

Buckeye Lake Village Council Meeting Minutes
Held in Council Chambers, streamed live on Facebook
January 10, 2022

Call to Order: By Mayor Jeryne Peterson at 7:00 p.m.

Pledge of Allegiance and Moment of Silence: Led by Mayor Jeryne Peterson.

Roll Call: Present: Don Cable (0,0), Linda Goodman (0,0), Deb Julian (0,0),
(Consecutive, Total Absences) John Lemmon (0,0), Max Thompson (0,0), Tom Wolfe (0,0)

Staff Present: Mayor Jeryne Peterson; Jennifer Dennis, Clerk/Treasurer; Samantha Torres,
Clerk of Council; Toby Miller, Water Superintendent / Public Works;

Village Council Election of Officers

Mayor Peterson opened the floor for nominations for Council President.

Motion by Councilor Wolfe to nominate Councilor Goodman for Council President, seconded by Councilor Julian.

Motion by Councilor Lemmon to nominate Councilor Cable for Council President, seconded by Councilor Wolfe.

Nominations were then closed and voting slips were passed out.

Votes for Councilor Goodman for Council President: Goodman, Wolfe, Thompson, Julian

Votes for Councilor Cable for Council President: Lemmon, Cable

Councilor Goodman will be Council President by a margin of 4-2 for 2022 & 2023.

Mayor Peterson opened the floor for nominations for Council President Pro Tempore as voting slips were passed out.

Motion by Councilor Cable to nominate Councilor Lemmon for Council President Pro Tempore, seconded by Councilor Thompson.

Motion by Councilor Goodman to nominate Councilor Wolfe for Council President Pro Tempore, seconded by Councilor Cable.

No more nominations were received.

Votes for Councilor Lemmon for Council President Pro Tempore: Lemmon, Cable

Votes for Councilor Wolfe for Council President Pro Tempore: Thompson, Wolfe, Goodman, Julian

Councilor Wolfe will be Council President Pro Tempore by a margin of 4-2 for 2022 & 2023.

Mayor Peterson turned over the meeting to Councilor Goodman, who moved to the Council President's seat to continue conducting the meeting.

CITIZEN'S COMMENTS: None.

Approval of Council Meeting Minutes: Motion by Councilor Wolfe, seconded by Councilor Cable, to approve the December 13, 2021 regular council meeting minutes.

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

Abstain: Julian, Thompson; **Nays: 0;** **Motion Passed 4 – 2 – 0**

Approval of Clerk Treasurer's Report: Motion by Councilor Wolfe, seconded by Councilor Lemmon, to approve the Treasurer's reports dated December 31, 2021 and January 6, 2022.

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

Abstain: Julian, Thompson; **Nays: 0;** **Motion Passed 4 – 2 – 0**

Clerk Treasurer Jennifer Dennis stated that her reconciliations for December are completed but she will wait to post them until she is completely finished with her year-end just to make sure everything is complete and good. She will have the reconciliations for everyone at the next meeting. She will be doing the W2s and 1099s for the village this week to get them out for everyone next week. She sent council members an email about Zoning Officer Kevin Strang's resignation and then coming back as a contracted employee regarding OPERS. The solicitor told her that the contract did not need to be approved by council and that the mayor could sign it because council had already agreed and passed his compensation, so the mayor did sign that contract today and he is back as a contracted employee as Zoning Officer. Jennifer also explained an ordinance on the agenda tonight regarding pay raises for 2022-2023 needing to have an effective date of December 25, 2021 so that the final paycheck is not split one week at the old rate and one week at the new rate, as it would be very time consuming. She welcomed the new Council members and congratulated Council President Goodman. She thanked them all for their support and patience. She also brought up a letter received from the county auditor that she presented to council at the end of 2021 regarding the levies. She said it needs to be worked on as soon as possible. The General levy was up in 2021, with that money being received until the end of 2022. The Fire & EMS levy is up in 2022, with that money being received until the end of 2023.

