

Buckeye Lake Village Council Meeting Minutes
Held in Council Chambers, streamed live on Facebook
August 14, 2023

Call to Order: By Council President Linda Goodman at 7:00p.m.

Pledge of Allegiance and Moment of Silence: Led by Council President Linda Goodman.

Roll Call: Present: Don Cable (0,0), Linda Goodman (0,0), Deb Julian (0,0), John Lemmon (0,0).
(Consecutive, Total Absences) Sue Wadley (0,1), Tom Wolfe (0,0)
Absent: None.

Staff Present: Mayor Jeryne Peterson; Jennifer Dennis, Clerk/Treasurer; Samantha Torres, Clerk of Council; Police Chief Jason Harget;

Approval of Regular Council Meeting Minutes: Motion by Councilor Cable, seconded by Councilor Wadley, to approve the July 24, 2023 regular council meeting minutes.

Roll call vote: Yes: Cable, Goodman, Julian, Lemmon, Wadley, Wolfe
Abstain: 0; Nays: 0; Motion Passed 6 – 0

Approval of Special Council Meeting Minutes: Motion by Councilor Cable, seconded by Councilor Julian, to approve the August 7, 2023 special council meeting minutes.

Roll call vote: Yes: Cable, Goodman, Julian, Lemmon, Wadley, Wolfe
Abstain: 0; Nays: 0; Motion Passed 6 – 0

Approval of Clerk Treasurer's Report: Motion by Councilor Lemmon, seconded by Councilor Cable, to approve the July 2023 Reconciliations and Treasurer's report dated August 10, 2023.

Roll call vote: Yes: Cable, Goodman, Julian, Lemmon, Wadley, Wolfe
Abstain: 0; Nays: 0; Motion Passed 6 – 0

APPOINTMENTS AND PRESENTATIONS –

Kellie Green was sworn in as the seventh member of council by Mayor Jeryne Peterson and took the seat of Paula Brunton, who had resigned from council on July 10, 2023. Kellie will be leaving the Parks and Recreation Commission as their secretary to join council.

COUNCIL STANDING COMMITTEE REPORTS

Finance Committee: Meeting held tonight. Numerous ordinances on the agenda tonight were discussed and recommended. The timeline for the 2024 budget was discussed. General discussion on the collection of various fees throughout the village. Next committee meeting will be September 11th at 5:45pm. Public encouraged to attend.

Public Safety Committee: Nothing new to report. Next committee meeting will be August 28th at 6:30pm.

Public Service Committee: Committee meeting held on August 7th. Updates on the current agenda were discussed, including finalizing the construction details of the Cranberry Bay paving project. If any work is done this year, it will be late in the year. Legislation will be discussed this evening and bids are going out to repave Union Avenue. Next committee meeting will be rescheduled, because the first Monday of the month will fall on Labor Day and the office will be closed. Most likely the Wednesday after that.

Rules Committee: President Goodman explained to Kellie Green that Rules will be her committee.

Community Development Committee: Everything is wonderful; no report.

Ordinance 2023-39 – AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH OHM ADVISORS, FOR PROJECT DEVELOPMENT PROCESS FOR THE WALNUT RD SIDEWALK AND ROADWAY UPGRADE PHASE 1 IDENTIFIED AS LIC-SR79-03.28 (PID #117102), AND DECLARING AN EMERGENCY.

Motion by Councilor Cable, seconded by Councilor Wolfe to suspend the rules.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Julian, Lemmon;

Abstain: Green; **Nays: 0; Motion Passed 6 – 1 – 0**

Motion by Councilor Cable, seconded by Councilor Lemmon to adopt Ordinance 2023-39.

Discussion: Councilor Cable stated this is Phase 1 engineering for the TAP project that goes from the sidewalks across the street down to the spillway.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Julian, Lemmon;

Abstain: Green; **Nays: 0; Motion Passed 6 – 1 – 0**

Ordinance 2023-40 - AMENDING ORDINANCE 2023-08 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

Motion by Councilor Lemmon, seconded by Councilor Wolfe to suspend the rules.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Julian, Lemmon;

Abstain: Green; **Nays: 0; Motion Passed 6 – 1 – 0**

Motion by Councilor Lemmon, seconded by Councilor Julian to adopt Ordinance 2023-40.

