

**INDIAN LAKE OHIO  
VILLAGE OF RUSSELLS POINT  
COUNCIL MEETING**

**MINUTES  
March 4, 2013**

Mayor Reames called the Meeting to order at 7:02 p.m. The Pledge of Allegiance was performed.

Roll Call: Ms. Sharon DeVault, present; Mr. John Huffman, present; Mr. Dave Leonard, present; Ms. Joan Maxwell, present; Ms. Janice Moore, present; President Pro-tem Steve Reid, present.

Recorder: Fiscal Officer, Jeff Weidner, excused absence.  
Minutes were taken by Dianne Gauder, Clerk of Court, Russells Point Mayor's Court.

Guests: Mr. Andy Morgan, 420 Westview, Russells Point  
Mr. Joe Freyhof, Police Chief  
Mr. Mike Vettori, WPKO Radio  
Mr. David Wallace, 251 Chase, Russells Point  
Mr. Rob Eshenbaugh, Jr., Village Solicitor

Minutes: **February 18, 2013**

*Ms. Janice Moore moved to approve the February 18, 2013, Council meeting minutes. Mr. John Huffman seconded the motion.*

*The Vote: Ms. Sharon DeVault, yea; Mr. John Huffman, yea; Mr. Dave Leonard, yea;  
Ms. Joan Maxwell, yea; Ms. Janice Moore, yea; Mr. Steve Reid, yea.*

*The motion passed: 6 yeas – 0 nays.*

Reports: **Mayor's Report**

The February 2013 statement for Mayor's Court showing Village revenue of \$923.00 was presented to Council for approval.

*Mr. Steve Reid moved to approve the February 2013, Mayor's Report as submitted. Ms. Joan Maxwell seconded the motion.*

*The Vote: Ms. Sharon DeVault, yea; Mr. John Huffman, yea; Mr. Dave Leonard, yea;  
Ms. Joan Maxwell, yea; Ms. Janice Moore, yea; Mr. Steve Reid, yea.*

*The motion passed: 6 yeas – 0 nays.*

**Indian Joint Fire District Board**

Mr. Dave Leonard reported that the Tanker truck was recently paid off. All other business was regular in nature. The next meeting is scheduled for March 19, 2013.

**Russells Point Neighborhood Watch**

Police Chief Joe Freyhof reported that an Easter Egg Hunt has been scheduled for Saturday, March 30, 2013 at Leppich Field. The Neighborhood Watch group is hoping to bring emphasis to the new improvements to Leppich Field, increase awareness of their community group, and increase membership. Chief Freyhof also reported that there will be a Bake Sale on Friday, March 29, 2013. He stated that Bake Sales will be scaled back in the future to increase the focus on crime watch efforts.

**ORDINANCES & RESOLUTIONS:**

A. **Ordinance 13-1084 Amendment to 1185.03 and 1185.10 (Signs)**

**AN ORDINANCE TO AMEND SECTION 1185.03 AND SECTION 1185.10 OF THE RUSSELLS POINT CODIFIED ORDINANCES IN THE VILLAGE OF RUSSELLS POINT, OHIO.**

*Ms. Sharon DeVault moved to accept Ordinance 13-1084 by title on the first reading. Ms. Joan*

*Maxwell seconded the motion.*

*The Vote: Ms. Sharon DeVault, yea; Mr. Dave Leonard, yea; Mr. John Huffman, yea;*

*Ms. Joan Maxwell, yea; Ms. Janice Moore, yea; Mr. Steve Reid, yea.*

*The motion passed: 6 yeas – 0 nays.*

**B. Ordinance 13-1085 Amendment to 1307.02, 1307.03 and 1307.99 (Contractor Registration)  
AN ORDINANCE TO AMEND SECTION 1307.02, 1307.03 AND 1307.99 OF THE RUSSELLS  
POINT CODIFIED ORDINANCES IN THE VILLAGE OF RUSSELLS POINT, OHIO.**

*Ms. Joan Maxwell moved to accept Ordinance 13-1085 by title on the first reading. Ms. Sharon DeVault seconded the motion.*

