

Buckeye Lake Village Council Meeting Minutes
Held in Council Chambers, streamed live on Facebook
February 26, 2024

Call to Order: By Council President Linda Goodman at 7:01p.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), Kellie Green (0,0), Deb Julian (0,0),
(Consecutive, Total Absences) John Lemmon (0,0), Adam Miller (0,1), Sue Wadley (0,0)
Absent: None.

Staff Present: Samantha Torres, Clerk of Council; Amanda Hoppel, Clerk Treasurer; Jason Harget, Police Chief; Keisha Amspaugh, Fire Chief; Toby Miller, Public Works Superintendent; Dick Williams, Planning and Zoning Commission Chair; Rex Adkins, Code Enforcement Officer.

Approval of Regular Council Meeting Minutes: Motion by Councilor Lemmon, seconded by Councilor Cable, to approve the February 12, 2024 regular council meeting minutes.

Roll call vote: Yes: Lemmon, Wadley, Cable, Goodman, Green

Abstain: Julian, Miller; **Nays:** 0; **Motion Passed 5 – 2 - 0**

Approval of Clerk Treasurer’s Report: Motion by Councilor Lemmon, seconded by Councilor Julian, to approve the January 2024 reconciliations and Treasurer’s report dated February 22, 2024.

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

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

APPOINTMENTS AND PRESENTATIONS: None.

COUNCIL STANDING COMMITTEE REPORTS IN THE FOLLOWING ORDER:

Finance Committee: Committee meeting held tonight at 5:30pm. A few pieces of legislation on the council agenda tonight. Need to move temporary budget to permanent budget by the end of March to get it certified with a few changes to be discussed at the next meeting. Need to look at migrating from levies to income tax and what that would look like in order to be able to explain to residents if that is the direction the village chooses to go. Next Finance Committee meeting to be held March 25th at 5:30pm.

Public Safety Committee: Meeting held tonight with general conversation with police and fire chiefs about how they will be moving forward in this next year. Chair Lemmon encourages everyone to rewatch their meeting in order to get all of the information that was discussed. No decisions made during the meeting.

Public Service Committee: Chair Cable’s report was given at the last meeting. The committee has a standing meeting on the first Monday of every month at 6:30pm, with the next one being held March 4th at 6:30pm.

Rules Committee: Chair Miller stated he needs to get a Rules Committee meeting scheduled.

Community Development Committee: Nothing at this time.

Personnel Committee: Next meeting to be held March 11th at 6:30pm.

Report of Council President: The village will be going through the regular bi-annual audit near the end of March or April 1st.

A few items that the village completed in 2023: the bridge project – quite a lengthy process that started under the administration of Mayor Clay Carroll, continued through Mayor Peggy Wells, and was completed in the Summer / Fall of 2023. The funding for this was through an ODOT TAP grant obtained by Public Service Superintendent Toby Miller and it paid for 95% of that project. Council passed legislation through all of this process to continue on through the length of the process. Additional funding was received through LCATS and county levy held license plate funds. Naming of the bridge was selected and voted on by council during the Mayor Wells administration and when Bill French was Public Service Committee Chair.

The curbs and sidewalks project – this was started and is currently on-going through Public Service and ODOT TAP grants, which are a lot of work for Mr. Miller to complete but are very financially beneficial to the village. The initial one started out jointly with a grant that both BLRC 2036 and the village submitted. It was applied for in 2021, 2022, and again in 2023. These projects take a few years from start to finish. It is nothing that happens in the matter of a few months and there is a lot of different play and organizations who have a hand in them. President Goodman personally thanked Public Service Superintendent Toby Miller for all of the work and for these grant applications.

The Ohio Supreme Court lawsuit against the village, Council President Goodman, the Licking and Fairfield County Boards of Elections that was settled and ruled on February 21st by the Ohio Supreme Court: all writs were denied and it was confirmed that Solicitor Nicodemus could represent the village. This has been settled and it was all based on merit and is good news.

REPORT OF VILLAGE OFFICIALS – WRITTEN OR VERBAL

Police Department – Chief Jason Harget: Chief Harget thanked Officer Weilbacher for his service with the department. He accepted a full-time position with the Licking County Sheriff's Office. Chief appreciates the collaboration with the sheriff's office. Chief stated he has supported Virgil since the day he applied and he will be missed. His resignation letter was given to council. He will post for the open position tomorrow in various places. Police and Fire departments will host an Easter Egg Hunt on March 16th at 1:00pm SHARP at Ryan-Braden Park. Officer Skinner took a part-time position with the Baltimore Police Department. That position will be filled as well. The department will not skip a beat and will have coverage for the community. Other officers will work some extra hours, Chief included. New officers will have to go through an extensive background check. Chief had a request from Eastland Career Center for transfer of assets for old body cameras asking if they could be donated from the village. The cameras are over five years old. Most of them still work and the village has no use for those any longer so he told them he could start the transfer of assets process. Baltimore Police Department also reached out looking for some computers for their cruisers. He will work with Toby Miller on that process.