Discussion: Councilor Lemmon explained that this is moving money around from one contractual service line to another.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Julian, Lemmon;

Abstain: Green; **Nays: 0; Motion Passed 6 – 1 – 0**

Ordinance 2023-41 - AMENDING ORDINANCE 2023-08 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

Discussion: Councilor Lemmon explained that this was discussed in the Finance Committee meeting. They have asked that it goes to a second reading. It will be an emergency at some point. Also discussed moving the amount from \$15,000 to \$10,000 for the appropriation, which is in line with what was budgeted in the past for that.

Motion by Councilor Lemmon, seconded by Councilor Julian to change the line General from fund 1000-750-341 Accounting and Legal Fees from \$15,000 to \$10,000.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Julian, Lemmon;

Abstain: Green; **Nays: 0; Motion Passed 6 – 1 – 0**

Ordinance 2023-42 - AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AEP ENERGY FOR A FIXED PRICE ELECTRIC RATE FOR THE VILLAGE OF BUCKEYE LAKE, AND DECLARING AN EMERGENCY.

Motion by Councilor Lemmon, seconded by Councilor Cable to suspend the rules.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Green, Julian, Lemmon;

Abstain: 0; Nays: 0; Motion Passed 7 – 0

Motion by Councilor Wolfe, seconded by Councilor Lemmon to adopt Ordinance 2023-42.

Discussion: This is for the energy rates for buildings owned by the municipality.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Green, Julian, Lemmon;

Abstain: 0; **Nays:** 0; **Motion Passed 7 – 0**

Ordinance 2023-43 - AN ORDINANCE PETITIONING THE BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO, TO ADJUST THE BOUNDARY LINES OF LICKING TOWNSHIP TO EXCLUDE THE ENTIRETY OF THE TERRITORY NOW WITHIN THE CORPORATE BOUNDARIES OF THE VILLAGE OF BUCKEYE LAKE EXCEPT ANY PARCELS ANNEXED PURUSANT TO ORC 709.023.

Council Clerk explained the process for this ordinance that was suggested by the village solicitor to do two readings of the ordinance and then have a special meeting for the third reading. The townships and the Licking County Commissioners will be notified. This will move on to a second reading. The village solicitor suggested that the third reading for this ordinance and Ordinance 2023-44 be done in their own special council meetings, that way the ordinance is the only topic on the agenda for if representatives from each township would like to attend the meeting. He suggested a motion to set the dates for the special meetings for the third reading and adoption as well.

Councilor Julian asked for this ordinance to be explained in simpler terms what the village is trying to do. Mayor Peterson explained that the village annexed property back years ago. Annexation is a two-part process. By conforming the land that was annexed, the village is now claiming them as new corporate lines which will eliminate current people who have those lands from paying both Buckeye Lake Village taxes and township taxes. By taking it out of the township and realigning it to the village corporate limits, they will now only have Buckeye Lake Village taxes to pay.

Motion by Councilor Goodman, seconded by Councilor Lemmon to set the date for the Special Meeting for the third reading and vote of Ordinance 2023-43 for September 6, 2023 at 6:00pm.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Green, Julian, Lemmon;

Abstain: 0; **Nays:** 0; **Motion Passed 7 – 0**

This will move on to a second reading.

Ordinance 2023-44 - AN ORDINANCE PETITIONING THE BOARD OF COMMISSIONERS OF FAIRFIELD COUNTY, OHIO, TO ADJUST THE BOUNDARY LINES OF WALNUT TOWNSHIP TO EXCLUDE THE ENTIRETY OF THE TERRITORY NOW WITHIN THE CORPORATE BOUNDARIES OF THE VILLAGE OF BUCKEYE LAKE EXCEPT ANY PARCELS ANNEXED PURUSANT TO ORC 709.023.

Motion by Councilor Lemmon, seconded by Councilor Cable to set the date for the Special Meeting for the third reading and vote of Ordinance 2023-44 for September 6, 2023 at 6:15pm.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Green, Julian, Lemmon;

Abstain: 0; **Nays:** 0; **Motion Passed 7 – 0**

This will move on to a second reading.

