

Buckeye Lake Village Council Meeting Minutes
Held in Council Chambers, streamed live on Facebook
May 28, 2024

Call to Order: By Council President John Lemmon at 7:00p.m.

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

Roll Call: Present: Don Cable (0,0), Kellie Green (0,0), Deb Julian (0,0), Douglas Keener (0,0),

(Consecutive, Total Absences) John Lemmon (0,0), Tom Wolfe (0,0)

Absent: Sue Wadley (excused)

Staff Present: Linda Goodman, Mayor; Samantha Torres, Clerk of Council; Jason Harget, Police Chief; Toby Miller, Public Works Superintendent; Rex Adkins, Code Enforcement Officer; Kevin Strang, Zoning Inspector; Keisha Amspaugh, Fire Chief; Sue Smith and Jeffrey Hamilton, Parks and Recreation Commission members;

APPOINTMENTS AND PRESENTATIONS:

President Lemmon moved this item on the agenda to the front with no objections. Malik Jackson, Mallory Regan, and Cauner Klein were each sworn in to the Fire Department as Firefighter / EMTs by Mayor Goodman.

Executive Session – Motion by Councilor Lemmon, seconded by Councilor Wolfe to go into executive session for the consideration of a conference with the attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

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

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

Council entered into executive session with Solicitor Brad Nicodemus at 7:10pm.

Council entered back into open session at 7:38pm.

Approval of Regular Council Meeting Minutes: Motion by Councilor Cable, seconded by Councilor Green, to approve the May 13, 2024 regular council meeting minutes.

Roll call vote: Yes: Keener, Lemmon, Wolfe, Green

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

Approval of Clerk Treasurer's Report: Motion by Councilor Green, seconded by Councilor Cable, to approve the Treasurer's report dated May 23, 2024.

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

Abstain: Cable; **Nays:** 0; **Motion Passed 5 – 1 - 0**

COUNCIL STANDING COMMITTEE REPORTS IN THE FOLLOWING ORDER:

Finance Committee: Meeting to be held this evening was cancelled. Chair Julian spent some time with Fiscal Officer Amanda and there was nothing on the Finance agenda. Next Finance Committee meeting to be held June 10th at 5:30pm.

Public Safety Committee: Welcomed new fire department personnel.

Public Service Committee: The committee has a standing meeting on the first Monday of every month at 6:30pm, with the next one being held Monday June 3rd at 6:30pm which is an Open House for the North Bank West Storm Water Improvements Project.

Rules Committee: Nothing at this time.

Community Development Committee: Next meeting June 10th following Personnel Committee meeting to be held at 6:00pm.

Personnel Committee: Absent; no report. Next meeting to be held June 10th at 6:00pm.

Report of Council President: President Lemmon read comments about the Charter and the Charter Review Commission that can be found in the meeting minutes binder.

REPORT OF VILLAGE OFFICIALS – WRITTEN OR VERBAL

Police Department – Chief Jason Harget: Pirate Fest was a great event for our community. Measured for safety and there were no issues. One officer directing traffic. Some complaints about buses. Put together very well, with great communication. Cruiser came out of shop with \$2,700 bill for water pump and spark plugs. Issue with new car – drawing power from battery. This has been fixed and is running great. Cars get up to 80-90,000 miles. Need to look into a rotation for the cruisers. Body cam grant – Motorola has failed on getting Chief needed information on closing out a grant for body cams. Motorola was billing yearly for five years, something no one agreed to. Thanks to Finance Chair Julian for looking into this. 100% paid back.

Thanks to Dave Ruton who was able to look at the police radios to see if they needed replaced. All radios can be upgraded. Instead of spending \$30,000, can upgrade all radios for the price of one at about \$3,000. Looked at the Fire Department radios as well. Welcomed new appointments to the fire department today – Jackson, Regan, and Klein.

Fire Department – Chief Keisha Amspaugh: Ecstatic to have our new members. Run totals and billing numbers are attached to report. Letter from resident whose smoke alarms they replaced. Fire Department offers many services. Want to push out other things that they do. Spoke to Councilor Wolfe about the fire truck that is sitting in the back lot. Chief reached out to some places about the engine in it that has been sought after. Preparing for fireworks in July and communicating with other agencies and ODNR.

