

Buckeye Lake Village Council Meeting  
Held in Village Hall  
**February 24, 2020**  
Meeting Minutes

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

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

**Roll Call:** Present: John Geiger (0,0), Linda Goodman (0,0), John Lemmon (0,0),  
(Consecutive Total Absences) Kitty Zwissler (0,0) Melissa Beard (0,0) Don Cable (0,0), Bill French (0,0)

Mayor Wells

Absent: None

**Staff Present:** Valerie Hans, Clerk of Council; Scott Hite, Fire Chief.

**Approval of Council Meeting Minutes:** Motion by Councilor French to approve the regular council meeting minutes dated February 10, 2020 Seconded by Councilor Zwissler.

Councilor Zwissler asked if the visiting clerks are here to answer questions.

Mayor Wells stated that they will be available after the meeting to do so.

Councilor Zwissler stated that she wants to hear from them before voting on financial reports.

Councilor Lemmon agreed that would be helpful.

**Roll call vote:** Yays: Geiger, Goodman, Lemmon, Zwissler, Beard, Cable, French.  
**Motion Passed 7-0.**

**Approval of Clerk Treasurer's Report:** Motion by Councilor Lemmon to bring the Treasurer's report dated February 8, 2020 off the table and back to the council floor, seconded by Councilor Goodman.

**Roll call vote:** Yays: Geiger, Goodman, Lemmon, Zwissler, Beard, Cable, French.  
**Motion Passed 7-0.**

Motion by Councilor French to approve the Treasurer's report dated February 8, 2020, seconded by Councilor Lemmon.

Councilor Zwissler stated again that she wants to hear from the visiting clerks before voting on financial reports.

**Roll call vote:** Yays: Geiger, Goodman, Lemmon, Beard, Cable, French.  
Nays: Zwissler

**Motion Passed 6-1.**

Motion by Councilor Lemmon to approve the Treasurer's report dated February 22, 2020, seconded by Councilor French.

**Roll call vote:**           **Yays:** Geiger, Goodman, Lemmon, Beard, Cable, French.  
                                  **Nays:** Zwissler

**Motion Passed 6-1.**

**Parks and Recreation:**       Kellie Green gave a verbal report for the Parks and Recreation Commission. She thanked the Finance Committee and Council for their support and appropriation of funds for the Parks and Recreation Commission. She stated the commission is getting ready to go for spring with projects. The basketball court will be resurfaced and striped for both basketball and pickleball. Additional mulch will be added to areas where it is needed. Broken and worn swings will be replaced and trees will be added to replace ones that were stolen. She stated that Annetta Macedonia is working with the Village of Hebron to get trees if there are any leftover after an upcoming project. Ms. Green stated that the commission's next monthly meeting will be on 3/3/2020 at 5:30pm.

Councilor Zwissler asked if the commission would be interested in funding for a walking path around the park, bleacher funding or sports field funding.

Ms. Green stated that the commission has considered these items and is interested if the opportunity is appropriate. She stated that the commission was approached by a little league team who wanted to resurface the field, rebuild the dugouts and replace bleachers for use of the field as their home field. However, it is not clear at this point if they are willing to bear the cost of ongoing maintenance of the field. The commission will be looking into this further before proceeding.

**Planning Commission/BZA:**       Chairperson, Karen Cookston gave the 2019 Annual Report for the PC/BZA. She stated that the Planning Commission handles regular activity such as lot splits, lot combinations and lot reconfigurations. While the BZA handles items that do not conform to the zoning code. She stated that both commissions do fly-bys (informal discussions prior to making application) for convenience in the absence of having a development director. Chairperson Cookston stated that all of the meeting minutes are on file in the Village Office and anyone is welcome to attend the meetings.

