

Buckeye Lake Village Council Meeting
Held in Village Hall
August 26, 2019
Meeting Minutes

Call to Order: By Council President Zwissler at 7:05 p.m.

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

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

Mayor Wells

Absent: Robert Masone MD (2,6), Doug Poorman (0,1)

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

Council President Zwissler introduced Aaron Dages from the US 2020 Census.

Mr. Dages presented a 2020 Census Briefing to village council and the public. He stated that Licking and Fairfield Counties as well as the State have already created Complete Count Committees (CCCs) to help ensure that as many of their residents as possible are being counted in the upcoming census. He stated that the goals of the CCCs are to educate, encourage and engage the communities. Mr. Dages stated that the village's population according to the 2010 census was 2,762. He stated that the population numbers affect title 9 funding, grant funding and disaster relief funding just to name a few. He stated that the census data drives federal, state, & local government funding as well as school funding. Mr. Dages stated that the Buckeye Lake census tract historically has a low participation rate with 54% of the population participating in the 2000 census and 49% of the population participating in the 2010 census.

Mr. Dages gave a brief history of the census. He stated that the census was started in 1790 by Thomas Jefferson. 1970 was the first census that provided mail in forms for response. 1990 was the first census that provided a telephone response option. 2020 will be the first census to provide an electronic response portal.

Mr. Dages stated that the 2020 census has a new design to make it as easy as possible for people to participate and get counted. People will be able to respond online, by mail or by phone. If they do not respond, eventually a census taker will stop by their residence and attempt to collect their response. Mr. Dages stated that in communities where there are post office boxes, the census forms are delivered by hand. That delivery method accounts for 5% of the census forms delivered.

Mr. Dages stated that the results are for statistical data only with individual data being kept strictly confidential. He stated that this is very important for our residents to understand so they

are not afraid to answer questions thoroughly and honestly without fear of consequences. Mr. Dages stated that the Census 2020 results will be available on 3/31/2021. Mr. Dages identified some hard to count sectors of the population. Those sectors are children under 5, 18-24 year old young adults, non-english speaking people, veterans, senior citizens, immigrants, and people with disabilities. He stated that some communities are putting messages in their water bills at the beginning of 2020 reminding everyone that their census response forms are coming out and encouraging them to respond. Mr. Dages also stated that Census 2020 is using social media to encourage the best percentage of response possible.

Mr. Dages provided his contact information and stated that they are still hiring for Census 2020 jobs at pay rates of \$12.50-\$32.50 per hour. He stated that the jobs are long term temporary positions. His contact information is as follows: Aaron J. Dages, 740-877-0018, Aaron.Dages@census2020.gov

Approval of Council Meeting Minutes: Motion by Councilor Wolfe to approve the regular council meeting minutes dated August 12, 2019 Seconded by Councilor Ruton.

Roll call vote: Yays: Geiger, Ruton, Wolfe, Zwissler, French
Motion Passed 5-0.

Approval of Clerk Treasurer's Report: Motion by Councilor Ruton to approve the Treasurer's report dated August 21, 2019, seconded by Councilor French.

Roll call vote: Yays: Geiger, Ruton, Wolfe, Zwissler, French
Motion Passed 5-0.

Parks and Recreation: No report.

Planning Commission/BZA: No report.

Zoning: A report for the month of August 2019 was submitted.

Code Enforcement: A report for the months of August 2019 was submitted.

COUNCIL STANDING COMMITTEE REPORTS

Finance Committee: No report.

Public Safety Committee: No report.

Public Service Committee: Councilor Ruton stated that her committee met prior to the council meeting to discuss a resolution of support for the South Licking Watershed Conservancy District (SLWCD). The committee also discussed the need for an ordinance awarding the bid for the Highland Avenue Drainage Project. The low bidder on the project was Enviro Construction. Councilor Ruton stated that each of these pieces of legislation is on the council agenda this evening.

Community Development: No report.

Rules Committee: No report.

Personnel: No report.

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

Police Chief: A written report for July 2019 was submitted. Chief Wardlow stated that she also submitted a six (6) month report to council. She stated that Citizen's Patrol officer Mike Miller volunteered 141 hours of his time to the police department during July including 11 hours during Mopar. Chief Wardlow stated that Officer Jackson was promoted to Sergeant. She stated that Officers Weilbacher and Burfield also did a great job during Mopar. Chief Wardlow stated that ODNR asked the village to assist in patrolling the dam area. They are working to address jurisdictional issues with ODNR. She stated that the police department has auctioned off vehicles in the impound lot on govdeals.

Councilor Geiger praised Sgt. Jackson for intervening in a felonious assault on ODNR property.

Chief Wardlow stated that this case was turned over to ODNR to file charges.

Fire Chief: A written report for July 2019 was submitted.

Council President Zwissler thanked Chief Mason for agreeing to host the candidates' night events at the fire department.

Street Supervisor: A written report for the month of July 2019 was submitted.