Ordinance 2023-45 - AN ORDINANCE AUTHORIZING AND DIRECTING THE FISCAL OFFICER FOR THE VILLAGE OF BUCKEYE LAKE TO PAY ANY AND ALL INVOICES RECEIVED FROM JONATHAN J. DOWNES AND JULIA BAXTER AND DECLARING AN EMERGENCY.

Motion by Councilor Wadley, seconded by Councilor Julian to suspend the rules.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Green, Julian, Lemmon;
Abstain: 0; Nays: 0; Motion Passed 7 – 0

Motion by Councilor Wadley, seconded by Councilor Goodman to adopt Ordinance 2023-45.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Green, Julian, Lemmon;
Abstain: 0; Nays: 0; Motion Passed 7 – 0

Ordinance 2023-46 - AN ORDINANCE SETTING THE COSTS FOR THE CERTIFICATE OF REGISTRATION FEE AND THE CONSTRUCTION PERMIT FEES FOR THE RIGHT-OF-WAY PROGRAM.

Discussion: Toby Miller stated that this is the right-of-way program where the village charges the utilities companies to occupy the right-of-way space. Each year, the village has to set the encumbered miles and permit prices. The fees come from reimbursables.

Motion by Councilor Cable, seconded by Councilor Goodman to suspend the 3-reading rule.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Green, Julian, Lemmon;
Abstain: 0; Nays: 0; Motion Passed 7 – 0

Motion by Councilor Cable, seconded by Councilor Wadley to adopt Ordinance 2023-46.

Discussion: Councilor Julian asked if this happens every year at the same time. Toby explained that this happens once everything is calculated and figured out and back from the consultant. It may be in February, may be in August. This is the pricing for the bill for 2023.

Roll call vote: Yes: Wadley, Wolfe, Cable, Goodman, Green, Julian, Lemmon;
Abstain: 0; Nays: 0; Motion Passed 7 – 0

RESOLUTIONS

Resolutions for 3rd Reading – None.

Resolutions for 2nd Reading – None.

Resolutions for 1st Reading – None.

UNFINISHED BUSINESS -

Discussion of village-owned properties – Councilor Lemmon stated that there is a tabled Resolution for changing property of Myers into a park that was to wait until after the Comprehensive Plan. He said that at some point, they may want to take that off the table and determine whether that is going to go into the parks. He said the Comprehensive Plan did ask for a park in that general area. He said he would be against selling that land and hopes they could settle that piece of legislation. President Goodman asked if council has taken a look at the list of properties and chosen 3 or 4 to sell. Councilor Wadley is not a fan of selling any of the properties. There is so much going on in Buckeye Lake and we should keep our properties until we know what is developing and what is going on. Once we sell property, if we decide we want the property back, we will have to pay a lot more money for it. Councilor Lemmon mentioned a lot on First Street that he does not see any future use for. Councilor Julian thinks council members should go through the list property by property and come to a resolution on what they would want to look at. She thinks they have received the feedback from the Parks and Recreation Commission that they are not ready for any more parks. She also thinks there are a lot of empty lots in the village now, and one, for example, over July 4th weekend was a campground. For the benefit of all of the residents, the properties should be looked at individually and potentially sold if they see fit and earn some more money that could be put into the village roads. She is not a huge fan of holding on to all of this property. Ryan-Braden Park and the lot up by the water tower need to continue to be developed. Council President Goodman requested that each council member have ready which ones that they think should be

considered for the next council meeting. We can do a majority vote if we should sell any. If any are to be sold, they will be appraised and put up for public auction.