*The Vote: Ms. Sharon DeVault, yea; Mr. Dave Leonard, yea; Mr. John Huffman, yea;*

*Ms. Joan Maxwell, yea; Ms. Janice Moore, yea; Mr. Steve Reid, yea.*

*The motion passed: 6 yeas – 0 nays.*

**CITIZEN COMMENTS:**

**A. Mr. Andy Morgan, 420 Westview, Russells Point**

Mayor Reames stated that Council members received a packet of information in advance of this meeting to summarize Mr. Morgan's zoning situation. Mr. Steve Reid advised Mr. Morgan that Council will hear his concerns but that Council is not the body of officials to override actions by the Code Enforcement Officer. Mr. Reid asked that Mr. Morgan speak to the Village Solicitor with specific issues.

Mr. Morgan stated that his elderly father was managing issues at his property at 420 Westview and did not follow the proper process for construction of deck. Mr. Morgan said that he was shocked at damage caused to the roadway and that he is aware that he owes the Village reimbursement for those charges. He said he is prepared to pay for those damages after this meeting. He further stated that he is very sorry for any inconvenience that may have occurred and wanted to reassure Village officials that he will be in full compliance in the future. Their intention was to improve the property. Mr. Morgan said he did not receive a letter from the Code Enforcement Officer with regard to the deck that was built and wanted to see if there was any other recourse for him. Mr. Rob Eshenbaugh, Village Solicitor, stated that the deadline for appeals has passed on two occasions and there is nothing that can be done at this point. Mr. Eshenbaugh gave Mr. Morgan an invoice for roadway repair costs. Mr. Reid stated that the Council agrees with the Code Enforcement Officer's decision and that the deck must be removed. Mr. Reid told Mr. Morgan to contact the Code Enforcement Officer on Tuesday, March 5, 2013, to make arrangement to remove the deck as timely as possible.

**OLD BUSINESS:**

**A. Revival of Safe Communities Political Action Committee (PAC)**

Chief Freyhof reported that there was a PAC called "Safe Communities" started in May of 2006 by the former mayor, Greg Iiams, with local business owner, Ron Kimmel, as treasurer. He stated that this could be the starting point for further review of placing a levy on the ballot in November for additional police funding. Mr. Eshenbaugh said that the village should check with the state of Ohio to determine if the PAC is still active and there could also be a committee within the village moving forward. Mr. Reid gave Council members a copy of an email from Logan County Auditor, Michael Yoder, to Fiscal Officer, Jeff Weidner. The email summarized millage and filing details for a possible levy as follows: for each mill requested, the estimate would be \$33,000.00 per year; to collect \$50,000.00 per year, it would take 1.6 mills; a resolution must be passed asking the county auditor for an official estimate of revenue; the county auditor gives a certificate indicating said amount; a resolution putting the measure on the ballot must be passed; and, the file of the documents listed above need to be submitted to the Board of Elections. Mr. Yoder further stated that village officials should contact the Board of Elections for filing deadlines. He also indicated that if a levy is on the November ballot and requested to begin with tax year 2013, if passed, collections of funds would begin in February of 2014. Chief Freyhof stressed the importance of taking action due to time constraints, avoid complicating the process, and forming a committee to address the Auxiliary Officer issues and levy status. Ms. Sharon DeVault and Ms. Janice Moore asked to serve on the committee.

Mayor Robin Reames said she would be on that committee. Chief Freyhof suggested setting committee meeting dates and times after the Council meeting. Chief Freyhof confirmed with Solicitor Mr. Eshenbaugh that notice must be published in the paper in advance of these committee meetings.

B. Clean Ohio Conservation Fund Program-Indian Lake/Great Miami River Open Space

Ms. Devault asked about the status of the project. Mr. Eshenbaugh stated that the project is slowly moving forward with title commitments and some design modifications. He does not expect any major work on the project until early to mid-June. Mr. Eshenbaugh suggested setting up another committee meeting to proceed with additional fundraising efforts.

