuss a personnel matter.

Motion by Councilor Poorman to go into executive session to discuss a personnel matter, seconded by Councilor French.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone

Motion Passed 5-0.

Councilors asked to have all council members, Mayor Wells and Council Clerk Hans present in executive session.

EXECUTIVE SESSION BEGAN AT 8:20PM

RECORDER WAS TURNED OFF.

Motion by Councilor French to come out of executive session, seconded by Councilor Poorman.

Roll call vote: Yays: Poorman, Zwissler, French, Geiger, Masone

Motion Passed 5-0.

EXECUTIVE SESSION ENDED AT 8:39PM.

RECORDER WAS TURNED ON.

Councilor French: Thanked Doug Stewart for all of his hard work on zoning in the village. He stated that Doug has been a great supporter of the village volunteering to help out in any way possible.


Councilor Geiger: Stated that he is going to pursue asking other municipalities how they introduce their legislation and the process for adoption.

Council President Zwissler: Council President Zwissler stated that the village staff, Police Chief and Fire Chief are very hard working. She stated that it is a shame that we are not paying our people a living wage.

ADJOURNMENT: Motion by Councilor Poorman to adjourn the meeting, seconded by Councilor French.

VOTE: IN-FAVOR ALL YEAS; MOTION CARRIED 5-0
Meeting adjourned at 8:42 pm.

NEXT MEETING: November 12, 2018



Valerie L. Hans, Clerk of Council



Catherine Olohan Zwissler, Council President