

Buckeye Lake Village Council Meeting
Held in Village Hall
May 28, 2019
Meeting Minutes

Call to Order: By Council President Zwissler at 7:10 p.m.

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

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

Mayor Wells

Absent: Robert Masone MD (0,3)

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

Approval of Council Meeting Minutes: Motion by Councilor French to approve the regular council meeting minutes dated May 13, 2019 Seconded by Councilor Wolfe.

Roll call vote: Yays: Poorman, Ruton, Wolfe, Zwissler, French, Geiger
Motion Passed 6-0.

Approval of Clerk Treasurer's Report: Motion by Councilor Wolfe to approve the Treasurer's report dated May 22, 2019, seconded by Councilor French.

Roll call vote: Yays: Poorman, Ruton, Wolfe, Zwissler, French, Geiger
Motion Passed 6-0.

Parks and Recreation: No report.

Planning/BZA: Chairperson Cookston stated that the subcommittees have been working diligently complete the draft of the updates. Ms. Clark has been leading the charge with these subcommittees. Their next meeting is 6/4/19 at 5:00pm. The Planning Commission/BZA has been processing 1-2 applications each month. Ms. Cookston stated that there hasn't been a lot of availability in the village office to answer zoning questions.

Zoning: A report for the month of April 2019 was submitted. Mayor Wells stated that Zoning Officer Trent Cowgill submitted his letter of resignation effective 5/19/19. She will be posting for the position.

Code Enforcement: Mr. Adkins submitted a written Code Enforcement report for May 2019. Mr. Adkins stated that the first round of grass cutting is 80% complete. He stated that the homes at 340 Highland and 4924 Walnut Road have been demolished and the lots have been cleaned up

by the land bank. Mr. Adkins stated that he met with the Licking County Land Bank and learned that the Village can get reimbursed for the cleanup of properties that the land bank takes over.

Councilor Geiger asked where the funding for the land bank comes from.

Mr. Adkins answered that he believes it comes from grants and donations.

COUNCIL STANDING COMMITTEE REPORTS

Finance Committee: Councilor Wolfe stated that his committee met prior to the council meeting at 6:45pm this evening. They discussed Ordinance 2019-21 and 2019-23 and voted to recommend these ordinances to council for a vote.

Public Safety Committee: No report.

Public Service Committee: Councilor Ruton reminded everyone of her standing Public Service committee meeting on 6/3/19 at 6:00pm at The Harbor.

Rules Committee: No report.

Community Development: No report.

Personnel: No report.

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

Police Chief: A written report for April 2019 was submitted. Chief Wardlow stated that she provided a copy of the Dying in Blue program flyer. She encouraged all council members to consider attending this program.

Kevin Dorman has donated 169 hours for the month of April. He has assisted the department in inventorying items in the evidence room to get the items scheduled for destruction. As a result, the department received approval for destruction of 566 items in the evidence room.

Chief Wardlow stated that she is working on creating a Citizen's Community Patrol. She has applications available at the back of the room. Presently, Chief Wardlow has received 3 applications and she hopes to have at least 10 members of the Citizen's Community Patrol once complete.

Chief Wardlow stated that she is working on entering the historic call records into the system so the officers can reference past history on calls. This is a time consuming project that the Police Administrative Clerk could assist with if the position is created.

Chief Wardlow stated that she is working to create a safe trade zone and safe custody exchange at the village office. This will provide a safe place for people to go when selling items online

and exchanging children with custodial parents. Once the Ring system is installed these services will be advertised for anyone who could benefit from it.

Chief Wardlow stated that she has created a bicycle registration form that individuals can complete and keep on file with the police department. The forms are also available at the back of the room this evening.

Councilor Poorman asked how the Citizen's Community Patrol will work.

Chief Wardlow explained that they could assist the officers during community events and in the neighborhoods.

Councilor Poorman offered his assistance in getting the word out to the residents.

Chief Wardlow stated that her department is working toward conducting well-being checks for our residents that need this service.

Chief Wardlow reminded everyone again of the Dying in Blue training that will be on 6/13/19 from 6-8:30pm at the Buckeye Lake Yacht Club. She encouraged everyone to attend.

Councilor French stated that he has attended this training and it is very worthwhile. He asked if the village has peer to peer training.

Chief Wardlow stated that they didn't; however, COTC does have that training.

Councilor Geiger stated that he was happy to see that the police department will be doing well being checks on our residents. They really need this service.

