

Buckeye Lake Village Council Meeting
Held in Village Hall
February 11, 2019
Meeting Minutes

Call to Order: By Council President Zwissler at 7:11 p.m.

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

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

Mayor Wells

Absent: None

Staff Present: Valerie Hans, Clerk of Council; Vicki Wardlow, Police Chief.

Approval of Minutes:

Motion by Councilor Ruton to approve the council meeting minutes dated January 28, 2019, seconded by Councilor French.

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

Approval of Clerk Treasurer's Report:

Motion by Councilor Ruton to approve the Treasurer's report dated February 6, 2019, seconded by Councilor French.

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

Nays: Wolfe, Zwissler

Motion Passed 5-2.

APPOINTMENTS AND PRESENTATIONS: Clay Carroll 247 Union Ave., Buckeye Lake, Ohio. Mr. Carroll spoke on behalf of the village charter commission. He stated that the commission met on 1/29/19 with all members present. The members are: Tim Ryan, Linda Goodman, Kelly Spangler-Braithwaite, Dave Ruton and Clay Carroll. Mr. Carroll stated that the commission elected a chairperson and a secretary. He stated that they set goals and plan to read and review the first three sections of the charter prior to the next meeting on 3/4/19 at 7pm. Mr. Carroll sent an email to Garry Hunter with Ohio Municipal League to ask if he could be present at their next meeting. Mr. Carroll asked council for a small budget to cover the cost of printing, copying, flash drives for storing the draft changes, and legal fees for review of the proposed changes to make sure that they are legally appropriate. He estimates that the commission will need a few hundred dollars. Mr. Carroll stated that they are limiting their meetings to one hour in length. He asked council members if their goal is to have any proposed charter changes on the November 2019 ballot.

Councilor Wolfe stated that he would like to see the proposed charter changes on the November 2019 ballot.

Council President Zwissler echoed that sentiment.

Councilor Geiger asked if we could reconvene the group again after the election to keep revising the charter as needed.

Council President Zwissler asked Mr. Carroll if he could get Garry Hunter to meet with the charter review commission sooner than 3/4/19.

Mr. Carroll stated that he would contact Mr. Hunter and attempt to make that happen.

Mr. Carroll asked if the commission could get a mailbox at the village office. He stated that the commission is asking for input from the residents as to the changes they would like to see in the charter.

Mayor Wells stated that they would get a box for the charter review commission at the office.

Mr. Carroll asked if he could also post a request for resident input on the website. He then asked who handles the village website now.

Mayor Wells stated that Crystal Davis manages the village website and he could contact her to put the notice on the website.

Council President Zwissler suggested that the charter review commission should have a village issued email address.

Mayor Wells also stated that she would get Mr. Miller to create a charter review commission email address for the group.

Mayor Wells swore in three new people with the fire department.

Kyle Clark Firefighter/Advanced EMT, Roger Komandt Firefighter/Paramedic, and Phillip Strzalkowski Firefighter/Paramedic.

UNFINISHED/OTHER BUSINESS: Karen Cookston, 147 Anchor's Way. Buckeye Lake, Ohio. Chairperson Cookston stated that the Planning Commission subcommittee on subdivision regulations and zoning changes met 2/1/19 and had a great, productive meeting. They have enlisted assistance from local developers, engineers and architects in the field. Chairperson Cookston passed out a packet of information to the council members and indicated that she wanted the information included in the public record. A copy of this information is attached the record. Chairperson Cookston apologized for answering Councilor Wolfe's question in an email. She stated that she should not have included the larger group on that. She also stated that she answered Zoning Officer Cowgill's email in a smaller group of members as to not violate sunshine laws. Chairperson Cookston stated that Mayor Wells asked for the emails that Chairperson Cookston and PharmaCann representatives have exchanged. Chairperson Cookston also provided those emails and stated that she would like a copy of that information retained with the council record. Chairperson Cookston went on state some facts about the proposed PharmaCann facility. She stated that the facility is a greenhouse and growing facility NOT a dispensary or a retail facility. They will not have retail traffic or money held at the facility. She stated that the facility will have guards on site and will be heavily monitored for security both inside and outside. She stated that there are safeguards in place, they have to inventory all buds picked, counted, catalogued and processed before they are bagged.

Chairperson Cookston went on to say that PharmaCann was not required to have a Planning Commission or Council Public Hearing. They chose to have a public meeting to inform the public about the project. She further stated that they legally have every right to build this facility.

Councilor Geiger asked if there will be an odor to the facility.

Chairperson Cookston stated that the facility has a state of the art in-house filtering system.

Council Clerk Hans asked Chairperson Cookston if she knew the approximate total investment in the community. She stated that there is a pending request for that information to support a grant application for another community entity.

Chairperson Cookston stated that she will try to get that information by the public meeting on 2/12/19.

Mayor Wells stated that the zoning application is deficient as it give a place for approval and denial of an application; however there is not a place on the application to place the application on hold. She further stated that the Zoning Officer is new but has experience in zoning from the City of Reynoldsburg. Mayor Wells stated that they are working on getting a written procedure which includes all steps in the process.