Short-term Rentals – Councilor Julian brought this up to go through the series of events for short-term rentals – on October 7, 2022 there was a draft for short-term rentals; October 18, 2022 – special meeting for short-term rentals; November 4, 2022 – Planning and Zoning Commission meeting; she stated that since then, three different pieces of legislation have been passed for short-term rentals. She said council is continuing to be met with roadblocks as to why the legislation cannot be enforced that we have already passed, starting from last November. The most current piece of legislation amendment happened on July 8th of this year. She said she understands that there is a recommendation for software updates to be purchased in the amount of \$3,000 onto the current system. She thinks that there is a basic registration process until that purchase is made and that there is an application form and a way to register. She assumes that the office staff is proficient at spreadsheets that could then be put into a system when it is purchased. She requests that council all join in in saying that we need a date for the short-term rental ordinance and legislation to actually be in effect. She said that both the people who have short-term rentals and those who do not have them want to see this move forward. It is not something that is going away. We know we will have multiple other changes to it. Councilor Lemmon wonders if they can all be registered and filled in by September 1st. He asked Mayor Peterson if the administration has a date and she said not without having the individuals who do the work here to ask them what they are capable of doing, which would be Planning and Zoning Commission clerk, Code Enforcement Officer, and the Fire Department. Knox boxes would need purchased and the rentals need to be inspected. She knows they are working on a list. Toby stated there are a lot of principles involved in the process and he thinks it should be taken back as a team and talked about. He said it is not just software, it is signage and inspections and more. Mayor Peterson also talked about the mylar sticker that needs to be ordered and created for each rental. Councilor Julian said that the first step should be to get the applications in to know if we are talking about 30 or 130. She said that one of the residents stated that they do not want their information on their place of rental and if that is a recommendation then we need to do a slight amendment. We will not know those answers until we start the process. She said it may be manual and then move to electronic. She said we need to all get together on this, if that means bringing in Code Enforcement and the clerk. She does not think it is fair to the residents or to council. Council President stated that when the fee was discussed, council had not been informed of the other cost that the village is now going to incur for software. She said council has seen no movement and has heard nothing for a month. She proposed that at the next Community Development Committee meeting, this discussion be had with the Code Enforcement Officer and the Office Clerk present. Jennifer Dennis stated that the administration has been working on it, but, as you know, we do not have a lot of staff and there are a lot of other things going on. We have met once or twice and we are trying to cross our Ts and dot our Is on this. It is being worked on. When the other expenses are ready, we will present that. She will have to discuss that a little more with Rex and Lissann. It is possible that adding the short-term rental module to the iWorq software could be done this year and the village not be charged and charges later would be put into the 2024 budget. Tom Wolfe announced a Community Development Committee meeting for Monday August 28 at 6:00pm to discuss short-term rental implementation with the clerk and Code Enforcement Officer present. Council President stated that council needs to know how much longer and what the cost is going to be, or what the stumbling blocks are.

Opioid Money – Jennifer Dennis brought up that the village is receiving opioid money little by little and there is about \$1,090 in the fund at the moment. She suggests that the Public Safety Committee look into ways to use that money.

NEW BUSINESS – None.

CITIZEN'S COMMENTS -

Council President Goodman read a citizen's comment from Tim Rader, regarding village disruption from Mopar and some suggestions. That letter can be found in the minutes binder for this meeting.

President Goodman also read a citizen's comment from Rich Hennosy of the Buckeye Lake Brewery regarding the Mopar event being handled better than it was last year. That letter can be found in the minutes binder for this meeting.

Karen Cookston – 113 Anchors Way – Karen stated that back in 2008 when bed and breakfasts were started to be looked at for the village, an example of Nashville was given where they did not do mylar stickers. Instead, they typed everything up and had it signed by the mayor, notarized, and laminated. Another community near Nashville treated it like an elevator permit, where what went on the door was the explanation that a permit was given, the certificate or permit number, and the specific phone number at their office that could be called to receive information so that it was not posted on the door. There are other options rather than making it a very costly procedure.

COUNCIL MEMBER COMMENTS

Councilor Wadley: Welcome Kellie. Glad to have her join and be a part of the fun. Thank you to the Police and Fire Departments for all that they did during the Mopar event and helping it be safe. Appalled by the damage that was done to the village during Mopar at an estimated \$10,000 worth of damage. Appalls her that we would open our village up to invite people in and that would happen. Who is doing it? Spectators? Why is the damage happening? Is it a result of the cars? Appalled that people would come here and destroy things that we have worked hard to put in place with the limited funds that we have available. Thank you to Toby and his team for spending many hours on Monday cleaning up what they could.

Councilor Wolfe: Welcome to Kellie. Wonderful meeting.

