

Buckeye Lake Village Council Meeting
Held in Village Hall
January 6, 2020
Meeting Minutes

Call to Order: By Mayor Wells at 7:00 p.m.

Pledge of Allegiance and Moment of Silence: Lead by Mayor Wells.

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

Mayor Wells

Absent: None

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

Village Council Election of Officers

Mayor Wells opened the floor for nominations for Council President.

Motion by Councilor Lemmon to nominate Councilor Geiger for Council President, seconded by Councilor Cable.

Motion by Councilor Goodman to nominate Councilor Zwissler for Council President, seconded by Councilor Lemmon.

Motion by Councilor French to close the nominations, seconded by Councilor Zwissler.

Votes for Councilor Geiger as Council President: Beard, Cable, French, Geiger

Votes for Councilor Zwissler as Council President: Goodman, Lemmon, Zwissler

Councilor Geiger will be Council President by a margin of 4-3 for 2020 & 2021.

At this time council members moved from the conference table to their chosen seats and Councilor Geiger moved to the Council President's seat to take over conducting the meeting.

Council President Geiger opened the floor for nominations for Council President Pro Tempore.

Motion by Councilor Lemmon to nominate Councilor Cable for Council President Pro Tempore, seconded by Councilor Beard.

Motion by Councilor Goodman to nominate Councilor French for Council President Pro Tempore, seconded by Councilor Zwissler.

Motion by Councilor Zwissler to close the nominations, seconded by Councilor Beard.

Votes for Councilor Cable as Council President Pro Tempore: Beard, Cable, Lemmon

Votes for Councilor French as Council President Pro Tempore: French, Geiger, Goodman, Zwissler

Councilor French will be Council President Pro Tempore by a margin of 4-3 for 2020 & 2021.

Approval of Minutes:

Motion by Councilor French to approve the council meeting minutes dated December 9, 2019, seconded by Councilor Zwissler.

Roll Call Vote: Yeas: Geiger, French, Zwissler

Abstentions: Beard, Cable, Goodman, Lemmon

Motion Passed 3-0 with 4 abstentions.

Motion by Councilor French to approve the special council meeting minutes dated December 30, 2019, seconded by Councilor Geiger.

Roll Call Vote: Yeas: Geiger, French, Zwissler

Abstentions: Beard, Cable, Goodman, Lemmon

Motion Passed 3-0 with 4 abstentions.

Approval of Clerk Treasurer's Report: No report.

APPOINTMENTS AND PRESENTATIONS:

Mayor Wells introduced Nicole Gieseler as her appointment for Interim Clerk/Treasurer. She stated that council members had the opportunity to meet and interview Ms. Gieseler this afternoon. Mayor Wells asked council members if they wanted to vote on her confirmation now or later in the meeting during the ordinances.

Council Clerk Hans stated that there is legislation to confirm the interim Clerk/Treasurer under Ordinances for 1st reading.

Council members stated that they were fine confirming her later in the meeting by Ordinance.

Mayor Wells stated that there will also be legislation to bring in a visiting clerk, Melanie Smith, to train Ms. Gieseler on the items that she is not as familiar with.

Mayor Wells introduced Brad Nicodemus from Nicodemus Law Office as her appointment for Prosecutor/Solicitor. She asked council to make a motion to confirm Mr. Nicodemus as the Prosecutor/Solicitor.

Motion by Councilor French to confirm the appointment of Brad Nicodemus as the Prosecutor/Solicitor for the Village, seconded by Councilor Goodman.

Councilor Lemmon stated that he reviewed Mr. Nicodemus' resume and felt that he was a qualified candidate for the position.

Councilor French stated that he also reviewed Mr. Nicodemus' resume and was quite impressed with his experience.

Mr. Nicodemus stated that he would treat his appointment of Prosecutor/Solicitor for the Village as he does his clients. He schedules everything and has other attorneys that can back him up in the event of a conflict. Mr. Nicodemus stated that he prefers to communicate by email so he can answer questions and respond to emails when he is on court breaks. He also stated that he prefers to have a single point of contact to avoid answering the same question twice and to save the village money.

Councilor Goodman asked Mr. Nicodemus since he is so busy how does he juggle all of the Mayor's Courts that he is involved with.

Mr. Nicodemus stated that the Mayor's Courts are on different days and at different times. He does not see a conflict and if one ever arises, he has other people who can back him up.