COMMITTEES SHALL GIVE REPORTS IN THE FOLLOWING ORDER:

Finance Committee: Councilor Wolfe asked his committee to briefly review a few late finance items for legislation this evening. Council members reviewed and briefly discussed each finance item on 5 ordinances. Councilor Wolfe motioned to move the finance requests on to council for a vote. The motion was seconded by Councilor Ruton. The finance committee members unanimously approved moving the legislation on to council.

Public Safety Committee: No report.

Public Service Committee: Councilor Ruton stated that her committee met on 2/4/19 to discuss village projects. She stated that they discussed the recent water main break in the Cranberry Bay area. She also stated that the committee needs to discuss putting aside match money for the upcoming TAP bridge and sidewalk project. She asked Councilor Wolfe to schedule a joint finance public service committee meeting to discuss this further.

Councilor Wolfe agreed and scheduled a joint finance public service committee meeting for Monday, March 11, 2019 at 6pm to discuss setting aside match money for the upcoming TAP bridge and sidewalk project.

Councilor Ruton stated that the stormwater utility is going well. She also stated that to date they have only had one business apply for a stormwater credit. Councilor Ruton thanked the street and water departments for their hard work on snow and ice removal during the recent storms.

Rules Committee: No report.

Community Development Committee: No report.

Personnel Committee: Councilor French stated that his committee met prior to the council meeting to discuss the potential solicitor candidate. His committee decided to move forward with this request to council and will consider legislation this evening. He also stated that the committee discussed personnel matters relating to number of hours for the Clerk/Treasurer. The committee will continue reviewing this issue further in the future.

REPORT OF COUNCIL PRESIDENT: Council President Zwissler stated that the OSU Master Gardeners are hosting a seed starting workshop on 2/16/19 at 9am at the Harbor. She encouraged everyone to attend. Council President Zwissler also reminded everyone to sign up for a free garden plot at the village community garden. Lastly, she mentioned that she wrote a grant proposal to AEP for an electric charging station at the Harbor. Council President Zwissler is looking for other locations around the village to apply for more grant funds for more electric charging stations.

REPORT OF MAYOR WRITTEN, AND VERBALLY BY REQUEST OF COUNCIL: Mayor Wells provided a written report dated February 11, 2019. She stated that she applied for 8 property tax exemptions and 1 valuation appeal on village owned property. Mayor Wells asked everyone to carefully review number 8 on her report each time as this is information on the pending health care litigation with JHP. She stated that in the next few weeks the case will be settled and the entities will have to pay their share of the settlement. Mayor Wells stated that we will most likely be able to do so in four installments.

ORDINANCES

3rd Reading

2nd Reading

1st Reading

2019-05 AMENDING ORDINANCE 2018-49 TEMPORARY APPROPRIATIONS ORDINANCE AND DECLARATION OF EMERGENCY.

Motion by Councilor Wolfe to suspend the rules on Ordinance 2019-05, seconded by Councilor Geiger.

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

Motion by Councilor Ruton to adopt Ordinance 2019-05 as presented, seconded by Councilor Poorman.

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

2019-06 AMENDING ORDINANCE 2018-49 TEMPORARY APPROPRIATIONS ORDINANCE AND DECLARATION OF EMERGENCY.

Motion by Councilor Wolfe to suspend the rules on Ordinance 2019-06, seconded by Councilor Ruton.

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

Motion by Councilor Ruton to adopt Ordinance 2019-06 as presented, seconded by Councilor Wolfe.

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

2019-07 AMENDING ORDINANCE 2018-49 TEMPORARY APPROPRIATIONS ORDINANCE AND DECLARATION OF EMERGENCY.

Motion by Councilor French to suspend the rules on Ordinance 2019-07, seconded by Councilor Ruton.

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

Motion by Councilor Ruton to adopt Ordinance 2019-07 as presented, seconded by Councilor Wolfe.

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

2019-08 AMENDING ORDINANCE 2018-49 TEMPORARY APPROPRIATIONS ORDINANCE AND DECLARATION OF EMERGENCY.

Motion by Councilor Wolfe to suspend the rules on Ordinance 2019-08, seconded by Councilor Ruton.

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

Motion by Councilor French to adopt Ordinance 2019-08 as presented, seconded by Councilor Poorman.

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

2019-09 AMENDING ORDINANCE 2018-49 TEMPORARY APPROPRIATIONS ORDINANCE AND DECLARATION OF EMERGENCY.

Motion by Councilor Ruton to suspend the rules on Ordinance 2019-09, seconded by Councilor French.

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

Motion by Councilor Ruton to adopt Ordinance 2019-09 as presented, seconded by Councilor Wolfe.

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

RESOLUTIONS:

3rd Reading

2nd Reading

2019-07 A RESOLUTION OF SUPPORT ENDORSING THE CONCEPT OF CREATING MULTI-USE TRAILS CONNECTING TO THE NEW BUCKEYE LAKE DAM.

