

Buckeye Lake Village Council Meeting Minutes  
Held in Council Chambers, streamed live on Facebook  
**October 14, 2024**

**Call to Order:** By Council President John Lemmon 7:01p.m.

**Pledge of Allegiance and Moment of Silence:** Led by Council President John Lemmon.

**Roll Call:** Present: Don Cable, Kellie Green, Deb Julian, John Lemmon, Douglas Keener, Sue Wadley, Tom Wolfe  
Absent: None

**Staff Present:** Linda Goodman, Mayor; Samantha Torres, Clerk of Council; Amanda Hoppel, Clerk Treasurer; Jason Harget, Police Chief; Jerry Brooks, Interim Fire Chief;

**Approval of Regular Council Meeting Minutes:** Motion by Councilor Keener, seconded by Councilor Cable, to approve the September 23, 2024 regular council meeting minutes.

**Roll call vote:** Yes: Lemmon, Wadley, Wolfe, Cable, Green, Keener

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

**Approval of Clerk Treasurer’s Report:** Motion by Councilor Keener, seconded by Councilor Green, to approve the August and September 2024 reconciliations and Treasurer’s report dated October 10, 2024.

**Roll call vote:** Yes: Lemmon, Wadley, Wolfe, Cable, Green, Julian, Keener

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

**APPOINTMENTS AND PRESENTATIONS:**

PMUD discussion – Kim Littleton – OHM – Consultant Planner – Reviewing application for rezoning to the planned mixed-use district that has been submitted and considered by them. A staff report was prepared with comments, one of the comments related to changing one of the proposed uses be changed to another accessory-type use and this was the recommendation the Planning and Zoning Commission has made to the council. Village council’s responsibility to consider that recommendation. The applicant made those changes in the application and resubmitted. Representative is here tonight to answer any questions. Rezoning application has already been heard by the Planning and Zoning Commission. They made a recommendation that a change be made to the application. The application was resubmitted with the requested change in it. Planning and Zoning Commission wanted a letter from the owner because the issue Planning and Zoning had about it was about the oil wells on the site. Planning and Zoning said they would approve it pending that letter. Councilor Julian said there was no application at that point from the owners of the property to rezone it. Mayor Goodman stated the application is not from the owner of the property. Councilor Julian asked how do you rezone something that does not have an application from the owners of the property?

Kim stated the technical answer for that is that anyone who is interested in a piece of property can “tie up” the property. The prospective developer in that case requests an option on the property that can last for any period of time - 30-60-90 days or until some approvals are gained. Sometimes the property is already zoned and just needs to get the sewer put in, for example. It is all conditional on that sale. In that time period, the developer can do due diligence for what to do on the property they are interested in developing. As part of the village’s involvement, they want to be sure that the applicant is aware that this is going on and they have a sworn affidavit that they are aware of what the developers are doing and all parties are informed. Affidavit letter was requested at the last Planning and Zoning meeting and has been supplied by the applicant. In this case, the applicant and property owner are two different people even though the property owner is conjoining in the application just because of the fact that he retains ownership of the property. This is largely because sometimes the developer will let the applicant own the property and he will lease it from them. So there isn’t always an exchange of property in this case. That is why the consensus 3-way notice is sent to everyone that this piece of property is being considered for rezoning and development.

Councilor Julian asked that as we go through this process of rezoning over the next 60 days from Agricultural to Mixed-Use, if that process goes through and we as council agree and it is now mixed-use, and that process does not go through, how is that handled? No matter what happens to the final exchange of property, after we rezone from Agricultural to Mixed-Use, that is what will be on the zoning map, correct?

Kim responded stating that once council makes an official approval, 30 days from approval from council, it goes into a referendum period, just like any legislation that is passed here. The public has an opportunity to file a referendum, an objection to it or something that allows them to put it on the ballot and let the rest of the community decide. The map and the code are two different documents. The actual map is then amended. There is nothing done to the zoning document when a development is proposed or rezoning takes place as far as the regulation but the map itself is amended and is redrawn to show that new district. That is not until after the 30 days are over.