Chairperson Cookston highlighted some of the important projects that the commission addressed this past year. She stated that Casey Clark headed up the Zoning Subcommittee which spent over 770 volunteer hours reviewing and rewriting the zoning code book. She stated that the document is now ready for legal review to check for conflicts and consistency. Chairperson Cookston stated that this year the commission will ask for RFPs for the legal review. She stated that after the review is complete, Planning Commission will have several public meetings before recommending the approval of the updates to council. Council will also need to have a public hearing before legislation to approve the updates goes to council.

Chairperson Cookston stated that B & Bs are also a hot issue. The commission is looking at the best way to manage these going forward. She stated she participated in the CANHMP meetings at the county level which she has done since 2017. Chairperson Cookston highlighted 2019 projects such as Rick Baker's unique development, the Landings at Maple Bay, Slocum Ave. lot splits, and PharmaCann. She stated that these projects were all time intensive and the Planning

Commission volunteers did a great job reviewing them and moving them forward. However, these are all instances of why the village needs a development director to manage these tasks.

Chairperson Cookston stated that the sign regs and issues took on an ugly note in the summer during MOPAR. She reminded council and the public that everyone on the commission is a volunteer and when people come to the meetings acting disrespectfully that is not good. She stated that in the fall they had a great Opportunity Zone seminar with great discussions on the topic. Chairperson Cookston stated that the entire hour-long session is online on the Buckeye Lake 2036 website if you would like to view it. Chairperson Cookston stated the 2019 Activity Report is also attached to the report. She stated that the commission is dealing with more flood plain issues. She stated that Council Clerk Hans is the person best equipped to manage these items as she has the knowledge and experience to do so. She reiterated that everyone on the commission is a volunteer and they really need a development director. She stated that Council Clerk Hans is their best resource; however, they need all of the departments to work together. Chairperson Cookston stated that everyone hears when there is something bad said; however, there are many great things that the commission is doing. The members are reaching out to people and working with them because they truly care about the future of the village. Chairperson Cookston provided a written copy of the annual report and activity report which are attached to the council record.

Councilor Lemmon asked if there is a regulation for the Landings at Maple Bay that the developers have to keep the roads clean.

Chairperson Cookston stated that was a handshake agreement; however, they have been very willing to work with the village.

Councilor Zwissler asked if the trees on Hunts Landing Road in the Flood Plain are going to be clear cut.

Chairperson Cookston stated that she does not believe this will occur. She stated that there are buffer zones and wetlands but there are also dead trees. The developer is required to remove the dead trees.

Mayor Wells stated that she doesn't feel it is appropriate for a volunteer commission to be issuing RFQs.

**Zoning:** A report for the month of January 2020 was submitted.

**Code Enforcement:** An annual report for January 2020 was submitted.

## **COUNCIL STANDING COMMITTEE REPORTS**

**Finance Committee:** Councilor Lemmon stated that they are getting near closing out the 2019 budget. He understands this has been a frustrating process for everyone. Councilor Lemmon stated that he still feels that he needs more information. He stated that the Police Department has been operating in the red for quite a while and this means that the general fund has to supplement them. He stated that the Village has a police levy set to expire at the end of 2020 and we need to consider renewing or replacing that levy. Councilor Lemmon also stated that the Fire Department has operated in the black for a while; however, that is changing. He stated that they

received \$355K for their 2020 budget. That is not a realistic number since their personnel costs alone are \$301K. Their budget actually needs to be closer to \$463K with their current personnel costs and the need for a new medic. Unfortunately, that number is not workable either. Councilor Lemmon suggested that the Fire Department and the Mayor need to get together and look at their personnel costs. He stated that council can review their spending again down the road and consider if there is money in the budget to add additional items.

**Public Safety Committee:** No report.

**Public Service Committee:** Councilor French stated that his committee reviewed the trash complaints that Councilor Beard brought to them. He stated that he contacted the company and received a response to each of the issues in addition to their policies. Councilor French stated that he asked Council Clerk Hans to send the responses out to the council members, and she did so last week.

