

**Mayor's Report to Council  
Village of Buckeye Lake  
February 12, 2018**

**NEW LEGAL COUNSEL**

**Council Action Needed**

I am appointing Hayes Law Offices located in Pataskala as Legal Advisor for the Village of Buckeye Lake. Our primary legal advisor will be Dan Hayes who has extensive municipal experience. We will also have access to Laurie Wells (no relation) who is a real estate specialist and should prove invaluable in addressing property maintenance issues. I am asking for council to affirm the appointment and give me the authority to sign the contract. Hayes Law will not be involved in criminal prosecutions in Mayor's Court or Licking County Municipal Court. Dan Hayes hoped to be here tonight but has come down with the flu. He will attend a future council meeting.

**ODNR's "OPTION TO PURCHASE PROPERTY" - THE SPILLWAY LOT**

**Council Action Needed**

On April 24, 2017, ODNR offered to purchase the vacant lot at 4831 Walnut Road which provides contractors access to the dam project. On 9/13/17, the village communicated interest in proceeding. In January 2018, I made contact with Tara Paciorek, ODNR's Office of Real Estate, after which she reported they would comply with our request to replace the sidewalk after the construction project is completed. However, they also agreed to compact the existing material in order to allow for wheelchairs to pass temporarily. Originally, it was to be replaced with like material (asphalt); however, I requested concrete. It will be done to industry standards and the parcel will not be used for parking or excessive heavy equipment access as per Ms. Paciorek. The price agreed upon was \$22,000. In 2017, by a floor motion, council approved the contract but did not specifically authorize the mayor to sign the contract. Therefore, I would ask that council would provide that authorization with the minor noted revisions. *I would suggest we place this "\$22,000 windfall" in a separate account to start addressing property maintenance code violations/clean up, etc.*

**WATER RATE ADJUSTMENT**

**Council Action Needed**

We appreciate the willingness of council to re-consider the water rate ordinance in order to soften the impact on our customers. As you know, our water distribution system was up and running in 2010 and we buy our bulk water from Millersport. In that period, Millersport has raised the cost of our bulk water four times but we haven't kept up with those increases. We've raised our customer rates twice in that same period. Previously, council was told it wasn't necessary but in 2016, the water supervisor went from part-time to full-time. That along with other factors, i.e., insurance costs contributed to the shortfall. The RCAP water rate study suggested an even greater increase but our water department held the rate down. Still, when it was discovered that the increase was just too significant, we consulted Charlie Prince for his help to structure a more affordable option for our customers. In the process of multiple meetings and calculations, we also met with Millersport to discuss our future contract. Our relationship with Millersport is mutually beneficial. They need customers and we need water. To our benefit, the contract states that Millersport cannot charge Buckeye Lake a rate which is higher than what they charge their own village residents. We informally discussed an agreement whereby, in exchange for a contribution from Buckeye Lake to help defray the cost of their iron filter, they would extend our contract another ten years. It was proposed that this contribution could come from our capital improvement fund. (As our 2/9/18 letter to council points out, our water system's overall health is good. Our debt fund balance on 1/1/18 was \$328,372.08; our annual debt payment is \$50,289.36.) The discussions with Millersport are only in the early stages; the water contract is not up until 2020.

### **PAY RATES FOR SAFETY FORCES**

My recommendations for fire and police pay raises has been submitted to the Finance Committee. These raises are necessary to deter turnover and save training costs that are wasted when personnel leave after we pay for their training.

### **FINANCE**

Clerk-Treasurer Mary Jennings' last day was Friday, February 2. She took a similar position in Delaware County making a much higher pay rate. We wish Mary the best and thank her for her five years of service to our village. Water Clerk Michelle Shumaker was able to do the payroll and pay a few bills this past week. Interim Clerk-Treasurer Chris Kerby worked 6 hours on Saturday, February 10 paying bills and making suggestions for us in managing our budget and providing some guidelines which will give us more flexibility in using our UAN system. He also printed off various reports to review and clean up/delete duplications making the reports easier to read. Thanks to Licking Township Clerk Andrea Lynch for her assistance in helping us locate Chris. He comes highly recommended from UAN.

### **2016-2017 AUDIT**

Ken Phillips with Wilson, Phillips & Agin, CPAs from Zanesville once again is conducting the state audit on our finances. The firm was selected by the State Auditor's office and started last week on Feb 8<sup>th</sup> and 9<sup>th</sup>. Ken has two other individuals assisting him and they will return on Feb 12<sup>th</sup> and into the week. This mayor requested that village council have the benefit of a consultation meeting with the auditor when the audit report is available. The auditor put the meeting on his schedule.

### **AUDIT OF IT SYSTEM**

Toby Miller and I met with Dayta Network Services from Newark to discuss our computer system. They will be auditing our system at an estimated cost of \$750-1,000 to make sure we have the proper security in place and to offer any additions or corrections that are needed to our overall system. We discussed speed, virus protection, offsite access, server, hardware, software, website, email, passwords (Roboform.com), policies, and the 2017 hacking on our phone system. We will be setting up emails for all council members to manage their government emails in order to be in compliance with Sunshine Laws. I would ask that the Personnel Committee review our personnel handbook to add much needed language regarding the personal use of our computers.

### **COMMERCIAL BUILDING CODE: STATE OF OHIO vs. LICKING COUNTY**

After speaking with some of our local developers and contractors, I recommend that we switch to Licking County in managing our commercial building code permits. I understand that it sometimes takes months with the state of get a project processed compared to just a few weeks with the county. Also, lets keep our fees local in our own county. This will be a good start in supporting our current and future business community.

