

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

Call to Order: By Council President Zwissler at 7:09 p.m.

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

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

Mayor Wells

Absent: None

Staff Present: Valerie Hans, Clerk of Council; Rochelle Menningen, Clerk/Treasurer; Vicki Wardlow, Police Chief; Clifford Mason, Interim Fire Chief.

Approval of Minutes:

Motion by Councilor French to approve the council meeting minutes dated February 25, 2019, seconded by Councilor Ruton.

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

Approval of Clerk Treasurer's Report:

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

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

APPOINTMENTS AND PRESENTATIONS: None.

UNFINISHED/OTHER BUSINESS: Karen Cookston, 147 Anchor's Way, Buckeye Lake, Ohio. Ms. Cookston stated that she followed up with PharmaCann and Mark Filoramo. She stated that the zoning permit application is not a variance. She stated that PharmaCann sent an email to the zoning officer on 3/1/19 with no response. She stated that lots of other emails have been sent back and forth. Chairperson Cookston stated that the email she sent to the zoning officer came back with a response that he didn't want or need her help and that he will not call me.

Council President Zwissler stated that she sent an email on 3/1/19 asking the Mayor and zoning officer to please communicate with the applicant.

Councilor Ruton asked if we know what the zoning officer's qualifications are? She stated that he is putting the village in jeopardy.

Chairperson Cookston stated that she doesn't know the zoning officer's background or qualifications. She is only concerned that he hasn't communicated with PharmaCann, the applicant.

Councilor Ruton stated that if Mayor Wells can sign the zoning permit application, then she needs to sign it.

Chairperson Cookston stated that someone needs to train the zoning officer.

Councilor Geiger asked if this is a process problem or is there a problem with the application.

Chairperson Cookston stated that she doesn't feel the zoning officer understands the process. She added that there has been zero communication from the zoning officer to the applicant. Chairperson Cookston stated that she gave council a letter that holds PharmaCann accountable for repairing Hunts Landing Road after the construction is complete on their site.

Councilor Ruton stated that she is concerned about the email that the zoning officer sent back to Chairperson Cookston

Councilor Ruton moved to have Mayor Wells sign the zoning permit application this evening, seconded by Councilor Masone.

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

Abstentions: Wolfe

Motion Passed 7-0.

Mayor Wells stated that she will make her comments during the Mayor's report.

COMMITTEES SHALL GIVE REPORTS IN THE FOLLOWING ORDER:

Finance Committee: Councilor Wolfe stated that the finance committee met just prior to the council meeting to discuss the 2019 budget. He stated that Ordinance 2019-11 was recommended for approval and forwarded to council.

Public Safety Committee: No report.

Public Service Committee: Councilor Ruton stated that her committee met on 3/5/19 to discuss issues related to BLAAST. She stated that some of the items needing to be considered are: shuttles, manpower, traffic issues, police and fire, overcrowding. Councilor Ruton stated that their next committee meeting will be on 3/25/19 at 6:30pm to discuss setting aside matching funds for the ODOT bridge repair and TAP project.

Rules Committee: No report.

Community Development Committee: No report.

Personnel Committee: Councilor French stated that his committee met to discuss healthcare insurance for the village employees. He stated that Rochelle did a great job of comparing health insurance plans and came up with options that will save the village a significant amount of money.

REPORT OF COUNCIL PRESIDENT: Council President Zwissler stated that there will be fireworks on 7/3/19. If anyone has questions, talk with Charlie, he filed the permit with ODNR. She stated that there is a potential for overcrowding and a need for additional manpower. She asked

Charlie how much money Charlie and BLAAST will contribute to fund extra police and safety personnel. Council President Zwissler stated that Don Dick has offered his land for parking during BLAAST.

Councilor Ruton invited Charlie and the BLAAST committee to the public service committee meeting on 3/25/19 at 6:30pm.

Charlie Prince stated that the committee doesn't have a signed permit from ODNR yet.

Council President Zwissler stated that Mary Mertz, new ODNR director, is very supportive of the village's needs.

REPORT OF MAYOR WRITTEN, AND VERBALLY BY REQUEST OF COUNCIL:

Mayor Wells stated that Richard Waugh, ADR Engineering, is present to speak on the status of the PharmaCann zoning permit application. He stated that they received the site development plans and are reviewing the project for water, setbacks, streets and they gave written comments to the applicant. The comments were forwarded to Choice One Engineering and ADR received responses to the comments at 4:30pm today. Mr. Waugh stated that if everything looks ok, we can continue through the plan review process; however it is difficult to complete this entire process in 30 days

Council President Zwissler stated that you did not ask to put Mr. Waugh on the agenda.

Mayor Wells stated that this is her reporting time.

She then stated that there is no process. Mr. Miller has mentioned this. Mayor Wells stated that she inherited no process. She stated that Chairperson Cookston has been on the job for over 12 years Mr. Miller has said we have no process for someone to look at it. He and I have been reaching out to communities in an attempt to create a process.

Mayor Wells stated that she has had many conversations with Andy Bowers. She further stated that due to the actions of Council President Zwissler, former Mayor Carroll and Karen Cookston we will be signing off because we are forced to sign off on the zoning permit. She stated that they signed a document in 2017 that stated we have no zoning which prohibits this type of a facility.