Councilor Beard asked why the policies were not included in the contract.

Councilor Cable stated that a contract is different than policies.

Mayor Wells stated that she was not aware of these trash policies. If so, she would have recommended that they change their policy or the Village should have not signed an extension to the contract.

**Personnel:** Councilor Goodman stated that her committee met prior to the council meeting this evening and discussed an application for zoning officer. Mayor Wells plans to meet with the applicant and then have them meet with council if they are a suitable candidate. Councilor Goodman stated that her committee is working on revisions to the employee handbook. She stated that the document is not in bad shape, the Village just needs to adhere to it. Councilor Goodman stated that her committee needs to compare the employee handbook and the charter for consistency and compliance.

**Rules Committee:** Councilor Cable stated that his committee met prior to the council meeting and discussed section 44 of the council rules. He stated that there are conflicts with this section and the employee handbook. Councilor Cable asked his committee to look over both documents as well as the charter and to clarify and eliminate the conflicts between the documents.

**Community Development:** Councilor Zwissler stated that her committee is working on updating the business list for the Village. She stated that she asked each of the council members to call some of the companies and get their updated contact information. She is also working with the Mayor on how to spend the \$125K streetscape grant money. Councilor Zwissler stated that council needs to work with the Police and Fire departments to make sure they are well funded.

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

**Police Chief:** A written report for January 2020 was submitted.

**Fire Chief:** A written report for January 2020 was submitted.

**Street Supervisor:** No report.

**Water Supervisor:** A written Public Works Council Update for February 2020 was submitted.

**Others:** None.

**Report of Council President:** No report.

**Report of Mayor in writing, and verbally by request of Council:** No report.

**ORDINANCES**

3<sup>rd</sup> READING

2<sup>nd</sup> READING

1<sup>st</sup> READING

**2020-09 AMENDING ORDINANCE 2019-51 PERMANENT APPROPRIATIONS  
ORDINANCE AND DECLARING AN EMERGENCY.**

Motion by Councilor Lemmon to suspend the rules on Ordinance 2020-09, seconded by Councilor Goodman.

**Roll call vote:** Yays: Geiger, Goodman, Lemmon, Zwissler, Beard, Cable, French.  
**Rules Suspended 7-0.**

Motion by Councilor Zwissler to adopt Ordinance 2020-09 as presented, seconded by Councilor Beard.

**Roll call vote:** Yays: Geiger, Goodman, Lemmon, Zwissler, Beard, Cable, French.  
**Motion Passed 7-0.**

**2020-10 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, 2018-29, 2019-23, 2019-36 AND 2019-43 CREATING PAY LEVELS AND SALARY SCHEDULES FOR EMPLOYEES OF THE VILLAGE OF BUCKEYE LAKE, OHIO AND DECLARING AN EMERGENCY.**

Motion by Councilor French to suspend the rules on Ordinance 2020-10, seconded by Councilor Lemmon.

**Roll call vote:** Yays: Geiger, Goodman, Lemmon, Zwissler, Beard, Cable, French.  
**Rules Suspended 7-0.**

Motion by Councilor French to adopt Ordinance 2020-10 as presented, seconded by Councilor Goodman.

**Roll call vote:** Yays: Geiger, Goodman, Lemmon, Zwissler, Beard, Cable, French.  
**Motion Passed 7-0.**

**RESOLUTIONS**

3<sup>rd</sup> READING

2<sup>nd</sup> READING

1<sup>st</sup> READING

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:** No comment.

**CITIZENS' COMMENTS:** Bonnie Mansfield, 136 Anchor's Way, Buckeye Lake. Ms. Mansfield stated her concerns about the comments that Dr. Poorman made at the last meeting. She reiterated that the animal rescue group has not had several different names. She also stated that they have a \$0 balance with Pet Plex. Ms. Mansfield stated that she has never behaved in a threatening manner to Dr. Poorman or his staff. She stated that when Dr. Poorman was questioned about issues, he stated that if we didn't like the way he did business, we should go somewhere else. Ms. Mansfield provided written documentation of her rebuttal which is attached to the council record.