Council President Zwissler stated that she has been receiving a lot of positive feedback about the police department.

Fire Chief: A detailed written report for April 2019 was submitted.

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

Water Supervisor: A written report for the month of April 2019 was submitted. Mr. Miller stated that the street department report contains a detailed list of all areas that are on the patch list. He stated that there has been quite a bit of work done over the last few months some of the larger areas will be addressed with the trench repair project.

Storm water updates.

Mr. Miller stated that the Highland Ave. project got an approval number from OPWC and will begin next month. He stated that they were going to wait to bid until fall and then decided to bid now and chose to hold back on awarding the bid if necessary. Mr. Miller stated that the CDBG application for the Neel Ave. storm water improvements was approved for the FY2021 cycle. He stressed that the county has now gone to a 2 year funding cycle so the project will begin next

summer. Mr. Miller stated that the cleaning and cameraing of the storm water lines will begin in the first part of June. They are meeting next week to schedule.

Mr. Miller stated that street sweeping for May is complete. He stated that the contractor did 90% in one day and yielded 5 tons of materials. It was more dirt than gravel this time.

Mr. Miller stated that the bridge and tap project preliminary survey is done and the soil borings are almost complete. He stated that they are on schedule for the first phase of this project.

Council President Zwissler stated that there is a big hole on Union St. at Lakeview. She asked Mr. Miller to look into repairing it.

Mr. Miller stated that is on private property. The previous owner had a fence there that helped control this problem.

Council President Zwissler asked Mr. Miller what he was going to do about it.

Mr. Miller stated that he will look into it but can't put asphalt into it since it is on private property.

Council President Zwissler asked when people are behind on their water bills the county is assessing it to their property taxes. Did council authorize that?

Mr. Miller stated that they did. Anything that is 90 days past due can be assessed to the property taxes.

Council President Zwissler asked for a copy of that ordinance.

Councilor Geiger asked who patched the bridge with asphalt.

Mr. Miller stated that the contractor on another project had 3 extra tons of materials and they used that material to patch the bridge. He stated that it was a time and materials job which saved the village several thousand dollars.

Councilor Geiger thanked Mr. Miller for that quick thinking to provide that repair.

Council President Zwissler stated there is still a question about the ownership of the bridge. She

Mr. Miller stated he has provided everyone a copy of that. He stated that there was an ordinance passed by council in 1984 or 1985 which addressed this. You assumed row because you are an incorporated village. ODOT took over control of it. Because we are incorporated the row of the state belongs to us due to home rule. The federal government is paying for a large portion of the project. However, the bridge belongs to the village. When the village incorporated we took in the roadways including the state highways and bridges.

Others: None.

Report of Council President: Council President Zwissler thanked the fire department and everyone who helped with the Harbor fundraiser at the fire department. It was a great event. She reminded everyone that there are community garden plots available; and encouraged everyone to sign up. Council President Zwissler thanked Mr. Miller and the street department for tilling the community garden and getting it ready for plating season. She reminded everyone that anything grown that is not needed can be donated to the Harbor or the food pantry.

Report of Mayor in writing, and verbally by request of Council: Mayor Wells provided a written report dated May 28, 2019. She asked Councilor Wolfe when he plans to have another Finance Committee meeting.

Councilor Wolfe stated that he is tentatively planning on having another meeting in two weeks at 6:30pm before the council meeting. He stated that he will let Clerk Hans know when he sets the meeting.

Mayor Wells stated that the reason she asked this question is because his other committee meeting went 5 minutes over and she didn't get to ask her question. She went on to say Mr. Miller is the Water Department Supervisor; however he does many other tasks for the village. Previously, the village had a Service Director, Tim Matheny. She would like to change Toby Miller's title to Service Director to reflect the duties that he is performing. Mayor Wells asked Councilor Wolfe if he would put this on his agenda for the next Finance Committee meeting.

Councilor Wolfe stated that he would.

Mayor Wells thanked the Police Department for their assistance during the memorial for Jim Cooper on May 18th. There were more than a dozen farm tractors present to honor his memory.

Mayor Wells congratulated the Police and Fire Chiefs for their hard work and stated that they are fantastic leaders.

Mayor Wells recognized Buckeye Lake Library Supervisor Ada Myers for her 14+ years of service at the library. She has been promoted to Circulation Supervisor at the main library in Newark.