Fire Department – Chief Keisha Amspaugh: Easter Egg Hunt – Saturday March 16th at 1:00pm SHARP (the eggs will go QUICKLY! Be sure to arrive early) at Ryan-Braden Park. Small, wrapped candy donations will be accepted at the Fire Department. Written report was submitted. Vehicle extrication training will be held in the impound lot to run some scenarios of real-life situations that could happen. Annual evaluations will be held soon.

Public Works – Super Intendent Toby Miller: Agenda for their March committee meeting is being prepared. There are some legal documents for the Cranberry paving project to go through committee and then on to council. Bid documents are being prepared for that and should be advertising next week then another 30-40

days left in the bidding process. Legislation on the agenda tonight for Safer Streets 4 All.

Parks and Recreation Commission: No representative, no report. No quorum at their last meeting so they were unable to hold one.

Code Enforcement – Rex Adkins – Written report submitted. Actively working on current and old cases to get them taken care of. Short-term rentals are at 13 applications. 6 inspections given to Fire Department to take care of, with 2 licenses approved. They will need to send letters to get others to apply. Tony from the Fire Department has been trained to know what to do in the iWorq system for inspections. Fees are being collected. Need to review the legislation to find out what the timeline is for compliance on applying for a short-term rental license. Rex has been helping Kevin with his duties for zoning, as Kevin is in Florida for a month. Rex is waiting to hear back from Solicitor Brad Nicodemus on the 7 nuisance properties he is dealing with. Receiving a lot of calls about cannabis-related business within the village. Rex said Heath and Newark have passed moratoriums to stop any more coming in until the State figures out how they wish to regulate and those businesses can be in compliance with that. Many calls seem to be from out of state callers. President Goodman stated that until the State comes up with their explanation, she does not think the village can make theirs. She stated there was also discussion that has not been finalized about if there is a grow operation in the municipality, you could not have a retail operation in the municipality. Rex stated that was under the medical marijuana statutes that you could not have a dispensary if you had a grow operation in the same jurisdiction. He does not know where they will go with recreational use. President Goodman suggests that we keep a close eye on what the State says and then take it from there. Councilor Julian stated that if it is not currently in our zoning to the point that it is prohibited, can we say no? Councilor Lemmon asked what the village's official response would be? Rex said he tells them that currently we have no regulations. If someone comes in to apply to open up a storefront, it could possibly happen right now. President Goodman said she does not think so; the State would stop it. Rex stated the State has not stopped them, just that they have not decided how they will regulate it. He said other communities are trying to say where they DON'T want them, such as next to a daycare center or near a school or a park. President Goodman asked Community Development, Code Enforcement, and Zoning to make this a project and stay on top of what the State is deciding. Rex has examples of ordinances from other communities. Councilor Lemmon stated that it is a business and as long as it is within a business district, he does not know why we would have a question. Rex reminded all that there was uproar about the potential of the library moving between a vape shop and a bar in Hebron. The library is in a business district, do you want a vape shop next to the library that sells marijuana? Councilor Lemmon said kids can't go in there. Councilor Wadley said we can have our opinions but it should be what is best for the village. Rex said a moratorium would allow the village to say we cannot give you a permit right now until the State figures out how they wish to regulate and we can follow those guidelines. President Goodman said if neighboring communities are passing moratoriums, it may be a good idea to do one too. They may try to come to a community that does not yet have legislation. Councilor Lemmon said let's take that opportunity and fill our empty spots with business.

Zoning – Kevin Strang – Absent. Report submitted.

Planning & Zoning / BZA Commission – Dick Williams – There have been no applications since November and they have not met as a commission since September. Next meeting will be Thursday March 7 at 7:00pm and there are applications. Dick stated that the commission is in the same situation of what Rex just described about marijuana shops but about LED signs within the village and right now they are tabling LED signs until they have a plan. They would like to not have an intermediate plan, but to have it come with the new zoning code

that will be written by OHM in the near future. Next month they will present their 2023 review. Non-elector members of the commission need to be reconfirmed if they wish to stay.