Councilor Julian: Happy to have Kellie and all of the wonderful things she did during her time on the Parks and Recreation Commission. Very, very happy for the approval of the skate park funding and for that to get moving since it has been in the works for some time. Sitting on her neighbor's patio having dinner and smelling burned rubber in the middle of dinner was not pleasant this past weekend. Every other village has shut it down and will not allow it to happen. She does not know why we think it is the right thing to do here to tear up our village. Everyone, enjoy the end of Summer. Watch out for school buses as school is starting again soon.

Councilor Cable: Welcome to Kellie. Echoes Councilor Wadley's comments – very disappointing Sunday morning to see what had happened to the village. He has expressed his displeasure with Mopar the last couple of years, mostly for safety reasons, litigation. It was very disturbing to see the hard work that the tax payers have put in, not only of the village but of the State of Ohio. ODOT / the State put in a lot of money, and they went above and beyond for the village, putting in extra markings on the road past the crosswalks up to Mill Dam Road and we spit on it. He does not know what they should do, shut it down, not shut it down, he does not know. There were comments a few meetings ago that we should poll the businesses on if they want to have Mopar or not. Disappointing that almost every new stencil that was put on the roads had black marks. The cost is the cost.

Councilor Lemmon: Welcome to Kellie. Easiest confirmation he has seen based on the hard work he has seen her do in the Parks and Recreation Commission. Appreciate all she has done. Chief and Police Department did an outstanding job for the Mopar event. People in the streets with the vehicles doing burnouts is a safety issue. Protection of the citizens and anyone visiting is the #1 priority. Need to find a way to do it safely; if we can't, then we can't do it. Other places said they could not do it because they could not find a way to do it safely. A lot of people enjoy it. Need to get some citizens in to discuss this. Safety issue of destruction of bike lanes and crosswalks. They need to be clear and visible. Needs to be addressed.


Councilor Green: Thanks for the confidence and support from council. She will get up to par quickly and do her best for council and for the village. This is her home and she loves being here. She is proud to serve. Thank you for your support in that. Her moment of sadness for Mopar was hearing all of the cars on Friday night, because she knows that the village had prepared, to a large degree, for Mopar to happen on Saturday. Police Officers, EMTs, Fire Fighters, and all of the support systems that were needed were there and Mopar decided to come in a day early. To her, that is an uninvited coming in early and is rather brazen. Really hard for public safety workers to do the things they need to do to keep the village safe when that happens unexpectedly. Sad because it was planned to a degree. Parks and Recreation Commission even moved the Family Fishing Day event to make sure it did not happen on Mopar day and they took advantage of that. Thank you for your support for Parks and Recreation who is so excited for the skate park funding approval.

Mayor: Children's Summer Lunch Program was a great success. Over 1,375 meals were served in nine weeks. Gave thanks to the Rittberger family, Gilmore family, Carter's Helping Hands, Neighborhood Strategies, Pam Osborne and David Kreager, and many more who all made monetary, food, or other donations. Mayor is sad to see it end; it was challenging and she enjoyed it. If you see the children around the village, give them a kind word and a helping hand. There are many children here who have hidden issues. They all have a future here. As for Mopar, the Chief has a number of citations, many of which were reckless operation, and thanks to the Public Safety forces.

Councilor Goodman: She wonders where the cars came from on Friday night for Mopar? There were more and more and louder and louder and then she heard that National Trails Raceway was advertising it as Friday and Saturday night in the village. She knows that we did not know it and we were not prepared for it. Instead of one night of chaos, it was two nights of chaos. Bad enough that there was damage but they were projects that were just completed. Brand new crosswalks and bike lanes. We all were very proud that those were completed improvements for the village and then for people to come in on one weekend and damage it and now we are \$10,000 in the hole on that. Does not want to sound like she's bashing Mopar; it can be fun and nice to see the cars. She does not know what the solution is but if there is not one, we know what Heath did by banning it. We have several months to look at that and we need to. She agrees that the community and business owners need to be involved in some of these discussions. Tried to put together a committee a few years ago before Covid, but Covid hit and no Mopar and that group did not get back together again. Councilor Cable said that if the racetrack is guiding people to come here, are they then liable?

ADJOURNMENT: Motion by Councilor Cable to adjourn the meeting and seconded by Councilor Wadley. All in favor. Meeting adjourned at 8:26pm

NEXT MEETING: Regular Council Meeting: August 28, 2023


Samantha Torres, Council Clerk


Linda Goodman, Council President