

Buckeye Lake Village Council Meeting Minutes  
Held in Council Chambers, streamed live on Facebook  
**November 13, 2023**

**Call to Order:** By Council President Linda Goodman at 7:04p.m.

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

**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), Sue Wadley (0,1), Tom Wolfe (0,3)  
Absent: None

**Staff Present:** Samantha Torres, Clerk of Council; Jason Harget, Police Chief; Toby Miller, Public Works Superintendent.

**Approval of Regular Council Meeting Minutes:** Motion by Councilor Cable, seconded by Councilor Green, to approve the October 23, 2023 regular council meeting minutes.

**Roll call vote:** Yes: Wolfe, Cable, Goodman, Green, Julian, Lemmon, Wadley  
**Abstain: 0; Nays: 0; Motion Passed 7 – 0**

**Approval of Public Hearing Minutes:** Motion by Councilor Cable, seconded by Councilor Julian, to approve the October 23, 2023 public hearing minutes.

**Roll call vote:** Yes: Wolfe, Cable, Goodman, Green, Julian, Lemmon, Wadley  
**Abstain: 0; Nays: 0; Motion Passed 7 – 0**

**Approval of Clerk Treasurer’s Report:** Motion by Councilor Lemmon, seconded by Councilor Cable, to approve the October Reconciliations and Treasurer’s report dated October 31, 2023.

**Roll call vote:** Yes: Wolfe, Cable, Goodman, Green, Julian, Lemmon, Wadley  
**Abstain: 0; Nays: 0; Motion Passed 7 – 0**

**APPOINTMENTS AND PRESENTATIONS** – None.

**COUNCIL STANDING COMMITTEE REPORTS**

**Finance Committee:** Meeting held tonight. Discussed replacing one of the police cruisers and getting that rotation and hopefully moving to a place where the village could be qualified for some grants for some police cruisers. 2024 budget was discussed. Chair Lemmon stated many of us were concerned about getting it passed on time. Getting started late in the process but that does not mean we will not get it done. It is a temporary budget and there may be some areas that could be cut back to last year’s levels until council can vet them after the 1<sup>st</sup> of the year. Should be able to get most of the departments vetted and passed for the 2024 budget; everything else can be vetted after the 1<sup>st</sup> of the year. Next Finance committee meeting will be November 27, 2023 at 5:30pm and should have more information.

**Public Safety Committee:** Nothing to report tonight.

**Public Service Committee:** Meeting that was to be held last Monday November 6<sup>th</sup> was cancelled due to a death in Chair Cable’s family. Next committee meeting will be the first Monday in December on the 4<sup>th</sup> at 6:30pm.

**Rules Committee:** Nothing new to report.

**Community Development Committee:** Meeting held tonight where the committee discussed Ordinance 2023-60 amending short-term rental Ordinance 2023-56 by changing some wording of “permit” to “license,” among other changes such as parking detail. It will be moved on to a first reading on the agenda tonight.

**Personnel Committee:** Meeting held tonight where they discussed a new servicing acknowledgment agreement to move agents on the medical and life insurance for the employees of the village. We do not have pricing from the new agent yet but it is expected before the end of the month and it is also expected to not change according to all that Chair Julian has read in the acknowledgment as well as in emails from the mayor. The committee discussed adding a part-time human resources position which will be an add to staff and will need to be added to the pay roll grid. Councilor Wadley and Chair Julian are going to make a few changes to the qualifications and education background and add some things to the roles and responsibilities. The committee also looked over the resume and recommendation from the mayor for the clerk treasurer position. The committee did not recommend to take it to full council based on the qualifications. Next Personnel committee meeting to be held December 11<sup>th</sup> at 6:00pm unless there are other items that push that time.