Report of Mayor – Absent. No report submitted but said she would have a report in March.

Citizen’s Comments Regarding Legislation on Tonight’s Agenda – None.

ORDINANCES

Ordinances for 3rd Reading – None.

Ordinances for 2nd Reading – None.

Ordinances for 1st Reading –

Ordinance 2024-07 – AN ORDINANCE PROVIDING FOR ESTIMATED REVENUE FOR THE VILLAGE OF BUCKEYE LAKE FOR THE CALENDAR YEAR 2024 AND DECLARING AN EMERGENCY.

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

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

Motion by Councilor Cable, seconded by Councilor Lemmon to adopt Ordinance 2024-07.

Discussion: This was talked about in the Finance Committee. It is monies received for the SS4A project and a fund will be set up for that.

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

Ordinance 2024-08 – AMENDING ORDINANCE 2023-62 TEMPORARY APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

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

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

Motion by Councilor Julian, seconded by Councilor Cable to adopt Ordinance 2024-08.

Discussion: This was talked about in the Finance Committee. This is the other side of the monies Ordinance 2024-07 brought in. It is monies received for the SS4A project.

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

Ordinance 2024-09 - AMENDING ORDINANCE 2023-62 TEMPORARY APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

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

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

Motion by Councilor Cable, seconded by Councilor Julian to adopt Ordinance 2024-09.

Discussion: This was talked about in the Finance Committee. This is fixing an error where Medicare, OPERS, and personal services were coming out of the wrong line item and it needs to be fixed because it is coming out of zoning which depleted the budget, so this is just a correction.

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

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

Ordinance 2024-10 – PERMANENT ANNUAL APPROPRIATIONS ORDINANCE OF THE VILLAGE OF BUCKEYE LAKE, OHIO, FOR 2024, AND DECLARATION OF AN EMERGENCY.

This will move on to a second reading.

RESOLUTIONS

Resolutions for 3rd Reading – None.

Resolutions for 2nd Reading – None.

Resolutions for 1st Reading – None.

UNFINISHED BUSINESS – None.

NEW BUSINESS –

Procedure After Recall Election - President Goodman read the procedure for after the recall election to be held tomorrow. Procedure can be found in the meeting minutes binder.

CITIZEN'S COMMENTS –

Cindy Wolfe – 284 Cranberry Lane – Cindy stated that the paving on Union Street that is less than a year old is breaking down and has potholes. She was wondering if there is any recourse for the paving and if the company is going to make it right? She stated the paving itself does not seem like it meets any specifications. It is very porous and there is water leaking into it and the road may be crumbling within the next six months. Councilor Julian stated that she walks that road all the time and stated that it is crumbling. She suggested it be sent to Public Works committee to maybe do some testing on the quality. Cindy said her concern is are we going to continue to pay this vendor and continue to waste the village's money because what they have done is totally substandard. Public Service committee will look into this and consult with Toby Miller.

Casey Clark – 241 Lakeview Drive – Casey stated that in the propaganda that the current mayor is distributing, she makes a number of claims that Casey would like to refute. Casey's full comment can be found in the meeting minutes binder.

Lissann Torrens – 10740 Weaver Road Utica, Ohio – Lissann stated she was the previous Planning and Zoning and Office Clerk for the Village. She recently departed from the village in December 2023. She came tonight because today and tomorrow are the two most important dates of the year for not only the community, but most of the present and some of the past employees, other organizations and businesses within the community, and even outside of the community. Everyone is watching the Village of Buckeye Lake again and this time waiting as we all are for the fate of the village for the next two years. Many of you heard a little of what she is about to say from her husband David and his perspective about the opportunity she lost due to the administration's false statements to another public entity. She has heard many different times for many different scenarios of how "I know the truth" or "only I know the truth." Lissann stated she was going to read her truth which is her complaint that she submitted to council on October 4, 2023. At this time, Lissann read her official complaint

letter to council. Lissann's ending notes were that her heart truly hurts that when she says "most of the staff" she means most of the staff put their blood, sweat, and tears into the village. We were proud of the village as we had positive morale and received compliments on the atmosphere. Staff including herself volunteered personal time on many occasions trying to help the village in some way. Morale changed drastically and the atmosphere, as stated in the HR assessment, was very much toxic but it was not due to staff. It was very much due to the leadership or lack thereof. You will see one's head shake, facial expressions, and comments but she has always been told "the truth no matter what comes out in the end." Lissann said she can give you countless situations, countless things and documentation she has for what has happened to her or what her fellow coworkers endured, but that will do you no good. The time has come for the people to decide and when you decide and cast your vote, think of the next two years and where you want to see your village. Please remember, you're always one public records request away from finding the truth even if one does not disclose those records. She has found this to be the truth in her journey.