Councilor Lemmon stated that the Mayor and Council President both speak for the village and he would like for both of those people to be able to contact him.

Mr. Nicodemus did not see an issue with that. He added that for Mayor's Court he typically works with the Police Chief and the Mayor's Court Clerk. He stated that his goal is to save the village money and avoid duplication of efforts as this will help to keep the billing costs down.

Councilor Zwissler asked if the fact that you are from Fairfield County will put the village at a disadvantage when handling cases in Licking County.

Mr. Nicodemus stated that will not be a problem as he has worked with many of the attorneys; and will just need to familiarize himself with the local county court procedures.

Councilor Zwissler asked why was the contract you submitted dated December 16, 2019?

Mr. Nicodemus stated that the original contract that was sent was created in his document management system. The system creates the date when it populates the document. The date is when the document was created in my system.

Roll Call Vote: Yeas: Beard, Cable, French, Geiger, Goodman, Lemmon

Nays: Zwissler

Motion Passed 6-1.

Mayor Wells introduced Scott Hite as her appointment for Fire Chief. She asked Fire Chief Hite to come up and share some information with council.

Fire Chief Hite spoke to council regarding the need for Knox Boxes at the businesses. He passed out a paper on Knox Boxes which was entered into the council record and asked council to require all new businesses to install Knox Boxes to give the safety services access in the event of an emergency without having to break down the door or windows to enter the premises. Chief Hite stated that there is a one-time cost to the business of \$300-400 for the box.

Council President Geiger stated that will save the business the cost of repairs following a forced access to the business.

Chief Hite stated that the cost to repair breaking into a business is \$1,000-1,500 each time they have to break in.

Councilor French stated that he has used Knox Boxes for over 20 years and business owners are grateful for them after they learn how much that it saves them on damages.

Councilor Zwissler asked how many Knox Boxes are in use in the village right now?

Chief Hite stated that there are not any in use yet; however, the marijuana facility is just waiting on word from the village so they can get one installed at their location.

Councilor Lemmon suggested that this should go to the Public Safety Committee for further discussion and a recommendation to council.

Council President Geiger stated that as soon as the committees are chosen this item will be forwarded on to the Public Safety Committee for further discussion.

UNFINISHED/OTHER BUSINESS: None.

COMMITTEES SHALL GIVE REPORTS IN THE FOLLOWING ORDER:

Council President Geiger provided instructions on establishing the committee chairs and committees while Council Clerk Hans passed out the sign-up sheets for councilors to complete. The sheets were collected by Council Clerk Hans and returned to Council President Geiger to establish the committees.

REPORT OF COUNCIL PRESIDENT:

Council President Geiger thanked the council members for electing him council president. He stated that he appreciates all of the effort that each of them puts forth. Council President Geiger invited the council members to contact him anytime if they would like to talk.

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

Mayor Wells provided a written report for December 2019 and January 6, 2020. A copy of that report is attached to the council record. She welcomed the new council members and Fire Chief Hite. Mayor Wells stated that the Buckeye Lake area lost two dedicated members, Scott Walters and George Braden. They will be greatly missed.

Mayor Wells asked council to take action on the following items. 1) The Goodwill short-term lease of Fairfield Street for the location of a temporary propane storage tank. 2) Potential auctioning of property at 55 W. 7th St. 3) Potential renewal of the LEADS Food Pantry Lease.

Mayor Wells stated interim Clerk/Treasurer Gieseler is only available 15 hours per week which will allow enough time to pay bills and do budget input. The visiting clerk will be able to train her on the items that she is not familiar with.

Council President Geiger stated that he felt Ms. Gieseler was well-qualified for the position and that the visiting clerk, Melanie Smith will be a great help as well.

ORDINANCES

3rd Reading

2nd Reading

1st Reading

2020-01 AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF AN INTERIM CLERK/TREASURER AND DECLARING AN EMERGENCY.

Motion by Councilor Zwissler to suspend the rules on Ordinance 2020-01, seconded by Councilor French.

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

Motion by Councilor French to adopt Ordinance 2020-01 as presented, seconded by Councilor Zwissler.

Councilor Lemmon stated that while bringing an interim person in to help the village for 15 hours a week is a start, we need to get someone on a more permanent basis. He stated that he hopes the Mayor will work with the Personnel committee during the process of hiring someone on a permanent basis.