ORDINANCES

3rd READING

2nd READING

1st READING

2019-21 AMENDING ORDINANCE 2019-14 PERMANENT APPROPRIATIONS
ORDINANCE AND DECLARATION OF EMERGENCY.

Motion by Councilor Ruton to suspend the rules on Ordinance 2019-21, seconded by Councilor Poorman.

Roll call vote: Yays: Poorman, Ruton, Wolfe, Zwissler, French, Geiger

Rules Suspended 6-0.

Motion by Councilor Ruton to adopt Ordinance 2019-21 as presented, seconded by Councilor Poorman.

Roll call vote: **Yays:** Poorman, Ruton, Wolfe, Zwissler, French, Geiger
Motion Passed 6-0.

2019-22 AN ORDINANCE TO ESTABLISH A POLICE ADMINISTRATIVE CLERK POSITION FOR THE VILLAGE OF BUCKEYE LAKE, OHIO.

Motion by Councilor Poorman to suspend the rules on Ordinance 2019-22, seconded by Councilor Wolfe.

Roll call vote: **Yays:** Poorman, Wolfe, Zwissler, French, Geiger
 Nays: Ruton

Rules Suspended 5-1.

Motion by Councilor Poorman to adopt Ordinance 2019-22 as presented, seconded by Councilor French.

Councilor Ruton asked if this Ordinance has been through the Personnel or Finance Committees.

Council President Zwissler stated that there is a job description attached to the ordinance. Councilor Ruton stated that we always say things need to come to the committees before going to council.

Councilor Wolfe asked the Police Chief to discuss this position further with council. She then stated that she has lots of catching up to do and as a result, people are not seeing her on the streets enough. Chief Wardlow stated that having an administrative person in the office on a regular basis would allow the office to be open scheduled hours. She further stated that it would allow the administrative work to be done by a qualified, trained civilian employee. Chief Wardlow stated that the department's call volume is up.

Councilor Ruton asked Chief Wardlow if she had someone in mind for the position.

Chief Wardlow stated that she did. The person is Kevin Dornan. He has 12 years of law enforcement experience in Licking County and is trained, qualified and background checked. Chief Wardlow introduced Mr. Dornan to speak at this time.

Mr. Dornan stated that he stepped away from law enforcement to start his own company. He explained that his company installs equipment such as light bars, cages, etc. in law enforcement vehicles and that is how he met Chief Wardlow. Mr. Dornan stated that he fell in love with her compassion for the community. He stated that he believes in the direction she is taking the new officers and the police department. Mr. Dornan stated that he would like to share his knowledge and resources to assist the community.

Councilor Wolfe stated that he would like to see hours for the administrative clerk split up so the police department can be open some evening and weekend hours.

Chief Wardlow and Mr. Dornan stated that he is able to be flexible with his hours.

Roll call vote: Yays: Poorman, Ruton, Wolfe, Zwissler, French, Geiger
Motion Passed 6-0.

2019-23 AN ORDINANCE AMENDING ORDINANCE 2010-45, 2011-14, 2012-07, 2012-13, 2012-15, 2013-01, 2013-04, 2013-24, 2015-13, 2016-08, 2018-11, 2018-14 AND 2018-29 REGARDLESS OF THE EFFECTIVE DATE, CREATING PAY LEVELS AND SALARY SCHEDULES FOR EMPLOYEES OF THE VILLAGE OF BUCKEYE LAKE, OHIO

Motion by Councilor Ruton to suspend the rules on Ordinance 2019-23, seconded by Councilor Poorman.

Roll call vote: Yays: Poorman, Ruton, Wolfe, Zwissler, French, Geiger
Rules Suspended 6-0.

Motion by Councilor Poorman to adopt Ordinance 2019-23 as presented, seconded by Councilor Wolfe.

Roll call vote: Yays: Poorman, Ruton, Wolfe, Zwissler, French, Geiger
Motion Passed 6-0.

RESOLUTIONS

3rd READING

2nd READING

1st READING

UNFINISHED BUSINESS: Council Clerk Hans stated that two pieces of legislation, Ordinance 2019-17 and Ordinance 2019-18 which were passed and signed at the last meeting had a typo in them. She explained that the Ordinances referenced the temporary appropriations number instead of the permanent appropriations number. Mrs. Hans stated that in the past, typos were simply corrected and resigned; however Mayor Wells has asked the council discuss these two ordinances at council before she resigns them.