Chairperson Cookston stated that we have validation in writing that you didn't talk with the applicant. They didn't talk to the engineer for two weeks because they didn't have the right email address. Normally a development director and the administration manages this process. Council Clerk Hans has been doing this up to a point. She stated that she has been in front of you for the last 10 years asking for help. Chairperson Cookston stated that we have no funds or expertise to do this.

Mayor Wells stated that you may not be are that Andy Bowers told me he is the point person and he will communicate directly with me.

Council President Zwissler stopped the conversation and stated that something good has been happening for years. She then stated that they need to get the zoning permit signed.

ORDINANCES

3rd Reading

2nd Reading

1st Reading

2019-11 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

Motion by Councilor Ruton to suspend the rules on Ordinance 2019-11, seconded by Councilor French.

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

Motion by Councilor Ruton to adopt Ordinance 2019-11 as presented, seconded by Councilor Wolfe.

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

2019-12 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO REMOVE AUDIO/VIDEO SURVEILLANCE CAMERAS FROM THE VILLAGE OF BUCKEYE LAKE COUNCIL CHAMBERS AND DECLARING AN EMERGENCY.

Motion by Councilor Wolfe to suspend the rules on Ordinance 2019-12, seconded by Councilor Ruton.

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

Rules Suspended 4-3.

A supermajority was not achieved; therefore Ordinance 2019-12 was only a first reading.

RESOLUTIONS:

3rd Reading

2nd Reading

1st Reading

2019-08 A RESOLUTION AUTHORIZING THE VILLAGE OF BUCKEYE LAKE TO ADOPT AN ANTHEM MEWA PLAN FOR MEDICAL INSURANCE FOR THE EMPLOYEES OF THE VILLAGE OF BUCKEYE LAKE, OHIO AND DECLARING AN EMERGENCY.

Motion by Councilor Wolfe to suspend the rules on Resolution 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 Resolution 2019-09 as presented, seconded by Councilor Wolfe.

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

UNFINISHED BUSINESS: None.

NEW BUSINESS: Councilor Wolfe asked the dates of Spring Clean-up.

Council Clerk Hans stated that it is the first full week in April each year. This year it will be 4/2-4/6/19 from 12-6pm each day.

Councilor Wolfe suggested that it would be nice if people who are able bodied could help people who are housebound or having difficulty caring for their property.

Mayor Wells stated that after fall clean up, Local Waste Services moved the dumpster up to 217 Renner to allow Randy and I to clean up the property by hand. Local Waste also donated dumpsters to assist in the demolition of the house next to the Harbor.

Council President Zwissler stated that we have many people who are older or in need of help with cleaning up their property.

CITIZEN'S COMMENTS: Teresa Hillis, 67 Nautica Way, Buckeye Lake, Ohio. Ms. Hillis stated that she has been coming to the meetings for over a year and is very tired of the arguing between council, Mayor Wells and the planning commission. She further stated that they all are dysfunctional. She stated that you all want to be right all of the time. Ms. Hillis asked them to stop the finger pointing and make this a good place to be. She stated that this is sickening that you can't work together.

Clay Carroll, 247 Union Avenue, Buckeye Lake, Ohio. Mr. Carroll stated that the Charter Review Commission met on 3/4/19. All members were present with the exception of Tim Ryan. He stated that Council President Zwissler, Councilor Ruton, Councilor Masone and Mayor Wells were also present. Mr. Carroll stated that Garry Hunter from the Ohio Municipal League spoke on the processes. His suggestion was to not many too many changes. He further suggested that each charter change should be a separate issue so that residents can vote independently on the charter changes. Mr. Carroll stated that he was asked to estimate the amount of time needed for legal review of the charter changes. After speaking with legal counsel, the time was estimated to be 4-6 hours. Unfortunately, the Charter Review Commission was only given a legal budget of \$200.

Mr. Carroll stated that the Charter Review Commission plans to meet every two weeks until they are ready to present the changes to council. Their next meeting will be on 3/18/19 at 7pm at the Harbor.

Council President Zwissler stated that she doesn't want the commission to go too far without legal review.

Mayor Wells stated that the water tech the village hired was with us for five weeks before taking another job making \$19/hour. She stated that they will be advertising the position.

COUNCIL MEMBER COMMENTS:

Councilor Masone: Councilor Masone stated that he wished that he could disagree with Ms. Hillis' comments, but he can't. He further stated that he used to defend the statements from people but he can't. He stated that he is sorry for this and to the people. Councilor Masone stated that he is astounded that he has been neutralized. Lastly, he stated that the truth is what is missing.

Councilor Poorman: Councilor Poorman seconded Councilor Masone's comments.

Councilor French: No comment.

Councilor Ruton: Councilor Ruton asked council and the public to keep Tim Faryman and his family in your prayers. She stated that Tim's wife Teresa is very ill and at OSU hospital. While she was in the hospital, Tim's mother passed away.

Councilor Geiger: Councilor Geiger stated that he concurs with Councilor Masone to a large extent. He stated that we are trying to get the job done.

Councilor Wolfe: Councilor Wolfe thanked Rochelle, Valerie and his finance committee for their work and input on the budget. He stated that he is excited to see the results of the budget this year.

Councilor President Zwissler: Council President Zwissler thanked council members and the public for their participation in the meeting.

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

VOTE: IN-FAVOR: All YEAS; MOTION CARRIED 7-0
Meeting adjourned at 8:07 p.m.

NEXT MEETING: March 25, 2019



Valerie L. Hans, Clerk of Council



Catherine Olohan Zwissler, Council President