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

2020-02 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH A VISITING CLERK TO PROVIDE TRAINING FOR THE INTERIM CLERK/TREASURER FOR THE VILLAGE OF BUCKEYE LAKE AND DECLARING AN EMERGENCY.

Motion by Councilor French to suspend the rules on Ordinance 2020-02, seconded by Councilor Lemmon.

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

Motion by Councilor French to adopt Ordinance 2020-02 as presented, seconded by Councilor Zwissler.

Councilor Zwissler thinks that it is necessary to have a visiting clerk help to train the new person. She feels that the visiting clerk is very well educated and qualified.

Councilor Cable stated that the visiting clerk appears to be well accomplished and qualified as well.

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

2020-03 AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF A NEW VILLAGE PROSECUTOR/SOLICITOR AND AUTHORIZING/DIRECTING THE MAYOR AND CLERK/TREASURER TO EXECUTE A PERSONAL SERVICE CONTRACT FOR LEGAL SERVICES WITH BRAD NICODEMUS OF NICODEMUS LAW OFFICE AND DECLARING AN EMERGENCY.

Motion by Councilor French to suspend the rules on Ordinance 2020-03, seconded by Councilor Goodman.

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

Motion by Councilor French to adopt Ordinance 2020-03 as presented, seconded by Councilor Lemmon.

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

Motion Passed 6-1.

RESOLUTIONS:

3rd Reading

2nd Reading

1st Reading

UNFINISHED BUSINESS: None.

NEW BUSINESS: Council Clerk Hans read a notice from OEPA dated December 20, 2019. She stated that a copy of this entire notice is available at the village office.

Mayor Wells asked the Public Works Director, Police Chief and Code Enforcement Officer if they any new updates. They did not.

CITIZEN'S COMMENTS: Karen Cookston, Anchor's Way, Buckeye Lake. Ms. Cookston stated that she tries to be prepared for the meetings but was unaware that council would be asked to confirm a new solicitor tonight as it was not on the agenda. She was also concerned that the position was not advertised. Ms. Cookston stated that the Planning Commission will be asking legal counsel to review the zoning regulations draft. Lastly, she suggested that since the interim Clerk/Treasurer's time in the office is limited; we should consider having the visiting clerk do the payroll since she is already trained to do so.

Charlene Hayden, 67 Lighthouse Lane, Buckeye Lake. Ms. Hayden stated that she would like to see the positions advertised for the local residents as was previously done. She feels that there are people in the Village who would be qualified and interested in these positions. Ms. Hayden also stated that council members should be invited to participate in the interview process. She commended Councilor Lemmon for sending the discussion on the Knox Boxes to the Public Safety Committee.

COUNCIL MEMBER COMMENTS:

Councilor Cable: Councilor Cable congratulated Council President Geiger and Council French on their elections as Council President and President Pro Tempore. He also thanked his constituents for voting him into office. Lastly, Councilor Cable stated that he also feels that the positions should be posted.

Councilor Lemmon: Councilor Lemmon stated that he sees seven intelligent and strong people working for the village. He is very proud to be sitting with each of those council members.

Councilor Goodman: Councilor Goodman congratulated Council President Geiger and Councilor French and thanked the voters for giving her this opportunity. She stated she also agrees with posting the positions; however, council members did have an opportunity to meet the interim Clerk/Treasurer earlier today.

Councilor Zwissler: Councilor Zwissler congratulated Council President Geiger and Councilor French. She stated that council is dedicated to transparency and accountability. She feels that they have a good council; however, the previous council was also good.

Councilor Beard: Councilor Beard congratulated Council President Geiger and Councilor French. She also thanked everyone who voted for her. Councilor Beard stated that she was excited to be serving on council.


Councilor French: Councilor French thanked Council President Geiger and former Council President Zwissler. He stated that he has learned a lot from them. He also welcomed Brad Nicodemus and the new council members.

Councilor President Geiger: Council President Geiger stated that he had the opportunity to meet the interim Clerk/Treasurer today and felt that she was knowledgeable and qualified. He stated that she is just not familiar with all of the parts yet that is where the visiting clerk will help.

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

VOTE: **IN-FAVOR: All YEAS; MOTION CARRIED 7-0**
Meeting adjourned at 8:16 p.m.

NEXT MEETING: January 27, 2020



Valerie L. Hans, Clerk of Council



John Geiger, Council President