1st Reading

2019-08 A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF A NEW VILLAGE SOLICITOR AND AUTHORIZING/DIRECTING THE MAYOR AND CLERK/TREASURER TO EXECUTE A PERSONAL SERVICE CONTRACT FOR LEGAL SERVICES WITH ISAAC WILES BURKHOLDER & TEETOR, LLC AND DECLARING AN EMERGENCY.

Motion by Councilor French to suspend the rules on Resolution 2019-08, seconded by Councilor Ruton.

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

Motion by Councilor Ruton to adopt Resolution 2019-08 as presented, seconded by Councilor Wolfe.

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

UNFINISHED BUSINESS: Mayor Wells asked Chief Wardlow to speak to council.

Chief Wardlow thanked council for acting on the Ohio Basic Code. She stated that Rex Adkins has addressed many of the code enforcement complaints and getting the Ohio Basic Code will allow him to successfully address the junk vehicle complaints.

Councilor Wolfe asked for the status of the purchase of a new police cruiser.

Chief Wardlow stated that she took information to the bank and is waiting to hear back from them. She further stated that the vehicle is scheduled to be delivered to the dealership this week and the village should get to pick it up by the end of the month.

Motion by Councilor Ruton to authorize the Police Chief to switch to the Ohio Basic Code for local citation purposes in the Village of Buckeye Lake, seconded by Councilor Poorman.

Discussion: Chief Wardlow asked to add code enforcement to the users for the Ohio Basic Code.

Council members agreed and modified the floor motion to include code enforcement as well.

Mayor Wells informed council members that there is a leak in the ceiling at the police department. She stated that there are several leaks in the old Lee's space. Mayor Wells stated that the leaks in the old Lee's space appear to be coming from the area of the roof ventilation system. She asked council how they would like to proceed with the repairs.

Councilor Wolfe asked Mayor Wells to get estimates for the repairs.

NEW BUSINESS: None.

CITIZEN'S COMMENTS:

Karen Cookston, 147 Anchor's Way, Buckeye Lake, Ohio. Ms. Cookston informed council members that Judy Cook passed away today. She stated that Ms. Cook was a former council person and great volunteer for many activities and organizations in the village.

Council President Zwissler stated that Ms. Cook donated her body to science at OSU; and therefore the memorial service will be postponed to a later date.

Ms. Cookston stated that the potholes on Anchor's Way are getting very bad. She further stated that the mud from the roadway has clogged her private storm drain. Ms. Cookston stated that the pothole at the end of her driveway has caused two bent rims so far. She would like the village to place gravel in the holes and patch them.

Councilor Ruton stated that the Public Service Committee has been discussing the pothole issues in the village.

Kelly Haines, PO Box 2011, Buckeye Lake, Ohio. Ms. Haines stated that she teaches on drugs and substance abuse awareness. She stated that if we are going to have drugs coming into our community, where the rehab center will be located. Ms. Haines asked council if they are going to help people and will they be create a rehab board for the county.

Richard Waugh, ADR Associates. Mr. Waugh stated that the ODOT TAP grant is quite an extensive process. They are continuing to work with the village on the ODOT TAP bridge and sidewalk project. He further stated that the money for this project will need to be encumbered by 6/1/19.

COUNCIL MEMBER COMMENTS:

Councilor Masone: Councilor Masone asked if anyone has answered Kelly Spangler-Braithwaite's question from the last council meeting. He stated that the question was, "Why can't the Julian's get their own liquor license for the drive through.

Councilor Poorman: No comment.

Councilor French: Councilor French welcomed the new fire department employees to the village.

Councilor Wolfe: Councilor Wolfe asked if the village could get the Harbor to open a warming center on an as needed basis. He asked the village office to start a log of potholes in the village.

Councilor Geiger: Councilor Geiger asked if the Planning Commission meeting was at 7pm.

PC Chairperson Cookston stated that it was at 7pm.

Councilor Geiger mentioned the streetscape in Hebron. He suggested that the village should look at that streetscape to get ideas for our streetscape grant.

Councilor Ruton: Councilor Ruton stated that former Officer Haas asked the village for his auxiliary hours. He was told that a record of them didn't exist or they were in an attic somewhere. Councilor Ruton stated that contact Council Clerk Hans and asked her for a copy of each of the monthly police reports during the timeframe that Officer Haas was with the village. Council Clerk Hans went through the council meeting packets as requested and found the proof of hours that Officer Haas needed. Councilor Ruton stated that village officials need to be more thorough before they give an answer to someone requesting public records.

Councilor President Zwissler: Council President Zwissler reminded everyone that the OSU Master Gardeners will be hosting a seed planting workshop this Saturday at 9:00am. She encouraged everyone to attend and also to sign up for a garden plot.

ADJOURNMENT: Motion by Council President Ruton to adjourn the meeting, seconded by Councilor French.

VOTE: IN-FAVOR: ALL YEAS; MOTION CARRIED 7-0
Meeting adjourned at 8:33 p.m.

NEXT MEETING: February 25, 2019



Valerie L. Hans, Clerk of Council



Catherine Olohan Zwissler, Council President