

Buckeye Lake Village Council Meeting Minutes
Held in Council Chambers, streamed live on Facebook
July 10, 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),

(Consecutive, Total Absences) Deb Julian (0,0), John Lemmon (0,0) Sue Wadley (0,1), Tom Wolfe (0,0)

Absent: Paula Brunton (resigned from council 7-10),

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 Julian, to approve the June 26, 2023 regular council meeting minutes.

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Approval of Clerk Treasurer's Report: Motion by Councilor Lemmon, seconded by Councilor Wadley, to approve the Treasurer's report dated July 6, 2023.

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Fiscal Officer Jennifer Dennis stated she is working on the second quarterly reports for the ODJFS and also 941 Federal taxes. She sent out an email last week to department heads asking them to start working on their budgets for 2024 to have to her for the beginning of August. She and the mayor will review their drafts once received.

APPOINTMENTS AND PRESENTATIONS –

Ryan Scribner, Director of Economic Development and Harrison Crume, Manager of Economic Development from the Montrose Group / Law Firm spoke to council about TIF: Tax Increment Financing districts for the village and how to equip the village with resources to accommodate growth in a fiscally responsible way. The Montrose Group has submitted a proposal for the village's consideration to assist the village in the creation of a TIF to support public infrastructure investments needed to accommodate new commercial and residential growth opportunities in the village. TIF helps to equip the village with revenues that they would not have otherwise that are generated by the new development that can be specifically applied to public infrastructure improvements such as roadwork, water and sewer, etc. The proposal from Montrose Group includes a scope of work that starts with some analysis, which helps in understanding the value that can be generated from the new development and exactly which parcels in which areas need to be included in any potential legislation. It will also help in understanding the appropriate usage and utilization of those TIF revenues and identification of some of the public infrastructure improvements and rough cost estimates. The scope also includes supporting the development of the appropriate legislation and things such as notices to the school district, as well as filing everything with the county auditor and the State of Ohio Department of Taxation.

Ryan explained the TIF: it is much like millage collection of property taxes, where a dollar of property taxes is split up amongst multiple entities and typically the schools receive the largest share. The village's current millage is likely not enough on its own to accommodate significant roadwork improvements. The TIF allows the village to capture a larger than normal share of new property tax dollars generated by the new development and there are many ways it can be carved. Non-school TIF scenario means the school district will still get their full share but the village would get the balance of any new property tax dollars generated from the new development. The establishment of a TIF allows the village to be able to have conversations and accommodate and fund projects that they could not have been able to otherwise. The analysis can also help in understanding

how to leverage the generated TIF revenue, as there are all sorts of programs out there that can support public infrastructure, but most, if not all of them require local match which can be difficult to come up with unless a TIF area is created and the village is able to capture extra amounts of value off of new development in the village.

Councilor Wolfe asked if there is an emergency in passing this through legislation, as it is on tonight's agenda. Ryan stated that there are time sensitivities to enacting a TIF. A TIF captures new increment and the timing of when it goes into effect is very important, such as a land transaction that is going to take place in advance of the vertical new development. Much of the land right now around Central Ohio is bought at a low price and is for agricultural use and the property taxes are low. That is when you would want to enact a TIF; you would not want to create a TIF after there has been a transaction where it goes up. Councilor Wadley asked where the revenue comes from. Ryan stated that creating a TIF does not raise anyone's taxes. What it does is, on the new facilities being built, as those become assessed and valued, they start to be taxed with property taxes. The TIF only shifts where those tax dollars go and how they are utilized for a finite amount of time or at a certain percentage and in a strategic way and allows the village to accommodate infrastructure and resources without having to raise taxes. TIF is a way to afford things without having to talk about municipal income tax or trying to raise property tax rates. It is a temporary diversion of a larger share of new property tax dollars. Councilor Julian asked what is the life of a TIF. Ryan said that is to be determined as a part of the analysis if the village chooses to work with the Montrose Group, but it could be as short as 10 years or as long as 30 years. Analysis will help to understand the revenue streams versus the needs. Ryan stated that developers are looking for a quality place to invest where they can be assured on some return on investment and a TIF is a great opportunity for a public-private partnership with the developer.

COUNCIL STANDING COMMITTEE REPORTS

Finance Committee: Meeting held tonight. Ordinances on the agenda tonight were discussed and recommended. Ordinance 2023-32 is now split into 2023-32 and 2023-34 to allow a separate vote for each separate subject. Comprehensive fee schedule was also discussed. Next committee meeting will be August 14th at 5:45pm.