APPOINTMENTS AND PRESENTATIONS: Eileen Leuby, Membership Services Officer of the Mid-Ohio Regional Planning Commission (MORPC) showed a presentation of a lot of the benefits and services provided to the village if the village were to join MORPC. There is a resolution for second reading on the agenda for authorizing the mayor to have the village join MORPC, so Mayor Peterson invited Eileen to speak to council about the great benefits of joining. She spoke about benefits and programs for transportation, housing, air quality, solar energy, trails, investing, economic development, planning, governmental affairs & community relations, residential services, and communications & engagement. There is access to free grant finding and writing and annual meetings as well.

COUNCIL STANDING COMMITTEE REPORTS:

Finance Committee: Former Finance Committee Chair John Lemmon stated that the 2022 budget right now is temporary so if anyone needs to spend money, they should check with Clerk Treasurer Jennifer Dennis to make sure there is enough in the budget, and if not, to bring it back to the Finance Committee to have the numbers adjusted properly. Council President Goodman stated that there needs to be a permanent budget by March 31st. Councilor Julian would like to sit down with John and Jennifer to get familiar with the budget as a new member of council.

Public Safety Committee: Former Public Safety Chair Tom Wolfe stated that the citizens around the Cranberry Bay area are still expecting an emergency access road leading out to the Landings at Maple Bay.

Public Service Committee: No report.

Rules Committee: Former Rules Chair Don Cable stated that the process for choosing the President and President Pro Tempore for council worked the way it was supposed to tonight, according to the Rule change that happened recently in Council Rules.

Community Development Committee: No report.

Personnel Committee: Former Personnel Chair Council President Goodman stated that one thing that the Personnel Committee was working on that was an on-going process is updating the employee handbook. There was a workgroup of the mayor, fiscal officer, Sue Wadley, and herself that worked on it.

Report of Council President – No report.

Report of Mayor – Mayor Peterson is glad to be here. She plans to be here as much as she can. She looks forward to working with all of council.

ORDINANCES

Ordinances for 3rd Reading – None.

Ordinances for 2nd Reading – None.

Ordinances for 1st Reading –

Ordinance 2022-01 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT WITH NEIGHBORHOOD STRATEGIES LLC FOR AMERICAN RESCUE PLAN ACT TRAVEL, TOURISM, AND OUTDOOR RECREATION GRANT CONSULTING SERVICES FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO, AND THE DECLARATION OF AN EMERGENCY.

Councilor Lemmon moved to remove Ordinance 2022-01 from consideration. He stated that the contract had already been executed and did not think it was moral to give permission after the fact. Council President Goodman stated that the solicitor said this Ordinance would clean it up to put it in the files and the Ordinance was not something that had to be done because the dollar amount was under \$10,000 and the mayor did get the go ahead from the solicitor that the contract could be given. Councilor Wolfe made a motion to move the Ordinance to two weeks from now. President Goodman stated that the issue was that the grant has to be submitted by January 31st, and Jim Lenner, who this contract is with, needs time to prepare the grant and get it turned in. Councilor Lemmon asked if he was already under contract and had received his first payment. Clerk Treasurer Jennifer Dennis stated yes, he had received a first payment of \$2,500 and that once the grant is executed on January 31st, he would receive another \$2,500. Councilor Cable seconded Councilor Lemmon's motion to remove the Ordinance. President Goodman suggested, because there is a contract that has been signed and approved and he has received the first payment, that council table this ordinance and get something in writing from the village solicitor about it to present at the next meeting. Councilor Lemmon rescinded his motion to remove the Ordinance from consideration. Councilor Lemmon made a motion to table Ordinance 2022-01, seconded by Councilor Wolfe. Councilor Lemmon said that because this is a first reading, he

does not think it needs to be tabled and they would not need his motion to table the ordinance. Ordinance 2022-01 will move on to a second reading.

Ordinance 2022-02 – AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH OHIO ROW CONSULTING FOR MANAGEMENT OF THE VILLAGE OF BUCKEYE LAKE RIGHT-OF-WAY PROGRAM AND THE DECLARATION OF AN EMERGENCY.