C. Police Department Grants

Ms. Devault asked about the status of the paperwork for the Train-the-Trainer Grant, which was to be presented to Council for review prior to acceptance. This was noted in the minutes from the February 18, 2013. Mr. Leonard reported that the grant was approved. Mr. Reid reiterated that Council wanted to review the paperwork. Mr. Leonard stated that a bill for \$725.00 was received from Vera Gatchell, grant writer, for the Train-the-Trainer Grant. Mr. Leonard further stated that after a lengthy discussion with Ms. Gatchell, he was told that the village is still owed preparation of another grant and this bill is valid. Mr. Leonard also said the costs for the different types of grants were not clearly explained to him. He said the bill must be paid because this is a different type of grant and they were given approval to proceed. Chief Freyhof stated that the Taser Grant was aborted per the cost of the Train-the-Trainer Grant bill. He further stated that because a Jag Grant was approved, they still owe us a free Foundation Grant. Mayor Reames stated that other Foundation Grants should be explored to get our free one. Ms. Maxwell asked if the village knew the fees in advance. Mr. Reid stated that the village should have clear contracts in the future or consider using someone else because Ms. Gatchell's presentation to Council was not clear on fees and different types of grants. Mr. Leonard stated that Ms. Gatchell has been successful with obtaining grants for computers, Train-the-Trainer, and the Indian Joint Fire District with her specialized training and experience. Mr. Reid asked that Mayor Reames contact Ms. Gatchell to see if any credit of \$650.00 can be given because the presentation to Council does not match with what has been billed.

*Mr. Dave Leonard moved to accept the \$5,300.00 Jag Grant for Train-the-Trainer prepared by Ms. Gatchell. Ms. Janice Moore seconded the motion.*

*The Vote: Ms. Sharon DeVault, yea; Mr. Dave Leonard, yea; Mr. John Huffman, yea;*

*Ms. Joan Maxwell, yea; Ms. Janice Moore, yea; Mr. Steve Reid, yea.*

*The motion passed: 6 yeas – 0 nays.*

**NEW BUSINESS:**

A. Zoning Amnesty

Mayor Reames had provided Council members with documents regarding a proposed Zoning Amnesty Program. She stated this is just an idea, has not been implemented, and is open for discussion. Mr. Reid expressed concerns that the documents indicated that the program was started and that the Mayor does not have the authority to waive penalties and fees per Ordinance. Mr. Eshenbaugh said this was just an idea to address complaints that the Code Enforcement Officer is not available. Mr. Reid said he did not think this was a good idea. Mr. Leonard and Ms. Maxwell expressed that there are current Ordinances for all residents and should be followed. Ms. Devault asked if the Amnesty Program should be run through the Rules and Ordinances Committee. Mr. Eshenbaugh said that if implemented, the committee would be involved due to adding an Amnesty section to the Ordinance. Mayor Reames agreed it would go to the committee unless it is voted down by Council.

*Ms. Sharon Devault moved to continue review of Zoning Amnesty Program in the Rules and Ordinance Committee to make changes. There was no second to the motion. No further action will be taken on the proposed Zoning Amnesty Program.*

**B. Change in Code Enforcement Office Hours**

Mayor Reames had provided Council with a document that proposed weekend hours for the Code Enforcement Officer. She said this is to address complaints about residents doing work without permits and to have more accessibility for residents that are not able to come in during normal office hours. Mayor Reames said that the previous Zoning Officer had some flexible scheduling and would meet residents by appointment on weekends. She is proposing this option to encourage compliance and would advertise the new weekend hours for the public. Mayor Reames said she believes that if you make compliance easier then compliance will increase and the village should accommodate unique residents. Mr. Reid stated that he has concerns about having the office building open every Saturday because residents may come in seeking other departments. He further stated that he would consider once a month for flexible scheduling and requests for weekend appointments. Mr. Leonard stated that he had to take time off to come in during normal office hours. Mayor Reames said that she feels we need to be more people friendly to residents. Ms. Gauder stated that in the past the Zoning Department would occasionally be available by appointment and zoning compliance checks would be done randomly. The Zoning Officer would group requests together to minimize time away from the office during normal hours. She further stated that the Police and Street departments work well communicating zoning issues that are noticed directly to the Code Enforcement Officer for review. Ms. Gauder also stated that the village has an agreement with the Logan County Building Authority for all building permits per Ordinance. That department does not have weekend hours but does have permits and detailed information available online for residents. Ms. Devault asked if our zoning forms are available on the village website and stated that there is a benefit of the Code Enforcement Officer travelling the village on weekends. Ms. Gauder stated that there are limitations to our server space through Go Daddy.com and that additional information technology support may be needed to further enhance our website capacity. Mr. Reid requested that Mayor Reames research the costs to improve the village website. Mayor Reames said that she will encourage the Code Enforcement Officer to have a weekend per month where he is available by appointment. Mr. Reid suggested giving flexibility in scheduling.