Public Works – Super Intendent Toby Miller: Cranberry paving project has started. He is meeting Monday with the final design for the North Bank West stormwater project. Annual paving project is under design. Second Street, Essex, and Lakeview East off of Anchor's Way, towards Monkey Island. Have final data from last year's paving project. Need to verify some numbers then can bring that to the June 3rd public works meeting or maybe the July meeting. Crew members are out staying busy. Sidewalks are getting wider on Walnut Road, edging them back about two feet as they were overgrown.

Parks and Recreation Commission – Sue Smith and Jeffrey Hamilton: Working on our I Walked the Whole Damn Dam event for the end of June. Working on getting walkers to sign up. Will set up in front of Dips / The Boatyard near the Dam this Thursday to be able to take more sign ups. Councilor Julian suggested advertising outside of the local village.

Code Enforcement – Rex Adkins: No written report. Highlights – started property maintenance around the village (weeds and grass). 20 notice letters sent out; Randy has cut 8 properties so far from those. Will continue throughout the Summer. Up to about 20 short-term rental applications. Found out that there was some miscommunication with the software company where people were not able to pay for their applications online, but that has been fixed. Everything is updated with the short-term rental ordinance that passed at the last meeting. Notices will be sent out to anyone who does not comply by the end of the month.

Zoning – Kevin Strang: Report submitted. 21 on-site visits, 25 electronic communications, 1 stop-work order.

Planning & Zoning / BZA Commission – Dick Williams: Absent, no report.

Report of Mayor Goodman - Written report submitted and read by Mayor Goodman. For her meetings, many have wanted to come and meet in our building because they had not been here before. Met with director of Pathways – discussed support for issues in our village. Signage will be put up for these services at the parks. Talked with MORPC about having an intern again. Want to have someone who can help us with planning. OML could help the transition from levy funding to an income tax.

Citizen's Comments Regarding Legislation on Tonight's Agenda –

Jeremy Unruh – Senior Vice President, Public and Regulatory Affairs – Pharmacann – 10757 Mill Dam Road – Started the company about ten years ago. Came to council five years ago to propose the village's hosting of a medical cannabis

production facility. Council said yes then. Since then, it has been built and he would like to take some council members on a tour inside. Employ 60 residents in the area. Full-time employees who have health, vision, dental, and 401k benefits. Spend about \$200,000 for salaries for employees. Have paid about \$850,000 of property tax to Licking County. Sent council a letter outlining their perspective when it comes to a moratorium for the sale of cannabis. This is not about their company and their ability to retail in the village. He has been deeply involved in the transition from medical to “adult use / recreational” cannabis and it is his observation that a lot of times, municipalities, when faced with this brand-new state law that is oftentimes thrust upon them, that they tend to shy from that and look around to see what the other towns around are doing. Based on his experience, he states that that is a real missed opportunity, doing what everyone else is doing. He encouraged council to think through how the village, as a donut hole in the middle of towns that have opted out, might optimize this opportunity. Jeremy passed out a copy of his letter. He stated that municipalities will get 36% share of the tax revenues that adult use cannabis sales bring to the state. He said the village would be looking at an opportunity of about \$500,000 a year to the village. He encourages them to explore the opportunity.

Chief Harget – He wanted council to understand that he is not against new business, it is about what crime is coming to the village if we allow a dispensary. He appreciates Jeremy’s presentation. Dispensaries may attract criminal activity due to the presence of valuable drugs and cash on site. For now, this is a cash business because it is not federally legal. He knows they are working through the court system the process of using credit cards and debit cards, but right now they are not allowed to use those to buy recreational drugs. Possible increase of thefts, robberies in the parking lot, and incidents in the area. Dispensaries are usually in larger cities. Think about the impact that dispensaries would have on his police department. Could be seen as a blight on the neighborhood and leave concern for impact on property values for the overall area. Impact on our youth as it may normalize or glamorize use. The community spent time being worried about losing the library to move between a vape shop and a bar and then would be putting a dispensary within the neighborhood. There are still laws being worked through. Traffic and parking issues. Cars getting broken into. Local regulations may be needed – get those in place first. Potential for misuse and abuse – segue to another drug. Some individuals may also face stigma or discrimination.

ORDINANCES

Ordinances for 3rd Reading – None.

Ordinances for 2nd Reading – None.

Ordinances for 1st Reading –

Ordinance 2024-23 – AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE DISPENSING AND RETAIL SALE OF “ADULT USE” AND MEDICAL CANNABIS WITHIN THE VILLAGE OF BUCKEYE LAKE AND THE DECLARATION OF AN EMERGENCY.