Councilor French stated that he does not see an issue with correcting the typos.

Motion by Councilor Poorman to correct the typographical errors, changing referencing Ordinance number 2019-11 to 2019-14 in Ordinances 2019-17 and 2019-18, seconded by Councilor French.

Roll call vote: Yays: Poorman, Ruton, Wolfe, Zwissler, French, Geiger
Motion Passed 6-0.

NEW BUSINESS: Council Clerk Hans read an application to transfer a liquor license in safekeeping to TRD Buckeye Lake Development Co LLC DBA Boat Yard at Buckeye Lake. She stated that the request is for the D2, D2X, D3, and D3A licenses are presently owned by

Bryan C. Bragg DBA Beechridge Lounge and are in safekeeping. Council Clerk Hans asked if there were any questions or valid objections that council would like to present on the application.

Councilor Geiger asked if this is relating to Wendell Parkinson's application.

Council Clerk Hans stated that it is not.

Council Clerk Hans stated that she will return the paperwork back with no objections and no requests for a hearing.

CITIZENS' COMMENTS: None.

COUNCIL MEMBER COMMENTS:

Councilor Poorman: Councilor Poorman asked Mayor Wells to look into the missing revenue for properties in the village that are operating as Airbnbs.

Mayor Wells asked if we have any Airbnbs in the village.

Council President Zwissler stated that there is one right around the corner from her house.

Councilor Poorman stated that Airbnb should be facilitating the collection of the bed tax. However, he asked if Mayor Wells could look into this further.

Mayor Wells stated that she will contact the Licking County Auditor and check into this.

Karen Cookston stated that a few years back, this question was asked of the solicitor. At the time, it was stated that the number of beds is how to determine if Airbnb should be collecting bed tax on a property. She further stated that they looked into this from a zoning level and determined that it was a gray area in our zoning code. Ms. Cookston stated that it also becomes an issue to consistently monitor and enforce these types of businesses. She stated that they determined that short term rental was less than 3 months anything more was considered long term rental.

Councilor French: No comment.

Councilor Ruton: Councilor Ruton stated that back in April council passed an Ordinance to have the cameras taken down in council chambers. She would like to know when they will be taken down.

Mayor Wells stated that we've had people come before council to give an estimate for a new audio system in the past and it was costly. She then stated that in her Mayor's report she mentioned that Pataskala Police Department offered the village the audio/video system that they had in their old building. It was recently installed and is worth approximately \$15,000. They no longer need it as they just built a new building. We would have to take it down in their building and reinstall it at our building. Mayor Wells stated that it can be controlled from the podium to turn on and off for meetings. Mayor Wells also stated that the cameras are turned off for council meetings and committee meetings; however there are some meetings that the administration

wants to record. She stated that the Magistrate wants Mayor's Court to be recorded. Mayor Wells stated that she understands that Best Electric came out to look at the cameras in council chambers.

Councilor Ruton stated again that the ordinance was passed and she wants to know when the cameras will be coming down.

Mayor Wells stated again that they are turned off.

Councilor Ruton stated that was not the point. Council passed an ordinance that they want the cameras to come down and she wants to know when they will be coming down.

Mayor Wells asked when council will discuss the audio/video system that has been offered to us by Pataskala Police Department.

Councilor Wolfe stated that we should contact the Pataskala Police Department and find out more information on the audio.

Councilor Ruton stated that when she called Best Electric back to schedule a time for them to take down the cameras, she was told that Mayor Wells told them if they did the work, they would be arrested or not paid.

Councilor Geiger stated that if the audio/video system being offered to the village from the Pataskala Police Department is desired, council needs to get more information on it so they can make a decision. For example, he would like to know how it works, and why they are getting rid of it instead of transferring it to their new building.

Councilor Wolfe: No comment.


Councilor Geiger: Councilor Geiger stated to Mr. and Mrs. Thompson that he had a similar situation with undesirable activity going on in his neighborhood a few years back. He applauded them for standing up and attempting to seek out a change in the situation.

Council President Zwissler: Council President Zwissler thanked everyone for working together to get things done this evening. She also thanked Mayor Wells and Council for working together.


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

VOTE: IN-FAVOR ALL YEAS; MOTION CARRIED 6-0
Meeting adjourned at 8:18 pm.

NEXT MEETING: June 10, 2019



Valerie L. Hans, Clerk of Council



Catherine Olohan Zwissler, Council President

