

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

January 8, 2024

Call to Order: By Council Clerk Samantha Torres at 7:01p.m.

Pledge of Allegiance and Moment of Silence: Led by Council Clerk Samantha Torres.

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 (0,0), Sue Wadley (0,0)

Absent: None.

Staff Present: Mayor Jerryne Peterson; Samantha Torres, Clerk of Council; Police Chief Jason Harget;

Council President Nominations –

Linda Goodman – nominated by John Lemmon and Sue Wadley

No other nominations. All 7 votes for Linda Goodman.

Linda Goodman is Council President.

Council President Pro Tempore Nominations –

John Lemmon nominated by Adam Miller and Kellie Green.

Deb Julian nominated by Sue Wadley and Don Cable.

4 votes for John Lemmon: Green, Lemmon, Cable, Miller

3 votes for Deb Julian: Julian, Wadley, Goodman

John Lemmon is Council President Pro Tempore.

Council President Linda Goodman took her seat in the President's chair and took over conducting the council meeting.

Approval of Regular Council Meeting Minutes: Motion by Councilor Julian, seconded by Councilor Cable, to approve the December 11, 2023 regular council meeting minutes.

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

Abstain: Miller; **Nays: 0;** **Motion Passed 6 – 1 - 0**

APPOINTMENTS AND PRESENTATIONS – Mayor Peterson swore in Officer Blaine Jenkins IV to the Buckeye Lake Police Department.

ORDINANCES

Ordinances for 3rd Reading –

Ordinance 2023-63 - AN ORDINANCE ESTABLISHING A MUNICIPAL INCOME TAX AT A RATE OF ONE AND ONE-HALF PERCENT (1.5%) PER YEAR, EFFECTIVE JULY 1, 2024, AND THE DECLARATION OF AN EMERGENCY.

Motion by Councilor Lemmon, seconded by Councilor Cable to adopt Ordinance 2023-63.

Discussion: Councilor Cable stated is now really the time for an income tax? He does not think we are there yet to really determine based upon all the other tax structure we have coming into the village such as the various levies. Councilor Lemmon stated that the filing deadline for this was missed. Conversation needs to be had somewhere along the line this year but for right now, it is what it is. Councilor Julian stated that the next time this comes up, we need a projection of the next five to seven years, when things are rolling off. Per information given so far it takes about a year and a half for this to totally take effect, but will it totally replace any levies? We need a clear financial understanding. President Goodman stated that we do not want to double tax the residents so we need to figure out when is that perfect timing of the switch over from levies to income tax.

Roll call vote: Yes: Green

Abstain: 0; **Nays:** Cable, Goodman, Julian, Lemmon, Miller, Wadley; **Motion Failed 1 - 6**

Ordinances for 2nd Reading – None.

Ordinances for 1st Reading –

Ordinance 2024-01 - AN ORDINANCE AMENDING ORDINANCE 2023-54 TO UPDATE THE MAP OF THE TIF AREA AND THE DECLARATION OF AN EMERGENCY.

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

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

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

Motion by Councilor Lemmon, seconded by Councilor Green to adopt Ordinance 2024-01.

Discussion: This is the same map that was passed in the previous TIF ordinance, just the map needed to be changed to be an overlay instead of outlining each individual parcel.

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

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

Ordinance 2024-02 - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE LICKING COUNTY HUMANE SOCIETY FOR THE PURPOSE OF PROVIDING ANIMAL CONTROL WITHIN THE VILLAGE AND THE DECLARATION OF AN EMERGENCY.

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

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

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

Motion by Councilor Cable, seconded by Councilor Green to adopt Ordinance 2024-02.

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

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

Ordinance 2024-03 - AN ORDINANCE PROVIDING FOR THE SUBMISSION OF THE QUESTION OF THE RECALL OF MAYOR JERYNE PETERSON TO THE ELECTORS OF THE VILLAGE, AND THE DECLARATION OF AN EMERGENCY.

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

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

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

Motion by Councilor Julian, seconded by Councilor Lemmon to adopt Ordinance 2024-03.

Discussion: Council discussed and agreed to February 27, 2024 as the date of the recall election, should Mayor Peterson not resign. Councilor Lemmon stated it is the citizens who put this on. Council did not and he does not know that council morally has the right to tell the citizens that they cannot have it on the ballot. President Goodman answered that the charter states that council shall choose a date. She stated this is not a council referendum, it is a citizen referendum. Councilor Cable stated they are approving the funds. President Goodman said no this is setting the date and saying that they will do the recall election but yes, we do have to pay for it. Councilor Cable just wanted it to be clear that the village will pay for it. Councilor Lemmon said it will be expensive. President Goodman stated that the village charter does not give the option and the March 19th primary election falls after the 65 days stated in the charter so that is out of our hands.