Councilor Julian asked why it is an emergency. Toby Miller explained that this is the annual contract, and it is to get a consultant working on the reimbursables of the previous year to get those funds back. He stated that the longer it sits, the harder it becomes to retain the data because it changes every year. He said it is normally presented and passed in the Fall and they got a late start last year because of getting the updated ordinances for the rules and regulations of the program and it was not finished until December. Toby did not get this back from the consulting person in time to get it passed in the normal November time frame. He said it is a \$3,000 contract for 12 months for them to manage this program. The previous year, there was a huge rules change.

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

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

Motion by Councilor Cable, seconded by Councilor Wolfe, to adopt Ordinance 2022-02.

Councilor Lemmon motioned to amend it because there is a section that says it “authorizes the Mayor to execute on an annual basis an agreement with Ohio ROW Consulting as long as terms and pricing outlined in attached Exhibit “A” 2022 Contractor agreement do not change”. He wanted to change “on an annual basis” to say “for the year 2022.” President Goodman said it needs to be voted on as is before it can be amended. Toby Miller said the same company and same process has been voted on for the last 4 or 5 years.

Roll call vote: Yes: Cable, Goodman
Abstain: 0; Nays: Julian, Lemmon, Thompson, Wolfe; **Motion Failed 2 – 4**

Ordinance 2022-03 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT WITH ADR FOR ENGINEERING AND CONSULTING SERVICES FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO AND DECLARATION OF EMERGENCY.

Councilor Wolfe said that the \$12,000 contract also has direct costs + 15% and said that last year ADR did a lot and he would like full council to look at it. Toby Miller said this is the time and material retainer contract. Anything that comes in project-wise has a separate contract. This specific contract with this ordinance would be to cover engineering issues that may arise and also provides a retainer engineer for planning and zoning. RFQs for this were last done in 2017. Councilor Lemmon said this should go back to the Public Service committee at some point and he thinks that using ADR makes sense because they are familiar with everything the village is doing. Toby said that is fine, it can be done and that it is a several month process. President Goodman asked if it needed to be an emergency, to which Toby said that the village does not

have a retainer engineer right now, so if something happens today or tomorrow, like a bridge collapse or a road caves in or someone brings in a development, there is no engineer on staff to ask them to look at it and get help on what to do.

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

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

Motion by Councilor Cable, seconded by Councilor Lemmon, to adopt Ordinance 2022-03.

Roll call vote: Yes: Cable, Goodman, Julian, Lemmon, Thompson
Abstain: 0; Nays: Wolfe; Motion Passed 5 – 1

Ordinance 2022-04 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT WITH ADR FOR 2022 TAP APPLICATION CONSULTING SERVICES FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO AND THE DECLARATION OF AN EMERGENCY.

Toby Miller stated that this is in direct response to the previous Community Development committee’s announcement at the last council meeting that this application had been submitted for the village and he had no idea about it. While determining what had happened, he had phone calls and a face-to-face meeting with the firm that had submitted the letter of intent that is required by the grant program. ODOT then gives a formal authorization to apply with a deadline of January 31, 2022 to apply. He stated that he would hate to disrupt the tremendous communication and bridges that have been built with ODOT and the village over the last ten years by not applying for something after having a letter of intent. He said that what was submitted by the previous councilperson and the firm that did it as a favor was directly in line with what the village was doing with ADR last year on the master plan for Walnut Road, which was a sidewalk project that was a lot farther along than what their concept was. A lot of the data needed has already been completed in the work that was done last year. Toby said that the contract says “not to exceed \$4,000” so no matter what happens, their charges will be no more than \$4,000. If it takes them \$10,000 to do it, they only charge \$4,000.

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

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

Motion by Councilor Wolfe, seconded by Councilor Thompson, to adopt Ordinance 2022-04.

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

Ordinance 2022-05 – AN ORDINANCE AMENDING THE PAY PLAN ORDINANCE FOR 2022 – 2023 AND THE DECLARATION OF AN EMERGENCY.

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

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

Motion by Councilor Cable, seconded by Councilor Wolfe, to adopt Ordinance 2022-05.