Need to have a public hearing – 45 days from September 23rd for council to consider it and start the hearing process. Councilor Wolfe asked – in the construction process in this development – would the roads, pavement, and underground utilities be put in before the construction of the buildings to prevent muddy entrances during construction? Is there anything in here that specifically addresses that? Kim stated not in the application itself. There will be a platting process once the zoning process is done. They are getting their zoning approval. They have not gone through the process of getting their development plan approved. This process right now is just using a preliminary development plan to get the rezoning. Next is the development plan. They have the option to speed up the process by filing a development and platting plan at the same time so you can look at both documents and decide because the two are typically very similar. You see the whole plat of the property and what the phases will be that are more or less described in the application and you will see where all the streets are. Once they file the preliminary application, they start going through the phases to get that development plan approved. Then if it's phased, then they will do the final plat for the first phase. That final plat will require dedication of that right-of-way to the village. That dedication is a formal act that goes between the developer by that time who is pretty much in control of the property and the village. That dedication takes place for the streets and any other easements or anything else being dedicated to the village at the time. So that is the point at which those stipulations about how the streets are being constructed and when they are constructed are stipulated, in the phasing of the construction of those streets. Right now with the zoning, there isn't enough detail to be able to determine that. We do not know the depth of the base that is being constructed. We do not know where the curb cuts will be going or what type of curb they are using. Those details are worked out in the final plat stage.

That is one of the advantages of doing a PUD is you get the control over viewing all the site plan information prior to rezoning it. If we were doing this just straight zoning, you would just be getting a rough sketch of what was going to happen and not get a lot of information. This flushes out a lot more information about what is going to happen in the process. It takes a little longer to go through this and that is why they have done the overlap with the plats and the development plan but by the time you get with it, you will be kind of tired seeing a lot of the information coming by you. That is the steps they have to go through. You cannot approve any construction going on on any parcels that have been subdivided from that unless they have access. The village has made it clear that they do not want to do any more private streets and Kim thinks that is what will happen in this development – the streets will be public and will eventually be turned over to the village to maintain. Kim and OHM have reviewed this on behalf of the village and compared it to the comprehensive plan. They have stipulated this area with the inter-land use map or what they call the future place site map as the Interchange Commercial Development. That was saying that commercial is the dominant thing here even though in the recommendations in there it said it is a mixed-use character. Commercial just by virtue of the fact that it is right next to an interchange is the most logical use there. They understand that there are not many opportunities to put any more housing in the village and that creates another opportunity to do that. It has excellent access and they have shown in their proposal how they intend to do that on the property. They see it as a viable mixed-use development as well. The houses will be closer to Mill Dam Road and from a marketing standpoint, you don't want to put housing on the freeway and then have to push the idea of putting up a barrier wall and sound wall and all of that so the logical thing to do is pull it back. There is a fair amount of noise that comes off of the freeway. This will be moved to new business this evening to choose a time for public hearing and we will receive legislation from the solicitor.

#### **COUNCIL STANDING COMMITTEE REPORTS IN THE FOLLOWING ORDER:**

**Finance Committee:** Meeting held tonight. Ordinances 2024-56, 57, 58 on agenda tonight – all recommended to bring to full council. Two of 3 are easy explanations, third may have more conversation. Budget process – 35% of the way through first round of budget reviews with good conversation. Very long list of potential capital expenses and improvements that may need a group put together to discuss a 5-7 year timeline for highest priorities on this list of expenditures. Chair Julian

will get list of members together. Next meeting to be held November 11th at 5:30pm but time may change.

**Public Safety Committee:** Chair Wolfe thought about having an October 28<sup>th</sup> meeting but had his discussion during this council meeting instead.

**Public Service Committee:** Meeting held on October 7th. Talked about golf cart signage. Chair Cable sent some examples of those to Toby. Paving – Essex and Second Street paving complete. Warranty extension for Union paving. Next meeting first Monday of month at 6:30pm.

**Rules Committee:** Nothing to report.

**Community Development Committee:** Meeting held tonight. Discussed this evening that residents should have received their copy of the proposed charter changes in the mail so they do not have to stand and read at the ballot in November. Hope you vote on the charter changes. Will see some signs around the village. Next meeting November 11<sup>th</sup> 6:30pm.

**Personnel Committee:** Meeting held tonight where they discussed pay scale. Chair Wadley will come back to committee with a proposed pay scale on November 25th.

**Report of Council President:** President Lemmon stated there will be meetings on November 11<sup>th</sup> and also a public hearing for the DORA at 6:30pm. DORA application was submitted by Mayor Goodman. Will have a public hearing for PMUD rezoning. If repaving the village parking lot legislation passes tonight, that work will begin in the morning. Our council clerk will be on vacation next week; get your items for the next week to her.