Bill French – 4645 North Bank Road – Bill stated a neighbor had asked if he worked with the mayor on the bridge project, since it was stated that the bridge was completed under her list of accomplishments. Bill said he did work on the bridge project as the Public Service committee Chair and the folders that he is holding contain most of the information that he gathered during that time, including naming the bridge road (Resolution 2020-12, 2021-15). Former mayor Peggy Wells and Toby Miller are listed on many documents, while mayor Peterson is not on a single document. Bill wanted to speak about positive aspects, so he spoke about Police Chief Harget. Bill said he feels qualified to talk about Chief's traits as Bill spent 28 years in civil service mostly working with police officers. Bill feels that Chief Harget does not get the support deserved from the administration. He has great respect for the Chief, not only for mutual safety services respect but because he is an outstanding leader and possesses the following positive traits, which he had to knock the list down to speed it up: the position does not define his leadership - his title is earned, not demanded; works on skill development; approaches mistakes with humility; sets goals; engages with community such as movie nights, Christmas gifts, easter egg hunts, and so on; stays flexible and ready to adapt; listens to others; communication; compassion; empathy; integrity. He does what's right not because it's easy or expedient. Bill gave an example of Chief Harget's dedication to his job of a young man suspiciously walking around the neighborhood a few months ago. It was obvious he was looking for things. Although the man left before the police department could be dispatched, the Chief ended up following up. That evening Bill was awoken in the middle of the night by a car idling outside his front door; turns out it was the Chief in a police cruiser. He thought the person might return to the area and help himself. The Chief went above and beyond what he needed to do. Other people who positively influence the village include the council. In solidarity with the council, Bill is wearing a shirt about a unanimous vote of no confidence years ago that he was involved with and that he had a vote on and it was difficult, as you can imagine. This council is very diverse and it should be a difficult task to get a unanimous vote of no confidence and a 100% censure vote for a public official. Bill has worked with a number of people on the current council and knows others. He has seen every council meeting either in person or on Zoom since he was on council. This diverse group of individuals work well together and compromise as needed. He has 100% confidence in the council to do the right thing. This mayor passed up her opportunity to work together. Bill also supports the two employees or as the mayor stated "unelected bureaucrats" as the mayor calls them in her campaign literature. They were outstanding employees in every way. He worked with both of them to great extent. In his city, when a group of employees including himself were mistreated in the city he worked for, they sued the city and a high-ranking official in a civil rights violation and they prevailed. He told Lissann that she can prevail also. He has 100% confidence in these two young ladies and wish them well and wishes all employees of the village well. We have been through a lot lately. Bill went back to Chief Harget's first positive trait: the position does not define the leadership. Unfortunately for another public official, she should know that leadership is not defined

by vertical position. Leaders who rely on their title or position to influence others just do not seem to work well with others. Leaders who lead by their hierarchical position do not lead well because they fail to acknowledge that leadership is about working with people. Thanks for the time and hope we can get through this.

Shelly Myers – 507 Providence Lane – Shelly read a letter to mayor Peterson. Jeryne, here we are just one day away. Right is right and wrong is wrong. I am involved in this recall election because you are wrong for this village of Buckeye Lake. You feel you are above the law and rules and you behave that way. For the will of the people, you have not only filed a lawsuit against the village and the people you are elected by to serve, you have taken every step possible to block a recall election, which, with 265 signatures, is the will of the people. You were elected but have not served the people well. I as well as others did not go door to door in rain, sleet, and snow to get signatures because you were doing a great job. It was not hard to get signatures except from those who fear you and your retaliation. Above the law, both personally and professionally. The community you live in, you attempted to have the mail redirected but you could not direct the post office. You cause quite an uproar and unnecessary disruption. You would not face your neighbors and fellow residents. You have violated various rules and regulations for the HOA, for landscaping and so much more. You have failed to follow the rules. Your only consistent action throughout is to lawyer up. Above the law as mayor – you do not follow the charter. If you did, we would not have had various legal issues, including how you have handled the matter of village solicitor. You haven't followed the rules of the Board of Elections. You haven't registered a committee and treasurer as of 5pm today. That is supposed to be done before you received the first dollar. In addition, you have used multiple non-registered committees; one of them was closed since December of 2021. No games, full transparency – your text messages with a known activist including a text “don't forget the radar and how your rights are being violated” naming Ms. Goodman and Mr. Nicodemus. Yes, transparency occurred when your text messages were added to public records requests. Who is Timothy? One January 22nd, at this last village council meeting, a citizen, Marianne Perrine, read a letter from an avid supporter of mayor Peterson. When asked “who?” she said “Timothy” but she did not know his last name, essentially an anonymous letter. With hesitation, it was allowed to be read. Note: the content of that letter was quite similar to a report that you did in December as part of your mayor's report. Interesting, content of that letter is exactly what you have printed on your campaign postcards. With a public records request, the letter read was an email actually written by you sent to Marianne on February 12th from your personal email account telling her what to say, signed Timothy. An additional public records request asked for additional information behind the email to Marianne. If written by someone and sent to you, who was it? You said today “there is no additional information. None.” So, either you again violated a public records request or are YOU Timothy? No one has been willing to speak on your behalf except Timothy. Who is Timothy? I am voting NO tomorrow and urge all eligible voters to do the same, thank you.