### **HEALTH INSURANCE UPDATE**

Consultant Charlie Prince can provide an update upon council request on current litigation in the case of OPEC-HC members vs. Ohio Insurance Services, Jefferson Health Plan (JHP). Charlie Prince can provide an update tonight if council would like the details.

### **CENTRAL OHIO DRUG ENFORCEMENT (CODE)**

Lt. Paul Cortright contacted Chief Hanzey in order to set up drug interdiction training but it's been delayed due to a medical issue that needs to be resolved first.

### **FLOODING ISSUES ON HIGHLAND**

There are two separate but very large puddles of water that accumulate on Highland, one block off of East Street, with each rainstorm or snow melt. We dug a shallow ditch along Highland and down around the platted but undeveloped portion of Monroe to drain the street. In order to drain the area on Highland closest to East Street, that's a tougher problem to solve even in the short term. The only solution we've come up with is to use a sump pump to siphon the water up and haul it away after each rainfall. It's going to be a bit labor intensive but we've got to give the residents the relief they deserve until next year when we'll be applying for a grant for a permanent solution.

### **FUTURE BRIDGE PROJECT**

Water Supervisor Toby Miller, consultant Charlie Prince, ADR reps and this mayor met with Englefield reps at the BP Gas Station to discuss our Transportation Alternatives Program (TAP) Grant application which includes a proposed realignment for bridge access to the BP, McDonalds and future development in the old truck stop area. Both old bridges would be replaced with one new one lined up with the traffic light. Another TAP grant would also fund the completion of the existing sidewalks along Rt. 79, three crosswalks, signals, curbed medians and connecting storm sewers.

### **CODE ENFORCEMENT**

In 2017, the mayor appointed a volunteer code enforcement officer for the neighborhoods of Cranberry Bay and the Carlin Addition. I believe this individual had good intentions but as it turned out, she only worked one case which involved her neighbor. I'm not aware of any training offered to this volunteer except for the issue of the manual adopted by village ordinance: International Property Maintenance Codes. As the year progressed, her neighbor did make progress and cleaned up his property. 'Before and after' photos were provided by our paid code enforcement officer. The neighbor was cited into mayor's court last week. After studying this case, I requested that the magistrate dismiss the case for several reasons. First, the gentleman did demonstrate considerable compliance. Secondly, I considered this case a liability to our village because of the APPEARANCE, and I emphasis APPEARANCE that the village deputized a private citizen to target their neighbor. Perhaps that wasn't the intent, however, it could have reasonably been interpreted to be the case. Therefore, our Solicitor provided a Motion to Dismiss and the Magistrate dismissed the case.

On a related subject, our paid code enforcement officer filed his most recent report in October 2017. Therefore, this mayor informed the officer that the expectation forward will be that a substantial monthly report would be required in order to receive a \$400 stipend. Furthermore, the village needs and expects documentation of code enforcement activity throughout the entire year and it's this mayor's goal to step up all activity related to code enforcement. Our new legal counsel will be an important resource and support in our enforcement efforts. As a reminder, the top issues this mayoral candidate heard from residents throughout the village was exterior property code enforcement, demolishing nuisance structures and illegal drug activity.

### **MUNICIPAL BUILDING MAINTENANCE**

New Council Member Bill French and new Planning Commission Member Doug Stewart met at village hall to perform maintenance on furnace filters and address minor electrical issues - all in an effort to comply with Bill's earlier safety inspection of our building. Thanks to Bill and Doug!

### **EXPANSION OF BUCKEYE LAKE BREWERY to include production plant/tour groups**

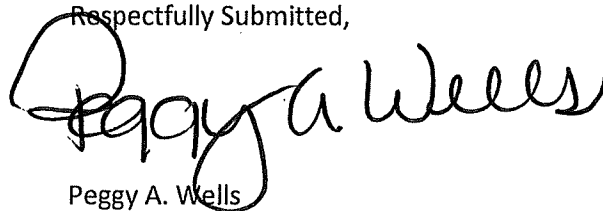
Property Owner and Landlord Steve Schilling is combining several lots directly behind the brewery. They first came to us with a plan to build a 2,000 sq. ft production plant with a viewing area for tour groups. They want to make it a Landmark building with branding on the East side of new structure. We offered removal of blue fence to facilitate viewing the "Landmark Building."

In the last few days, we were asked if the Village would parcel off a strip of land along the West edge of our lot including the **drive-thru** to be demolished to provide more space for the building and parking. My suggestion was to lease the drive-thru building from village; modify it if necessary and build a new building on Schilling's property using the drive-thru as a compliment or annex to the new production plant. Each building would remain with separate owners on separate lots. Mr. Schilling suggested that we get an appraisal before he would be able to come up with an offer. I stated that it needed to be a mutually acceptable appraisal that would be independent of both parties or multiple appraisals. Council will need to consider whether any of these options are in line with the village's future use of the property.

### **WINTERFEST**

Our village parking lot served as the launching pad for WINTERFEST since ODNR denied the Chamber permission to use the North Shore State Park due to the construction project. Chamber President Tim Ryan read the annual Proclamation kicking off Winterfest activities around the lake. Benny the Bass made his annual appearance in the huge fish tank but he didn't take the bait! Therefore, his prognostication was six more weeks of Winter. Afterwards, the large crowd viewed the 7 a.m. fireworks from the village parking lot. They were set off from Fairfield Beach this year because of ODNR's rules this year.

Respectfully Submitted,

A handwritten signature in black ink that reads "Peggy A. Wells". The signature is written in a cursive, flowing style.

Peggy A. Wells  
Mayor