VILLAGE OF LAKEVIEW COUNCIL MEETING

October 21, 2024

Mayor Elaine Fagan-Moore called the meeting to order and led the Pledge of Allegiance.

Roll Call:

Mike Best Elaine Fagan – Moore Logan County Sheriff’s Deputy

Sandy Knott Heather Kegg List of signed in guests following

Mel Rotroff Daniel Bey

Amby Wallace Dave Scott

Pat Parish Joe Ferryman

Randy Kaehler Josh Oakley

Minutes from last meeting stand as is. Sandy Knott made a motion to accept the minutes from 10/7/2024, Mel Rotroff seconded. Council approved unanimously.

Mike Best made a motion to pay the bills (10/8-10/21/2024), Randy Kaehler seconded. Council approved unanimously.

Amby Wallace made a motion to accept the bank reconcile for September 2024, Pat Parish seconded. Council approved unanimously.

Interim Fire Chief Josh Oakley told Council that members of the Lakeview Fire Department and Russells Point Fire Department recently took part in Fire Safety Days at the School. He also updated Council that their new recruit would be taking his state testing on Tuesday.

Assistant Fire Chief Joe Ferryman told Council that members of the Lakeview Fire Department and Russells Point Fire Department would be at Safety Town for preschool children on Monday. Joe Ferryman also noted that one of the engines was at Holts for repairs. Joe Ferryman then showed the Council and guests the Lakeview Fire Departments new Mission/Core Value Statement. He said that the banner should be ready soon.

Mayor Elaine Fagan-Moore asked how many volunteers the Fire Department currently has. Interim Fire Chief Josh Oakley responded that there were currently 14.

Dave Scott asked Council to approve the raise for Brad Davis for becoming a journeyman. Pat Parish made a motion to approve the raise for Brad Davis to bring him to journeyman pay per our Ordinance, Amby Wallace seconded. Council approved unanimously.

Dave Scott told Council that we have a tree at the soccer field that we could use for our Christmas tree this year. He then asked if Council would like to put in on the lot we own at the corner of Lake and Main now that remediation is complete. He noted that he believed the lot that was used previously has been sold. Amby Wallace made a motion to use the tree from the soccer field and to place it on the Village’s lot at Main and Lake this year, Pat Parish seconded. Council approved unanimously.

Dave Scott told Council that he had talked to ODOT and Village Solicitor, Daniel Bey about the tree on Byers (this was a mistake pointed out by the homeowners, the correct street is Park), and that he would let Daniel Bey speak on it.

Village Solicitor Daniel Bey said that he had done some research into the situation and that the tree appears to be on private property. He stated that the Village has no duty to trim or remove it. He added that if it did become a hazard to the right of way, the Village COULD remove it, and costs could be assessed to the property owners’ taxes. Pat Parish asked Daniel Bey to clarify his position as legal counsel. Daniel Bey stated that in general, the property owner retains ownership of the tree.

Dave Scott followed up by asking Council what they would like him to do about the tree in question. Mel Rotroff confirmed that it was not a Village street even if the tree was not on private property. Daniel Bey confirmed that he was correct, and that ODOT had said they would not remove the tree.

Randy Kaehler, Mike Best, Mel Rotroff, and Amby Wallace said to do nothing. Sandy Knott asked if the Village had the funds to remove it, Heather Kegg answered no, not at this time. One Council member noted that if we took care of one tree on private property many more would have the same request.

Guest Sue Macklin asked if Daniel could explain how it was their tree if it was ½ on their property and ½ on ODOT’s. Daniel replied that the State/ODOT already said they would not remove it. She said that ODOT told her that as well, but also that Lakeview would have to remove it. Daniel bey replied that the Village did not plant the tree. Sue Macklin replied that she had not either. Daniel stated that it was likely that the tree existed before the right of way based on its size.

Dave Scott told Council that he had done a bulk/group evaluation this year since it had been such an abnormal year. He told them that he had copies for them to review before the next meeting.