**Report of Mayor:** Mayor Goodman stated that she and Mayor Mockus from Hebron have met with LCATS and Licking County Transit to discuss establishing a fixed bus route from Hebron to the village. They have listened and agree that we need for a fixed route out this way. Possibly happening closer to the middle of next year. They want to come look at where stops will be. Buckeye Lake and Hebron will be asked to put in \$40,000 each. The cost of the route is \$120,000. Do we see if some other partner in the village wants to help out with that funding? Have come a long way in getting them to listen to us and agree that there is a need out here. The route is set so there will be stops at places of employment, grocery stores, medical facilities. Had a meeting with Environmental Design Group about SS4A project updates. Ongoing planning discussion. Had a meeting with OHM to discuss draft copy of sign code that will be done by end of year. Nice turn out for police town hall for the police levy. Good questions and discussion. Michael Smith and Brad Cottrell were here to answer things. They provided a printout of the levies estimated tax. Tommy, Toby, and her met with Our Lady of Mount Carmel church to discuss how right of way acquisition will be handled moving forward for making the turn lane. Anxious to partner with the village moving forward and they will be a large part of the Christmas festivities in the village. DORA application has been submitted and now we follow that process.

**Citizen's Comments Regarding Legislation on Tonight's Agenda:** None.

## **ORDINANCES**

**Ordinances for 3<sup>rd</sup> Reading** – None.

**Ordinances for 2<sup>nd</sup> Reading** –

**Ordinance 2024-54** - AN ORDINANCE AMENDING THE VILLAGE OF BUCKEYE LAKE EMPLOYEE HANDBOOK POLITICAL ACTIVITY POLICY.

This will move to a third reading.

**Ordinances for 1<sup>st</sup> Reading** –

**Ordinance 2024-55** - AN ORDINANCE AMENDING THE 2024 – 2025 PAY PLAN.

Motion by Councilor Wadley, seconded by Councilor Cable to table Ordinance 2024-55.

**Roll call vote:** Yes: Lemmon, Wadley, Wolfe, Cable, Green, Julian, Keener

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

**Ordinance 2024-56** – AMENDING ORDINANCE 2024-10 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

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

**Roll call vote:** Yes: Lemmon, Wolfe, Cable, Green, Julian, Keener

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

Motion by Councilor Keener, seconded by Councilor Julian to adopt Ordinance 2024-56.

**Roll call vote:** Yes: Lemmon, Wadley, Wolfe, Cable, Green, Julian, Keener

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

**Ordinance 2024-57** – AMENDING ORDINANCE 2024-10 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

At this time, this ordinance was to move to a second reading.

**Ordinance 2024-58** – AMENDING ORDINANCE 2024-10 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

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

**Roll call vote:** Yes: Lemmon, Wolfe, Cable, Green, Julian, Keener

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

Motion by Councilor Keener, seconded by Councilor Wolfe to adopt Ordinance 2024-58.

**Roll call vote:** Yes: Lemmon, Wadley, Wolfe, Cable, Green, Julian, Keener

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

Motion by Councilor Cable, seconded by Councilor Keener to bring Ordinance 2024-57 back to the agenda for a vote.

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

**Roll call vote:** Yes: Lemmon, Wolfe, Cable, Green, Julian, Keener

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

Motion by Councilor Cable, seconded by Councilor Keener to adopt Ordinance 2024-57.

**Roll call vote:** Yes: Lemmon, Wolfe, Cable, Green, Julian, Keener

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

## **RESOLUTIONS**

**Resolutions for 3<sup>rd</sup> Reading** – None.

**Resolutions for 2<sup>nd</sup> Reading** – None.

**Resolutions for 1<sup>st</sup> Reading** – None.

## **UNFINISHED BUSINESS** –

**PMUD Public Hearing Time and Date** – Notifications need to go out – November 4th at 6:00pm – Public hearing - rezoning from agricultural and one lot from R2 to mixed use. After that, council goes into 3 readings and follows the timeline. Get with Brad about what to send out and when.

**Fraternal Order of Eagles Donation to Fire and Police** – Councilor Green – She will bring paperwork for this. While she was at the Eagles, the Ladies Auxiliary brought documents to her. They do donations for up to \$5,000 per year. Our police and fire need to look over these documents to buy equipment and things they need. Pictures of replacement items



and possible estimated costs can be included. They have donated to fire and police departments around us. They donate to a lot of people. She will pass this to public safety committee.

**Leghold Traps Legislation** – Solicitor Nicodemus has done the research on leghold traps. He found that in Ohio, you are allowed to have leghold traps as long as they do not have teeth. In a village that is recreational and houses are so close together, why do we allow them at all? He can defend them. Councilor Green leans more toward not allowing any leghold traps in the village period. Could have been a dog or a child that stepped in the trap. Her proposal is to move to create the ordinance that solicitor could defend. The villages and townships around us have similar laws that have banned the traps. Councilor Cable would like to see the three options that were given by the solicitor for legislation.