Public Safety Committee: Nothing new to report. Next committee meeting will be July 24th at 6:30pm.

Public Service Committee: Committee meeting held on July 5th. A lot of discussion for different projects, with the most discussed being the turning radius of paving areas in Cranberry Bay. The residents are invited to the committee meetings, where they can receive the most information and visual presentations. Next committee meeting will be August 7th at 6:30pm.

Rules Committee: Absent. No report.

Community Development Committee: Chair Wolfe was asked to follow up with some research into beer and wine policies and laws in other communities. He also suggested a village logo flag that could be flown in various places of the village, like the entrances into the village, the municipal building, and the Recreation Center / park.

Personnel Committee: Meeting held tonight where they discussed uniform and dress code policies. A working committee meeting will start up on Tuesday at 1pm to work on completing the village social media policy for all departments. Next committee meeting to be held August 14th at 6:30pm after the Finance Committee meeting.

Report of Council President: Council President Goodman thanked everyone and BLASST for a very nice and safe 4th of July celebration. Lots of ODNR, Police, and Fire services on the dam to help out and they did a great job. There is a vacancy on council as Councilor Paula Brunton has resigned from her seat as of today, July 10th.

Deadline to apply is July 24th at 4:00pm with interviews to follow.

Report of Mayor: Written report submitted.

ORDINANCES

Ordinances for 3rd Reading –

Ordinance 2023-19 - AN ORDINANCE ESTABLISHING A MUNICIPAL INCOME TAX AT A RATE OF ONE AND ONE-HALF PERCENT (1.5%) PER YEAR, EFFECTIVE JANUARY 1, 2024, AND THE DECLARATION OF AN EMERGENCY.

Motion by Councilor Lemmon, seconded by Councilor Wadley to adopt Ordinance 2023-19.

Discussion: Councilor Goodman stated this is an ordinance sponsored by the mayor. Councilor Lemmon stated that the Charter says if you want an income tax, it has to go to the vote of the people. He is not opposed to asking for the vote of the people, whether they want this. He was opposed in the past to putting it on the ballot with other things. He is not saying that he endorses the tax or does not endorse the tax, he just thinks it is fair to let the people choose. Councilor Goodman said she agreed that it is something that the people need to decide for themselves. She thinks it is something that the village definitely needs, but wonders is the timing right. We do not want to overburden the residents, so we need to figure out the timing of when to get the income tax going. She said it takes about a year for the village to start receiving the income from it. She does not want to overtax the residents. Councilor Cable agrees. He said he struggles with: does it go in front of the voters or not go in front of the voters and council was elected to represent the voters. He has a hard time knowing that taxes were raised last November and in May, with a Police levy coming up next year. Timing is important and he believes it will definitely happen but not this round. Maybe the village could have done that instead of the operating levy. Councilor Wolfe agrees that it is a timing issue. We just had some levies passed and could go into a recession to tax, tax, tax. Councilor Julian agrees that the timing and so many asks so quickly does not show any control for the increases that we will be getting. The numbers and what this will generate have been looked at and it will exceed the current levy taxes. She knows that it is right to send it to the voters but she does not feel that the timing is correct at the moment. Councilor Wadley thinks that yes, we will have an income tax at some point in time but we should line it up for when the operating levy is ending. It is important for people to understand what they are voting for and now is not the time. Mayor Peterson stated that this is not for everyone. Seniors and retired and those on fixed income are excluded from paying an income tax. It is only effective to those who are working. Property tax will always be received without a levy. The income tax takes about 2-3 years to kick in. It is not immediate; it is a gradual item. She would like for it to go to the voters and for a team of people including herself to educate the public on why it is needed now.

Roll call vote: Yes: 0;

Abstain: 0; **Nays:** Wadley, Wolfe, Cable, Goodman, Julian, Lemmon; **Motion Failed 0 – 6**

Councilor Julian would like to know more about what the mayor was saying about it taking a few years to kick in. Jennifer stated that someone from RITA could come in to speak to council and the public about it.

Ordinances for 2nd Reading –

Ordinance 2023-26 - AN ORDINANCE AMENDING THE COMPREHENSIVE FEE SCHEDULE FOR 2023 – 2024 AND THE DECLARATION OF 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: 0; **Nays:** 0; **Motion Passed 6 – 0**

Motion by Councilor Cable, seconded by Councilor Wolfe to adopt Ordinance 2023-26.

Discussion: Councilor Goodman stated that she thinks this proposed change to the short-term rental fees in the fee schedule keeps the village in line with other communities, fair to the village and fair to the owners as well.