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

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

Abstain: 0; **Nays:** Cable; **Motion Passed 5 – 1**

Motion by Councilor Wolfe, seconded by Councilor Keener to adopt Ordinance 2024-23.

Discussion: Mayor Goodman proposed this ordinance. She stated that the comprehensive plan was finished in 2023 and are in the beginning phase of zoning rewrite. She does not see where dispensaries fit into the comprehensive plan. We want to encourage business. What is best for the village is to take a step back, do moratorium for one year until this zoning rewrite is done. Then we know what that looks like. Also, in that length of time, the state will have their rules and adjustments much better in line for what works and what does not work. Can have the discussion in a year but she feels right now we do not have enough information. Council has been very diligent and smart about the comprehensive plan and zoning and she would like to see those things taken into consideration before jumping into something this big. There are two very large developments proposed for that area with 200-500 more residents in that area in the next 2-3 years. Nothing personal. We have to, as a body, look at what is best for the village and the residents right now. President Lemmon stated he believes that the state will come in and set their regulations. What they say is exactly what we will have to follow. We have open spots here in the village for business. Missed opportunity. Says he has seen nothing but nice buildings, well ran. Require appointments. One of the most highly regulated businesses in the State of Ohio.

Councilor Julian stated that Councilor Green has begun to look into things. There are so many rules and guidelines that we do not know. Julian owns a secondary house in an area where there is one on every corner. Is that what we want? Do we want big Chicago firms to come in and run our village? No, this is our village. She would like to know more of the rules in order to fully understand what we are saying yes to. She does not want one on every corner. It's what the people of the village want. Wants to know more of the rules so she can represent it better to the people of the village. Citizens were not able to give feedback about the grow facility coming to the village. Need public input, not someone from Chicago. Residents need to have input. Councilor Green stated we have a bar on every corner. Functions fairly well in the village. Opportunity for crime is there. Voters in Ohio voted to make cannabis recreational. Does not feel that a one-year moratorium is the right answer. Maybe put the brakes on for 3 months and revisit. A year is not the total right approach. Councilor Cable appreciates the passion of the gentleman who spoke and Chief Harget. Discussion is important and feedback from citizens. Ready for the vote. Councilor Wolfe agrees with Councilor Green. Ohioans voted to legalize recreational marijuana. Opposed to a moratorium. It is an issue for the State of Ohio. He is not for the village taking on state issues. The shops he has seen around the area seem to be clean. Aware of crime that could happen anywhere. Councilor Keener stated that since last council meeting, it was discussed that people do watch this. Since then, he has had 12 people stop him on the bike path or stop at his house on this issue. He went to the Board of Elections to look it up and found that 68.89% of Buckeye Lake voters voted in favor of the legalization of marijuana. People who stopped him were in favor of keeping it the way it is. The voters spoke and that is how he has to vote. Mayor Goodman spoke to the opt outs that Jeremy spoke to. Opportunity missed for all of these communities. The communities that are closest to us: Hebron, Granville, Granville Township, Etna, Hanover. Newark has changed their law. They have three dispensaries and will no longer allow anymore. While it may be a missed opportunity, she thinks there are some very smart people that live in these communities. Newark has allowed them previously and the conversation with the legislators was that after they got the 3 dispensaries, they probably would have done it differently. They passed it at end of the year in Newark not to allow any more. Councilor Cable sees this as a way to cross Ts and dot Is. How many do we want? We do not know those answers yet. Need to be careful, that's all. He is not opposed to having them. There is just more work that needs to be looked at. A year is too long. Possibly make a motion to change that timeframe? Still think we can honor the voters but slow the roll just a minute. Councilor Julian asked can we amend to change the one year? Councilor Wolfe called for the vote.

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

RESOLUTIONS

Resolutions for 3rd Reading – None.

Resolutions for 2nd Reading –

Resolution 2024-04 – A RESOLUTION TO PROCEED WITH A REPLACEMENT LEVY ON PROPERTY IN EXCESS OF THE TEN-MILL LIMITATION FOR POLICE PROTECTION SERVICES FOR THE VILLAGE AND TO SUBMIT THE QUESTION OF THE REPLACEMENT TAX TO THE ELECTORS OF THE VILLAGE AT THE NOVEMBER 5, 2024 ELECTION AND THE DECLARATION OF AN EMERGENCY.

Moved to a third reading.