David Torrens – 10740 Weaver Road Utica, Ohio – Jeryne Peterson, she has changed a lot of lives. A few for the better; a lot for the worse. Tomorrow, we have a chance to change hers. Vote tomorrow.

Brian Thom – 4863 North Bank – Only has two words: Vote No.

COUNCIL MEMBER COMMENTS –

Councilor Cable – This village is bigger than any one person or group of people. We as a village shall move forward. The weather is changing and getting nicer. Buy local, thank you.

Councilor Lemmon – Thanked all of the citizens for showing up tonight. Very good crowd. In the last couple of weeks he has had at least three people reach out to him saying they would be interested in an interim council position. We have had trouble sometimes finding someone so there is public interest in this. We have a process

going forward because it will be an interim process under the leadership of President Goodman. Thanked President Goodman for her leadership in all of this. He thanked council clerk Samantha Torres for doing her due diligence, reaching out to the solicitor and other people in their fields. The mayor stated in a public document that that could be considered laziness; that's not laziness, that's doing your job and doing a damn good job, so thank you.

Councilor Miller – No comments at this time.

Councilor Wadley – Thanked Samantha as well, she has had a rough couple of months and some things have been expected of her that maybe have not been expected of previous clerks with the turbulence we have had. We all think you're doing a great job Sam, so keep going. Thanked the people for coming. The people have spoken and now it is time to vote. If you are in the village, please exercise your right to vote. Whether you want to vote yes or no, that's up to you but she encourages everyone to go out to vote.

Councilor Green – Thanked everyone for being here. She hopes we continue to have a lot of attendance at our meetings. Thanked all employees, first responders, committee chairs and members who volunteer their time to make our village a better place. Sincere heartfelt sorrow to the people who were working here who no longer work here. Looking forward to moving forward and taking care of business as we need to in a positive manner. There are a lot of positive things going on. Hope this is what we are working on starting Wednesday, so please vote.

Councilor Julian – Thanked the employees and this council for keeping it professional over the last three months or so. It has been a lot of turmoil that on Wednesday has to go away. We have to be drama-free and get past this. It has been sort of crazy and she does not feel like we have accomplished what we should be accomplishing which is serving the people of our village. It is not all of this other stuff that has gotten in our way. She feels really bad for the previous and current employees having to deal with what we have had to deal with. We have heard from many employees that, even on a good day, it was walking on eggshells and that should never happen in a place of business or municipality. Thanked the six council members and previous member Tom Wolfe as it has helped us get past all of this in the last few months. Thanked President Goodman for her leadership.

Councilor Goodman – Thanked all of the audience and employees. It feels so good to look out and see your faces; it means a lot. Sorry that you have been through what you've been through. We keep trying to make it better and we keep working on things. It is time to move forward in a positive direction. A huge thank you to Samantha. No one truly knows what this young lady has been asked to do over the past several weeks. The Ohio Supreme Court filing is a public record so anyone can see it, and in a filing, Samantha's name is mentioned 122 times in that document. She is accused of being unqualified, untrained, not doing her job, and I know that every single person in this room knows better than that. Samantha, you have done a wonderful job. The Ohio Supreme Court agrees that you did a wonderful job. Thank you. Please vote tomorrow.

Adjournment: Motion by Councilor Cable, seconded by Councilor Julian, to adjourn the meeting. All in favor. Meeting adjourned at 8:22pm.

NEXT MEETING: Regular Council Meeting – March 11, 2024



Samantha Torres, Council Clerk



John Lemmon, Council President