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Ordinance 2023-27 – AN ORDINANCE AMENDING ORDINANCE 2022-56 REGARDING SHORT-TERM RENTAL ORDINANCE AND BED AND BREAKFAST REGULATIONS AND DECLARING AN EMERGENCY.

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

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Motion by Councilor Wolfe, seconded by Councilor Cable to adopt Ordinance 2023-27.

Discussion: Councilor Goodman stated that these changes are changes that the village solicitor advised us to make.

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Ordinances for 1st Reading –

Motion by Councilor Wadley, seconded by Councilor Cable to rescind Ordinance 2023-28.

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Ordinance 2023-30 - AMENDING ORDINANCE 2023-08 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

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

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Motion by Councilor Lemmon, seconded by Councilor Wolfe to adopt Ordinance 2023-30.

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Ordinance 2023-31 - AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT WITH MONTROSE GROUP FOR CONSULTING SERVICES FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO AND THE DECLARATION OF AN EMERGENCY.

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

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Motion by Councilor Cable, seconded by Councilor Wolfe to adopt Ordinance 2023-31.

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Ordinance 2023-32 - AMENDING ORDINANCE 2023-08 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

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

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Motion by Councilor Goodman, seconded by Councilor Wadley to adopt Ordinance 2023-32.

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

Ordinance 2023-33 - AMENDING ORDINANCE 2023-08 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

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

Roll call vote: Yes: Lemmon

Abstain: 0; Nays: Wadley, Wolfe, Cable, Goodman, Julian; **Motion Failed 1-5**
~~0-6~~

This will move on to a second reading.

Ordinance 2023-34 - AMENDING ORDINANCE 2023-08 PERMANENT APPROPRIATIONS ORDINANCE 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: 0; Nays: 0; Motion Passed 6 – 0

Motion by Councilor Lemmon, seconded by Councilor Wolfe to adopt Ordinance 2023-34.

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

Abstain: 0; Nays: 0; Motion Passed 6 – 0

RESOLUTIONS

Resolutions for 3rd Reading –

Resolutions for 2nd Reading – None.

Resolutions for 1st Reading – None.

UNFINISHED BUSINESS -

Street Width and Emergency Vehicles – Toby Miller and Chief Amspauagh are not present so this topic will be moved to the next meeting.

NEW BUSINESS –

Mopar Update – Chief Harget spoke that it is his understanding that we want Mopar to come back to Buckeye Lake, as it is good for businesses and entertainment for the residents. He plans to have every officer on duty that night and every cruiser out to make sure it is a safe event. No one has been willing to sponsor the event. There are still traffic laws that need to be enforced and the goal is to see who is being very unsafe and have a conversation with them. Councilor Julian has had multiple businesses say that it is actually worse for their business because their normal customers cannot get out of their neighborhoods. She feels there needs to be some quick due diligence and ask some of the businesses how they feel about Mopar in town. There will be a few that say yes, it is good, but you cannot move around the village at all so some of the businesses actually get hurt and some businesses have restrooms with a 45-minute wait time and their customers leave. Chief said it also needs to be controlled to where it does not go on all night. It is not to take away the fun, it is about safety. Councilor Wadley asked if there could be some notice that traffic will be congested that evening.

Village parking lot signs and enforcement – Councilor Goodman stated that the extra parking in the municipal parking lot gets increasingly worse. There are nights when there are meetings or Mayor's Court and there is next to no parking available in our lot. Signs for the parking lot were erected a year ago and it does not seem like they are being enforced – what do we need to do? Chief Harget said that they could enforce them, it is

not a problem. The signage is legal and he thinks it is time to make strict enforcement. Councilor Goodman said we love and support the business next door and we are not shutting that off on the weekends but during the week, when there are meetings, parking needs to be available. Chief Harget said he will keep record of that and show what enforcement they are having of that. Councilor Lemmon said there is a similar issue at Ryan-Braden Park where people leave their vehicles there for days at a time sometimes. Mayor Peterson said to please enforce that as well.

Short-term Rentals – Effective dates, the availability of the application and forms, notifying STR owners, and allocation of funds were briefly discussed.

CITIZEN'S COMMENTS -

Peggy Wells – 258 Cranberry Lane – Peggy read a comment that has been submitted as part of the council minutes regarding the negotiations with Lakeside Mobile Homes for water service and street discussions.

Kyle Robinson – owner of the new Smoke on the Water cigar lounge – Kyle was asking about an update on if the Village would be willing to sell the parcel next to his shop. Councilor Goodman stated that the village cannot sell a property that way. She said that council will take a look at the village-owned properties and decide if they want to put any of them up for sale, in which they would have to be appraised and then put up for auction.