Water Supervisor: No report.

Others: None.

Report of Council President: Council President Zwissler stated that there will be two candidates' nights at the Buckeye Lake Fire Department. The first event will be a meet and greet session on 9/18/19 from 6-8pm. The second event will be a question and answer session on 10/23/19 from 6-8pm. All persons running for elected office in Licking County are invited.

Report of Mayor in writing, and verbally by request of Council: A report dated August 26, 2019 was submitted. Mayor Wells stated that there was an error on her report. She asked council to correct the word formal in number eight (8) to read former.

ORDINANCES

3rd READING

2nd READING

1st READING

2019-35 AN ORDINANCE AWARDING THE BID FOR THE VILLAGE OF BUCKEYE LAKE HIGHLAND AVE DRAINAGE IMPROVEMENTS AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE CONTRACT BETWEEN THE VILLAGE AND SAID CONTRACTOR SUBJECT TO FUNDING, AND DECLARING AN EMERGENCY.

Motion by Councilor Ruton to suspend the rules on Ordinance 2019-35, seconded by Councilor French.

Roll call vote: Yays: Geiger, Ruton, Wolfe, Zwissler, French
Rules Suspended 5-0.

Motion by Councilor Ruton to adopt Ordinance 2019-35 as presented, seconded by Councilor French.

Councilor Wolfe asked Mr. Miller to verify that his department has the funding available.

Mr. Miller stated that the OPWC funding is 50% grant and 50% loan with a \$22,800 match. The village has that the money available and allocated to the project.

Councilor Wolfe asked why the legislation is being requested as an emergency.

Mr. Miller stated that it is being requested as an emergency because there is a pending drainage issue on Highland Avenue that results in standing water. When the weather gets colder, the water forms ice sheets and the situation becomes even more dangerous. The village would like to correct this as soon as possible to provide relief for the residents.

Roll call vote: Yays: Geiger, Ruton, Wolfe, Zwissler, French
Motion Passed 5-0.

RESOLUTIONS

3rd READING

2nd READING

1st READING

2019-14 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT AND ALL NECESSARY SUPPORTING DOCUMENTS TO PURCHASE A NEW FULLY-EQUIPPED PATROL VEHICLE FOR THE POLICE DEPARTMENT THROUGH THE STATE OF OHIO COMPETITIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

Motion by Councilor Ruton to suspend the rules on Resolution 2019-14, seconded by Councilor Wolfe.

Roll call vote: Yays: Geiger, Ruton, Wolfe, Zwissler, French
Rules Suspended 5-0.

Council members discussed the need to add an emergency clause to the resolution. Council Clerk Hans asked them to provide a reason for their need to make the resolution an emergency.

Councilor Ruton stated that the need was to submit the resolution as a supporting document and meet the 7 day deadline for submittal.

Motion by Councilor French to adopt Resolution 2019-14 as amended, seconded by Councilor Ruton.

Roll call vote: Yays: Geiger, Ruton, Wolfe, Zwissler, French
Motion Passed 5-0.

UNFINISHED BUSINESS: Councilor Wolfe stated that Code Enforcement Officer Adkins is here tonight. He stated that the village has stopped lawn service cutting temporarily due to insurance liability issues.

Code Enforcement Officer Adkins stated that the insurance company wouldn't give us an umbrella to cover the contractors doing work for us.

Mayor Wells stated that almost all of the money in the budget line item has been used, council lowered the funds and put the money in other accounts.

Councilor Wolfe stated that hopefully we will get property maintenance more money.

Council President Zwissler asked why don't we have the contractors provide their own insurance.

Code Enforcement Officer Adkins stated that the village is not protected if it is not the contractor.

Councilor Ruton asked Rod Riley, previous code enforcement officer, how he was able to do this.

Mr. Riley stated that the contractor's provided their own \$250k liability coverage at first and then was told that they would have to increase that coverage to \$1mil. They only had three contractors who were still interested.

Councilor Wolfe wants to work to get this resolved.

Mayor Wells stated that in 2014 council appropriated \$4,000 for code enforcement and that money was all used.

Councilor Geiger stated that the issue is not the money it is the insurance issue. He doesn't understand if we hire a licensed, bonded contractor why is this an issue.

Mayor Wells stated that they have asked this question to the insurance agent.

NEW BUSINESS:

CITIZENS' COMMENTS: Casey Clark, 241 Lakeview Drive, Buckeye Lake. Ms. Clark would like to see pride of ownership in her neighborhood from all of the residents. She stated that she has filed numerous complaints about flying debris and the property next to hers. The neighbor has threatened her, so she feels that she should have filed the complaints anonymously to protect herself. Ms. Clark stated that there are three homes (structures) which are all but abandoned in her neighborhood. One caught on fire over 8 months ago and still has a hole in the roof.

Councilor Wolfe asked if the property owner has been cited into court.