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

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

A last-minute ordinance was submitted by Mayor Peterson - 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 FREEMAN, MATHIS AND GARY LLP LAW OFFICE AND DECLARING AN EMERGENCY.

President Goodman stated the council would be happy to entertain the legislation at the next council meeting, to which Mayor Peterson interrupted to say that it is her right as mayor of the village according to the Charter 6.06 and she has taken the steps today and sent certified mail to village solicitor Brad Nicodemus attorney at law today. She stated she in fact signed today an agreement, not a contract so the village does not go without coverage with legal counsel and the council will be explained that we will be using Freeman, Mathis, and Gary in the interim until such time that we can all decide on an attorney firm or law firm that meets our standards and what we need. She stated she does have a right to this and she is executing this officially on record tonight. She also said she is very sorry but she wants the public to know that every single council member sitting here signed those petitions to remove her. She said shame on you, shame on all of you, shame on all of you for not following your Charter. President Goodman then used the gavel to bring order to the discussion, to which Mayor Peterson said President Goodman can pound that but she is your mayor and she is going to finish this. President Goodman stated this is a council meeting. Mayor Peterson stated it was her right and President Goodman stated she can submit the legislation. Mayor Peterson said if you don't agree with this, you will leave your village without any counsel. President Goodman said we will let it be the will of the council whether they want to address this tonight. She stated that Mr. Nicodemus has not received the certified mail that the Mayor sent. Mayor Peterson said he will receive it on Wednesday and President Goodman again said that he has not received it. Mayor Peterson said no he has not received it; it was sent to him today by mail. President Goodman asked if council wants to entertain this tonight or would they like to move this to the meeting on the 22nd?

Motion by Councilor Lemmon, seconded by Councilor Miller to move the proposed legislation Ordinance 2024-xx(04) to the January 22, 2024 council meeting.

Discussion: President Goodman stated that the mayor did pass out attorney-client privileged information to all of council so please do not share.

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

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 - None.

NEW BUSINESS – None.

CITIZEN'S COMMENTS -

Casey Clark - 241 Lakeview Drive – Casey stated that the mayor brought up how the council members had signed the petition. Casey said she would like to point out that everyone in this room that was qualified to sign the petitions other than the mayor signed the petitions. Casey then read a comment that can be found in the meeting minutes binder about the recall of Mayor Jeryne Peterson including a brief summary of how it has

reached this point.

COUNCIL MEMBER COMMENTS

Councilor Goodman stated that it has been pointed out by legal and by the Board of Elections that there is to be no campaigning done on village property. None of the village office equipment is to be used to generate any documents or handouts concerning the recall election. It is that way for anything, just like when they have levy committees, village office equipment and employees are not to be used on their paid time for anything that is elected.

Councilor Wadley: Welcome Adam to council and Blaine to the police department. Councilor Wadley stated that she did sign the petition but she did it as a resident, not as a member of council. She signed it as an opportunity for the residents and citizens to be able to cast their vote one way or another to make a determination for the next steps just like she signed the library petition.

Councilor Green: No comments tonight.

Councilor Julian: Welcomed Councilor Miller and Officer Jenkins. It's great to have a new face in the rebuilding of our police department. She looks forward to 2024. There continues to be lots of changes and lots of exciting things going on in the village. Congratulations to President Goodman and Councilor Lemmon for their positions. She looks forward to working with them.

Councilor Miller: It's going to be a fun one. He has been trying to learn everything and he hopes he can do as well as the rest of council has done. He is trying to learn at an accelerated rate. Appreciates the warm welcome.


Councilor Lemmon: Congratulations to Councilor Miller and Officer Jenkins. Thanked the Police Department for their hard work keeping people safe on New Year's Eve. Go Huskies tonight, wants to see some football.

Councilor Cable: Welcomed Councilor Miller and Officer Jenkins and Councilors Goodman and Lemmon. Right now, the village is going through some stuff. It is what it is. This particular vote this evening, he talked to 10-15 people and of the 4 years, this is one of the most difficult votes. It has been tough today. Be safe tonight. Winterfest coming up that is always an entertaining adventure.

Councilor Goodman: She would like to repeat what Councilor Wadley said that yes, she signed the petition as they all did and she signed as a long-term resident. Being around Buckeye Lake most of her life, we all do have personal lives and they all have resided in this village and we make our choices. She agrees we are going through some tough times; it is not easy for anybody but they are bound by the charter that we have and bound by the oath that they took when they were sworn in as council members to represent the residents of the village in the best way they can and to conduct the business of the village.

ADJOURNMENT: Motion by Councilor Cable to adjourn the meeting and seconded by Councilor Miller. All in favor. Meeting adjourned at 7:52pm.

NEXT MEETING: Regular Council Meeting: January 22, 2024


Samantha Torres, Council Clerk


Linda Goodman, Council President