Holly Stein – 13 Beacon Light Lane – Holly asked council what are the conditions this council has agreed upon that make up a necessary declaration of an emergency? She stated that today alone, all of the ordinances were passed with declaration of emergency conditions and on two different occasions, people voted yes and no given the same set of circumstances for the ordinances. She has asked this question before and was given a response that yes, she would get a response back and here are the declared financial conditions and/or pandemic conditions that relate to it. The reason she is asking is that she thinks council is abusing the conditions of a declaration of emergency. The short-term rental has been on this council since October of 2021, how could that possibly be a declaration of emergency? Secondly, she thinks there are some conditions in there where the fact that the process is not set up and yet today the ordinance goes into effect for short-term rental owners to comply, one, they have asked where are the applications and no information on how to get availability on it. Two, it says in there “village-approved certifications to meet electrical standards”, what are they? Herself and others raised the safety question that to put a permit on the front of her short-term rental buildings with her phone number is inappropriate for this council to say that is a requirement. You will know her property and her name and her phone number and it is inappropriate to have that on the outside of a house where anyone can find that phone number and call and harass her. That is not acceptable. Additionally, it says in there, and this is some double wording, that code enforcement is the one who will do the inspection, and then it says if they are not available then the fire inspector who is certified by the village will do it. You have one of each of those, what is the timeline for being able to support this as a process to be able to do this. This is what they have asked repeatedly, to be able to help explain the process to comply with these requirements, in addition to being able to pay the tax.

COUNCIL MEMBER COMMENTS

Councilor Wadley: Appreciates the citizens comments. She thinks Council has done their due diligence on the passage of short-term rental legislation and it is time for the administration to do some of the things that have been questioned. That process will hopefully be moving forward soon. Council does not get involved with the day-to-day administration of those things. She clarified for a citizen that administration means the mayor and

her staff. She thanked Public Safety for the work they did with the fireworks; she heard nothing but good comments.

Councilor Wolfe: Thanked Councilor Brunton for her time when she was here on council. He also thanked Council Clerk Samantha Torres for her important work for council. The village also needs to give some consideration to other park things, like a dedicated pickleball court when talking about \$16,000 for a skate park. Thanks to Public Safety for their nice job on the 4th of July celebration and everyone be safe on the lake.

Councilor Julian: Mentioned that there is a Parks and Recreation survey available on Facebook and the website for the residents to take. Council has spent a lot of time thinking about how much money to allocate them in the budget and Parks and Recreation now has a bigger budget than they have ever had. Two of the commission members attended the Finance Committee meeting the evening to talk about their vision for the next year and are dedicated to figuring out what the people of the village want and need in the parks. She agrees with Councilor Wolfe about pickleball, but she thinks the village needs a place for the children to go and she thinks that needs to be prioritized over people who can pay to play somewhere else. Please take the survey. Thanked Police and Fire for all of their work over the 4th of July weekend. It was busy and there will be a few more good months of summer left around here. Village is looking good and she is proud of the village staff.

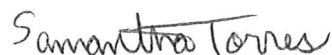
Councilor Cable: Thanked citizens for their comments this evening. Every vote has its own merit and sometimes they go a different path. Very good discussion on many topics tonight. He was disappointed in the citizen attendance at the last Public Service Committee meeting. That is really where the discussion and the votes are made. Please attend and participate in the committee meetings or even send citizen's comments through email. Village is looking great. 4th of July – evening was good and the village stood tall to the surrounding areas. Buy local.

Councilor Lemmon: Thanked fellow council members as they have all been putting in a lot of work and extra time. When we work on things they do not always get done as fast as we think they should and it can be frustrating. Councilor Julian put in a lot of work. Councilor Wadley bringing up why something is an emergency is important discussion. A lot of discussion comes from committee meetings and the work is being done and people need to show up and listen to them and get the details so you are informed when you come in. The Parks and Recreation Commission has put in a lot of work with events and talking to citizens about what their priorities are. They have done the research on these projects and in order to know that, you need to go to their meetings. They are welcoming and appreciative when you come to their meetings and you can hear the work and the process and how they come to their decisions.

Councilor Goodman: No comments tonight.

ADJOURNMENT: Motion by Councilor Cable to adjourn the meeting and seconded by Councilor Wolfe. All in favor. Meeting adjourned at 8:29pm

NEXT MEETING: Regular Council Meeting: July 24, 2023



Samantha Torres, Council Clerk



Linda Goodman, Council President