Resolutions for 1st Reading –

Resolution 2024-02 - A RESOLUTION DECLARING THE INTENT OF THE VILLAGE COUNCIL TO PERMIT THE 3MIL LEVY FUNDING THE POLICE DEPARTMENT TO EXPIRE IF THE ELECTORS OF THE VILLAGE APPROVE THE 5MIL REPLACEMENT LEVY FUNDING THE POLICE DEPARTMENT ON THE NOVEMBER 5, 2024 BALLOT.

This will move to a second reading.

Resolution 2024-05 - A RESOLUTION TO PROCEED WITH A RENEWAL LEVY ON PROPERTY IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT OPERATING EXPENSES INCLUDE STREET LIGHTS AND TO SUBMIT THE QUESTION OF THE RENEWAL TAX TO THE ELECTORS OF THE VILLAGE AT THE NOVEMBER 5, 2024 ELECTION AND THE DECLARATION OF AN EMERGENCY.

This will move on to a second reading.

UNFINISHED BUSINESS –

Personnel Policy - Topics discussed in several Personnel Committee meetings for cleaning up who has access to personnel records and to give some clarity. Gives fiscal officer certain abilities to maintain them and be discrete with employee files. Councilor Julian asked what needs kept in the official file and who has access to it? She knows that Councilor Wadley and Fiscal Officer worked on it.

Motion by Councilor Julian, seconded by Councilor Green to adopt this document as a change to the personnel handbook for personnel files policy.

Roll call vote: Yes: Julian, Keener, Lemmon, Wolfe, Cable, Green
Abstain: Keener; Nays: 0; **Motion Passed 5 – 1 – 0**

NEW BUSINESS –

Parks Money Spending – President Lemmon stated that, according to solicitor Brad Nicodemus, it is council's responsibility for the spending of the money in the parks. Council has given them a budget but has not been involved in the parks spending. Can grant them the authority to spend out of their budget up to a certain dollar amount. If it exceeds that, they would have to come back to council for approval. It is up to council for spending money even on paper supplies and we do not want to deal with that. An ordinance can be created to give them that power that they have already been exercising. Councilor Julian requested sending this to the Finance Committee. Need to designate a paid employee to sign off on purchase orders. Need someone else to sign off on it for checks and balances.

CITIZEN'S COMMENTS – None.

COUNCIL MEMBER COMMENTS –

Councilor Julian – Congratulations to Kelly Collins and all the people who worked on the Pirate Fest. It was very well received internally within the village. Externally, saw lots of families out and about. Good day for the village to shine. Height of our season. Time for the village to look good and good to see people back at the lake.

Councilor Lemmon – Thanked Jeff. Welcomed new businesses. Summer is almost here. Be safe, enjoy yourselves.

Councilor Keener – Nothing at this time.

Councilor Lemmon - A lot of great events. A lot of businesses had successful weekends. Behaved. Have a great summer, be safe.

Councilor Wolfe – Welcomed new fire department personnel. Thanked chief for looking into getting value out of the old fire truck. Everyone he spoke to at the fire department was upbeat and positive. Police vehicles, he wants to ride in each of the vehicles to get a feel and see what kind of condition they are in to help validate what needs to be done. Have a safe weekend. Thanks all for coming tonight and for your input.

Councilor Cable – For the past few months he has not been feeling well. In the past month he is feeling better. Tonight's discussions were fantastic. You have discussion and banter and citizens jumping in; that's how it should be. Welcomed Mr. Keener to council, as he was not here at the past council meeting. Buy local and support the village. Any opportunity for the lake / region to shine.

Councilor Green – Welcomed new fire fighters and EMTs. Thanked first responders. Love that they try to be the face of the village and that the fire and police departments do other things. When she is out. Join the Dam Walk event and support Parks and Recreation. Be safe. Summer is at the lake!

Mayor Goodman - A lot of good discussion tonight. You have to hear both sides and hear the discussion. She wanted to point out that tonight, council voted to approve the sale of cannabis in the village on a first reading and tonight made the police department wait for a third reading to put their levy on the ballot. Think about it.

Adjournment: Motion by Councilor Cable, seconded by Councilor Wolfe, to adjourn the meeting. All in favor. Meeting adjourned at 8:59pm.

NEXT MEETING: Regular Council Meeting – June 10, 2024

Samantha Torres

Samantha Torres, Council Clerk

John F. Lemmon

John Lemmon, Council President