Darryl Ewart, 15042 Twp. Rd. 403. Mr. Ewart stated that he has serious concerns about the trash service provider. He stated that his previous tenant had an outstanding bill from 2017 that he was not made aware of until his current tenant signed up for trash service. In addition, they billed him for bad debt recovery and collections fees. The provider also billed his tenant for 6 months of back trash service since they had service elsewhere when they first moved in. Mr. Ewart stated that he filed a claim against them in small claims court. Their attorney wanted to move the case to municipal court. Mr. Ewart feels that they are a fraudulent company and does not want to do business with them. He encouraged council to look into the resident complaints.

Mayor Wells and Chairperson Cookston both described their bad experiences with tenant trash issues.

Mayor Wells asked if he would be willing to share his documentation of the complaints with the council members.

Mr. Ewart agreed to do so.

Arletta C. Ruton, 99 Elmhurst Ln., Buckeye Lake. Ms. Ruton stated that while she agrees with Councilor Lemmon that we should have balanced budgets in the departments, she has a concern. She stated that the fire department received a reimbursement grant for a stair chair; however, they were unable to purchase the chair and apply for the reimbursement. The previous Clerk/Treasurer told them that funds were not available. She is concerned that not taking advantage of the grants awarded to the department will affect their future ability to get grants.

**COUNCIL MEMBER COMMENTS:**

**Councilor Cable:** No comment.

**Councilor Lemmon:** Stated that he supports the Fire and Police Departments and looks forward to working with them.

**Councilor Goodman:** Thanked the Parks and Recreation Commission and the PC/BZA for their thorough reports.

**Councilor French:** Thanked Karen Cookston and Casey Clark for their hard work on the PC/BZA. He stated that he is very impressed with the work that they do.

**Councilor Beard:** No comment.

**Councilor Zwissler:** Thanked Karen, Casey, Kellie, Kaye and Teresa for their hard work. She stated that they are very important to the Village.

**Council President Geiger:** Stated that there was a request to go into executive session before ending this meeting.

**EXECUTIVE SESSION:**

Motion by Councilor Lemmon to go into executive session to discuss a personnel matter, seconded by Councilor Beard.

Council President Geiger stated that only elected officials and the visiting clerks will be permitted to remain in executive session.

**Roll call vote:** Yays: Geiger, Goodman, Lemmon, Zwissler, Beard, Cable, French.  
**Motion Passed 7-0.**

**EXECUTIVE SESSION BEGAN AT 8:44PM. THE RECORDER WAS TURNED OFF.**

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


**Roll call vote:** Yays: Geiger, Goodman, Lemmon, Zwissler, Beard, Cable, French.  
**Motion Passed 7-0.**

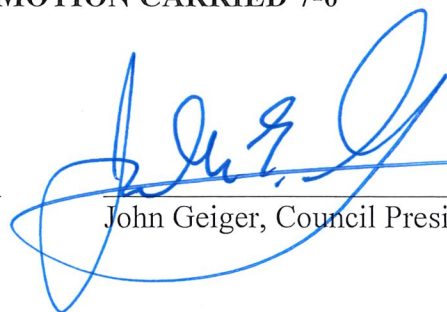
**EXECUTIVE SESSION ENDED AT 9:46PM. THE RECORDER WAS TURNED BACK ON.**

**ADJOURNMENT:** Motion by Councilor Goodman to adjourn the meeting, seconded by Councilor Lemmon.

**VOTE: IN-FAVOR ALL YEAS; MOTION CARRIED 7-0**  
Meeting adjourned at 9:47 pm.

NEXT MEETING: March 9, 2020

  
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Valerie L. Hans, Clerk of Council

  
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John Geiger, Council President