Code Enforcement Officer Adkins stated that the property was cited into court for the 9/3/19 court date.

Charlene Hayden, 67 Lighthouse Lane, Buckeye Lake. Ms. Hayden stated that the trees in distress on East Street are very dangerous. If they are the landowners' responsibility to maintain then the village should send them a letter. If they are the village's responsibility, then the village should remove them. Ms. Hayden stated her concern for the speeding on Cranberry Lane. She stated that people walk and walk their pets daily on this road with vehicles speeding past. Ms. Hayden is concerned that someone is going to get hurt. She would like to see the police department patrol the area. Ms. Hayden stated that she was glad to see that council supported the stormwater project. She stated that she was part of the water project and remembers that the need for legislation comes in quickly and at the last minute on these projects.

Jane Simmons, 280 Lakeview Drive, Buckeye Lake. Ms. Simmons spoke a few months ago about the three properties in dilapidated condition. She stated that since that time, new roofs were put on the properties; however they have otherwise remained unchanged. She stated that the trash on the properties is bad. Ms. Simmons stated that 231 Lakeview has standing trash on the property.

Code Enforcement Officer Adkins stated that this property will be going to trial on 9/3/19. He stated that 40 Klotz Court was posted as uninhabitable and someone took the sign down.

Councilor Wolfe stated that sometimes it takes a judge to be punitive and fix the problem.

Code Enforcement Officer Adkins stated that the judge levies fines; however the process takes time.

Debbie Rochelle, 180 Lakeview Drive, Buckeye Lake. Ms. Rochelle stated that a long time ago she worked with Rod Riley on code enforcement. She stated that 40 Klotz Court has been cited into court before. Ms. Rochelle stated that she has personally seen the homeowner trapping and drowning groundhogs in the lake. She stated that in court nothing was done. Ms. Rochelle named off 231 Lakeview Drive, 40 Klotz Court, 211 Lakeview Drive and 50 Klotz Court as properties that have had ongoing code enforcement issues.

Kate Davala, 80 Klotz Court, Buckeye Lake. Ms. Davala said AMEN to everyone who spoke before her. She stated that it is kind of a mess back in her neighborhood. Ms. Davala stated that there is an empty lot across the street from her where Rich Smith's son parks a trailer. She stated that Barry Wright told Mr. Smith's son that he could not keep the trailer on the lot before; however it persists.

Council President Zwissler stated that he has woodcutting equipment. She stated that she will try to talk with Mr. Smith and get the issue addressed.

Mayor Wells told Council President Zwissler that this is private property and you can do what you want on it. The trailer has a license and it is on his own property.

Code Enforcement Officer Adkins stated that we operate under the International Property Maintenance Code and they do not address trees or parking on the grass.

Mayor Wells, 258 Cranberry Lane, Buckeye Lake. Mayor Wells expressed her appreciation for everyone coming to the council meeting to share issues. She stated that the house at 237 Central Avenue was torn down and the property was cleaned up. The 72 year old lady living there had 3-4 of her adult children and her grandkids living on the property and not keeping it up. Mayor Wells stated that we have an awesome magistrate. She encouraged everyone to come to court to see how things run.

Mayor Wells also stated that she has asked before for a second Code Enforcement Officer and she was not able to get it approved in the budget.

COUNCIL MEMBER COMMENTS:

Councilor French: No comment.

Councilor Ruton: No comment.

Councilor Geiger: No comment.

Councilor Wolfe: No comment.

Council President Zwissler: Council President Zwissler thanked everyone for coming to the meeting. She also reminded everyone to support the farmer's market and the food truck at the Harbor.

Motion by Councilor Ruton to go into executive session to discuss employee complaints and workplace environment, seconded by Councilor French.

Roll call vote: Yays: Geiger, Ruton, Wolfe, Zwissler, French
Motion Passed 5-0.

Councilor Ruton stated that council members, Chief Wardlow, Planning Commission Chairperson Cookston, and Council Clerk Hans are the only people who will be present in executive session.

The recorder was turned off at 8:32pm. A brief recess was taken to allow for time to clear the council chambers.

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

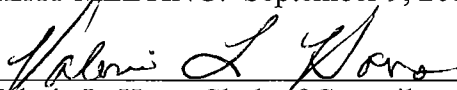
**Roll call vote: Yays: Geiger, Ruton, Wolfe, Zwissler, French
Motion Passed 5-0.**

Executive session ended at 9:58pm.

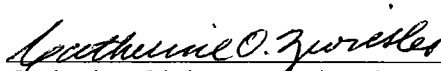
ADJOURNMENT: Motion by Councilor Wolfe to adjourn the meeting, seconded by Councilor Ruton.

VOTE: IN-FAVOR ALL YEAS; MOTION CARRIED 5-0
Meeting adjourned at 9:59 pm.

NEXT MEETING: September 9, 2019



Valerie L. Hans, Clerk of Council



Catherine Olohan Zwissler, Council President