*Mr. Steve Reid moved to not have village offices open for Saturday business. Mr. Dave Leonard seconded the motion.*

*The Vote: Ms. Sharon DeVault, yea; Mr. Dave Leonard, yea; Mr. John Huffman, yea;*

*Ms. Joan Maxwell, yea; Ms. Janice Moore, yea; Mr. Steve Reid, yea.*

*The motion passed: 6 yeas – 0 nays.*

**C. Central Collection Agency (CCA) Tax Help**

Mayor Reames reported that CCA will be available to assist residents with tax preparation on Thursday, March 21, 2013, from 1:00 to 7:00 p.m.

**D. Rules and Ordinance Committee Meeting**

Mayor Reames stated that job descriptions and the Personnel Ordinance are under review and will need more than one meeting per month. Ms. Gauder offered to give input as the employee with the most years of service in the village and having a business degree with a focus on human resources (HR) including nine years of experience doing HR for a Logan County agency. Mr. Reid asked if Ms. Gauder could be involved with the committee. Mayor Reames asked Ms. Gauder to be the official recorder for the meetings and to provide feedback. Ms. Gauder agreed to assist the Rules and Ordinance Committee. Meeting dates were set for March 20 and March 25, 2013, at 7:00 p.m.

**E. Recycling Proceeds**

Mr. Huffman said it was impressive that Russells Point recycling percentage had increased. Ms. Gauder stated that over three truckloads of records were taken there at the final phase of the recent records disposal process. Mr. Huffman requested that Council consider using the \$1,108 in recycling funds to provide a dumpster in the spring for hard to dispose items for residents. Mayor Reames said she could contact Washington Township Trustees to coordinate dates which worked well last year.

*Mr. John Huffman moved to appropriate recycling funds for dumpsters in the spring for hard to dispose items. Ms. Joan Maxwell seconded the motion.*

*The Vote: Ms. Sharon DeVault, yea; Mr. Dave Leonard, yea; Mr. John Huffman, yea;  
Ms. Joan Maxwell, yea; Ms. Janice Moore, yea; Mr. Steve Reid, yea.*

*The motion passed: 6 yeas – 0 nays.*

F. Zoning Violations

Ms. Moore and Ms. Maxwell expressed concerns about pending zoning violations that have been reported multiple times and over several years. These properties are located on Park Street, Grand at Fairview, and on Wilgus. Mayor Reames stated that there has been some difficulty in determining the owner of some properties with violations. Mayor Reames said that Council members should contact the Code Enforcement Officer to report zoning violations.

*Mr. Dave Leonard moved to adjourn the Meeting.*

The meeting was adjourned at 8:33 p.m.

Next Ordinance: 13-1086    Next Resolution: 13-781

Scheduled Meetings:

A. **Council Meeting: Monday, March 18, 2013 at 7:00 p.m.**

B. Board of Public Affairs Meeting: Monday, March 11, 2013 at 5:30 p.m.

C. Rules & Ordinance Committee Meetings: Wednesday, March 20, and Monday, March 25, 2013, at 7:00 p.m.

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Clerk of Court Dianne Gauder  
(For Fiscal Officer Jeff Weidner)

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Mayor Robin Reames

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Date Passed