Mayor Elaine Fagan-Moore then provided the reading of the following Resolution and Ordinance.

RESOLUTION NO: 2024-30

A RESOLUTION AUTHORIZING DAVE SCOTT, VILLAGE ADMINISTRATOR TO SERVE AS LOCAL COORDINATOR AND TO EXECUTE AND FILE APPLICATIONS FOR FINANCIAL AID/GRANTS FROM THE STATE OF OHIO THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCES THROUGH THE FEDERAL LAND AND WATER CONSERVATION FUND PROGRAM

Pat Parish made a motion pass Resolution No: 2024-30, Sandy Knott seconded. Council approved unanimously.

ORDINANCE NO: 2024-31

AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO CREATE AND UTILIZE A TORNADO RELIEF FUND IN THE VILLAGE OF LAKEVIEW, OHIO, AND DECLARING AN EMERGENCY

Randy Kaehler made a motion to suspend the rules and allow Ordinance No: 2024-31 to pass as an emergency, Pat Parish seconded.

Pat Parish made a motion to pass Ordinance No: 2024-31, Amby Wallace seconded. Council approved unanimously.

Mayor Elaine Fagan-Moore then opened the floor to guests that had requested to speak.

Guest Scott Mohler said he had come into the office last year about a tree we had trimmed at 290 S Main Street. He said they trimmed it too heavy on one side and it will fall on his mother’s house. He said Dave Scott told him he was going to look into it but he never heard back from him. Dave Scott told him than Dan Cline, a trained arborist looked it over and said it was done properly and not a risk. Scott Mohler said that it was too heavy on one side and that previous management wouldn’t have cut it like that. He said other tree trimmers told him it was not done right. Council members will go look at the tree this week.

Guest Traci Snyder-Gentis asked if it was appropriate for the Village to hire a developer as the Flood Plain Administrator. She said that Ken Conaway worked for a development company and it seemed like a conflict of interest. She also said that Elaine Fagan-Moore suggested him. Heather Kegg replied that that was incorrect, our solicitor at the time, Lynnette Dinkler had found and suggested Ken Conaway to fill in for emergency flood plain administration. Village Solicitor Daniel Bey then spoke up and said that the lawsuit had just added Ken Conaway as a witness so it was not proper for them to try to obtain information at the Council meeting. Guest Traci Snyder-Gentis said that she wanted to make it clear that they weren’t suing the Village, only trying to remove the Mayor. She said that Council needs to be more aware of what goes on behind their backs and who is hired.

Guest Ella Shoffstall said that there were complaints again Ken Conaway and that he was telling people they couldn’t rebuild. Pat Parish pointed out that all Floodplain rules and regulations are set by FEMA, not the Village of Lakeview. Guest Clayton Hooker added that set backs and other requirements have changed and people may need a Zoning variance to rebuild. Pat Parish said that anyone with a Zoning Variance request should talk to Gary Bias, Zoning Officer.

Solicitor Daniel Bey added that it depends on whether or not it is a health and safety issue, or just a variance needed. Variance issues can be grandfathered in and a variance can be issued, but if it is a health and safety issue, it cannot be avoided.

Joshua Lee said that the Village website had been down 53% of the time over 17 days. He said that Midnet Media would not speak to him. Fiscal Officer Heather Kegg noted that we are aware of the website issues and they are also affecting us, and that we are working on getting new website costs built into the 2025 budget.

Guest Scott Mohler added that he can’t pay his bill because of the website. Fiscal Officer Heather Kegg informed him that the website will usually work if you wait a few minutes and reload, and that if it was down, he could mail payment, come into the office, or use the drop box. He replied that he worked when the office was open and wouldn’t put money in the drop box.

The Logan County Deputy noted that there were no new issues. He told Council that he will meet with the Fire Department about the Christmas Parade.

Mel Rotroff made a motion to adjourn, Randy Kaehler seconded. Council approved unanimously.

The next council meeting will be Monday, November 4th, 2024.