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

RESOLUTIONS

Resolutions for 3rd Reading – None.

Resolutions for 2nd Reading – None.

Resolutions for 1st Reading –

Resolution 2021-21 - A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE NECESSARY PAPERWORK TO HAVE THE VILLAGE OF BUCKEYE LAKE JOIN THE MID-OHIO REGIONAL PLANNING COMMISSION.

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

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

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

Motion by Councilor Lemmon, seconded by Councilor Cable, to adopt Resolution 2021-21.

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

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

UNFINISHED BUSINESS:

I. President Goodman asked the question “what are the other municipalities doing since the COVID-19 number of cases are coming back up?” at the COVID-19 Response Team meeting with the Licking County Health Director Chad Brown and other municipalities. The meetings still have to remain open to the public, but the director highly recommended that we continue to do social distancing. The meetings can be livestreamed on Facebook, but she asked the solicitor what is a quorum regarding people attending on Zoom, and who can vote when that is the case? She said the solicitor said that as of June of last year, if a council or commission member is absent, they can join the meeting via Zoom for discussion, however, they are not considered a part of the quorum and they cannot vote. Councilor Lemmon said that may be something to consider for the Council rules of whether attending via Zoom counts as a missed meeting or not.

NEW BUSINESS:

I. Councilor Lemmon said that the motion to amend the question is under Robert’s Rules and that is normally done once the question has been opened and President Goodman said that the solicitor said that we could not amend an ordinance that was out. He would like something in writing for the difference between Robert’s Rules and what the solicitor has said.

II. Choosing a date for council vacancy interviews – Councilor Lemmon would like to do it at the beginning of the meeting on January 24th. President Goodman said that day they could also do the appointments to Planning and Zoning / BZA Commission. Councilor Wolfe asked when the council members would find out about their committee appointments. President Goodman said tonight everyone filled out their preference forms and she asked them to bear with her for about 48 hours for her to get them out to everyone. She will do her best to get everyone where their interests are. There are two applicants for the vacant council seat so far and the deadline is January 14th at 4pm. The deadline for Planning and Zoning / BZA Commission vacant seat has passed and there were two applicants total for the two seats. There will also need to be a vote to renew P&Z/BZA Commission member Dick Williams, because it is for someone who lives outside of the village that has to be renewed every year.

COUNCIL MEMBER COMMENTS:

Councilor Cable: Congratulated and welcomed the new Council President, new Mayor, and new Council members. Do what we can to keep things moving.

Councilor Julian – Congratulations to everyone. She looks forward to working with everyone and the amazing staff. She is someone who asks a lot of questions and asked for patience in that process.

Councilor Lemmon: We have a great council. Looks forward to working with the new mayor. He offered his condolences to the family and friends of a caring citizen who has passed away.

Councilor Thompson – Happy and excited to be here. Congratulations to everyone. He asked President Goodman to consider him bottom of the totem pole for the Finance Committee given what he does for a living at JP Morgan.

Councilor Wolfe: Congratulations to the new President and Mayor and welcome to new council members. He thanked council for their confidence in voting him as Council President Pro Tempore.

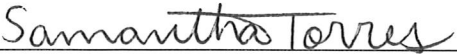
Councilor Goodman – Thanked everyone for their confidence in her. She thinks it is an exciting time in the village. New mayor, new council members with new input, background, and experience. The village is on the edge of a lot of changes and development. Looks forward to working with everyone and hopes to keep it a positive, moving forward administration and council, to do what is good for the village and the residents. Appreciates all of the work that will be put in.

ADJOURNMENT: Motion by Councilor Cable to adjourn the meeting, seconded by Councilor Wolfe.

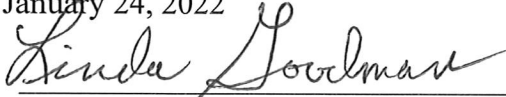
Motion passed unanimously.

Meeting adjourned at 8:30 pm

NEXT MEETING: Regular Council meeting on January 24, 2022



Samantha Torres, Council Clerk



Linda Goodman, Council President