**Fire Department Spaghetti Dinner** – Mayor Goodman stated that Saturday night is the spaghetti dinner at the fire house 4-7pm. Hopes all will come see our shiny, neat, clean fire department and staff and police officers. It is by donation. There is a list on the table of items that need donated for the people affected by the hurricanes. Channel 10 did an article about a gentleman working to make trips down there. Read the article. Anything donated, this gentleman will take the items there. He comes very highly recommended.

**Village of Buckeye Lake Library Update**– Councilor Cable asked what is happening? Lemmon – nothing new. Cable – is it closing? Mayor – sometime next year. Lemmon – does not know if there is an interest to move from the Licking County Library system; could create our own district. Exemption part would need to go on the ballot. Mayor said they may provide the book mobile to the village. They will not keep the branch in the village. One of the big concerns – there were some fairly nice donations made to the Buckeye Lake Library Branch. They were part of estates. We knew the donations were coming but they never showed up. Finally, someone from our Friends of the Library board found out that the Licking County Library cashed those checks. They stopped raising funds to fund this branch. Councilor Julian hopes it gets out to everyone that this happened. The donations were in excess of \$40,000 and the village should be enraged.

**NEW BUSINESS** – None.

#### **CITIZEN'S COMMENTS** –

Charlene Hayden read a comment from Casey Clark who is feeling under the weather – 241 Lakeview Drive – Comment about the upcoming police levy on the November election ballot, encouraging all to vote YES found in meeting minutes binder.

Arletta Routon – 99 Elmhurst Lane – As mayor mentioned, with PD and FD and Fire Association, we will be collecting for the hurricane relief efforts for the lower part of Tennessee and upper North Carolina. Mr. Leicester has been in Burnside, North Carolina. The only way they can get up is by mule train. They are taking needed supplies to people where the roads have been washed out. Feeding numerous linemen too who are restoring power to the areas. Close to her heart because she has family who lost everything in Asheville, NC. This is a community who cares about our fellow man. They can drop them here at village hall and at the fire department. The devastation is very bad.

Jonathan Vince – 78 West Second Street – Website looks good. Second Street paving – in 3 days, Dreams Paving did a great job. Are they backfilling? Cable - they should be doing that soon. Police levy – need to make sure that is passed. Not having a 20-minute wait for service is very important. Any zoning changes - make sure you have the base for utilities to support it.

#### **COUNCIL MEMBER COMMENTS** –

**Councilor Lemmon** – Have our Halloween Trunk or Treat coming up. A lot of great discussion, had disagreements and vote and it is part of the democratic process.

**Councilor Wadley** – Support the police levy. Important, especially in our seasonal climate. Chief has been doing a good job getting some quality officers and rebuilding his team. The fire department - she is shocked what they have inherited

and what they are doing to correct those things. Wants to share that she has some concerns with council and administration communication. Has to vote for things she does not have all the details on. Need better cohesiveness. Please vote.

**Councilor Wolfe** – Thanked Fire Chief for his list and apologized for the mess he inherited down there. Appreciates his work. Encourages all to keep in mind the importance of police levy, street lights, charter, and president. Thanked Rutons for their work at the fire house. The complex we discussed was this village office and everything moving up to Mill Dam. He's a fan of all or nothing. Thanks to Charlene Hayden for her community involvement as well. Thinks the seven members should do a 5-year plan.

**Councilor Green** – Get out and vote. Charter, police levy. Happy to see OUR police department driving around OUR village. She feels better as a resident seeing them protect our community. Fire department's list - they need donations. New faces in audience; wishes more people would come to meetings to find out what is happening.

**Councilor Cable** – Formally apologized to police chief for the town hall and not being able to attend. His furnace was being worked on. He supports the police levy; asks all to vote for that. He is scheduled to get a new hip in December. Buy local. Support the village and the region.

**Councilor Julian** – Go vote. Charter and everything is important. Much can be taken off the list. Financial responsibility to the residents – when they entrust us with tax money and we spend it like it is very personal. If you feel passion for going through the list, has to be a priority for over the next 5 years. We have talked all year about the pressure of making immediate decisions and we have to stop passing things by declaration of emergency. The pressure should never happen. Go vote. Happy Halloween.

**Councilor Keener** - Go vote. Thanked police and fire chiefs. Refreshing to see BLFD taking fire runs. Noticed truck getting cleaned, he appreciates seeing those things.

**Adjournment:** Motion by Councilor Cable, seconded by Councilor Keener, to adjourn the meeting. All in favor. Meeting adjourned at 8:31pm.

**NEXT MEETING:** Regular Council Meeting – November 11, 2024



Samantha Torres, Council Clerk



John Lemmon, Council President