**Report of Council President:** President Goodman regretfully announced that water clerk Gina Kaetzel has given her notice and her last day is Thursday. This is another open position that the village will be hiring for. Toby has the position posted. Councilor Julian, President Goodman, and the village solicitor had met with the mayor about a redo on the organizational chart for the village. It was moving along very well in a good, positive direction and that halted two weeks ago and those discussions are no longer happening. There is no update; there is no moving forward at this time with those issues. Holiday parade is December 2<sup>nd</sup>. Lots of fun last year. Bring your families at 4:45pm at North Shore Ramp. There is a flyer and also a parade entry form available at the village office. President Goodman mentioned the Salvation Army Toy Run and how great of an event it is.

**Report of Mayor:** Mayor was absent but a written report was submitted.

#### **CITIZEN'S COMMENTS REGARDING ANY ORDINANCE OR RESOLUTION ON TONIGHT'S AGENDA**

Wilbur Robey – 210 Grandstaff – Mr. Robey stated it had been talked about revising the short-term rental ordinance to one and a half car parking spots per bedroom. A couple of weeks ago, the Planning and Zoning Commission approved a duplex to be built on Union Avenue with two parking spots per unit because that is all they had the room for. He asked if we know how many bedrooms will be in those buildings? President Goodman stated she did not know how many bedrooms there are. Mr. Robey stated he hopes we do not put more burden on short-term rentals than we do on new builds. President Goodman stated absolutely and that she thinks that he heard at the meeting that council needs to check out what is in the zoning code. Mr. Robey stated he sat in the meeting and heard them okay the duplex and there will be two parking spots and that is all they have room for and they cannot park in the grass because there will be no grass. He would just like to make sure that there is equal play for new builds and short-term rentals because one and a half parking spaces for a standard 3-bedroom is four and a half parking spots. He does not think there are too many 3-bedroom homes in the entire village that have four and a half parking spots, period. President Goodman stated he had a good point and they would check into that.

#### **ORDINANCES**

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

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

**Ordinance 2023-54** - AN ORDINANCE CREATING THE BUCKEYE LAKE SR79 TAX INCREMENT FINANCING INCENTIVE DISTRICT DECLARING IMPROVEMENTS TO THE PARCELS WITHIN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; AND SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT DIRECTLY BENEFIT THE PARCELS AND THE DECLARATION OF AN EMERGENCY.

**Discussion** – Councilor Lemmon stated that he is for this. He stated this may sound negative and it is not meant to be: when we do this, the improvements for 30 years go into that special TIF fund. A lot of that money would go to our General fund through our levy. 7-8-9 years down the line, as this comes up and we have all of these improvements, there will be more burdens on our offices and so forth, we will not be seeing that income into the General fund. Somewhere along the line we are going to have to figure out how we will offset that. We may have other growth in the village that offsets that because of the TIF; that is an unknown. We do not have an income tax. It is not a popular thing but if we put in the TIF, 8-9-10 years down the line we might be sitting in a position where income tax is about the only way to pay for our growth that we've had if we cannot get that off of the value of the new properties coming in at today's rate for our General fund. Councilor Julian stated she thought we were going to be sent the value of those tax dollars from those properties that now will be earmarked through this TIF. She is not necessarily as concerned about 9 years down the road as she is 2 years down the road. Right now, how much is going into the General fund from these properties, which are mostly business properties? Also, what kind of gap are we going to have within the next couple of years? Councilor Lemmon stated that he could answer that: what we are getting out of there now we will get in the General fund in two years all the way through this levy. The increase in value or new tax valuation we will not get. Whatever we are collecting right now, we will collect for the next 30 years for the General fund. It is all of the increases that the General fund would not be getting. Even as much as the next time we do this levy in four years, you will start to see that we will not get the new tax valuation into the General fund. That is something that will need to be thought about and some reorganization on how we fund our offices in the future. President Goodman stated this is not for the entire village, it is the State Route 79 corridor and is mostly businesses. Councilor Julian stated with this being down SR79 and that additional money is having to be earmarked for those areas, that is a state road so there are still a lot of improvements we would have to make but it is still less than we would have to make in other areas. Councilor Lemmon said we are in a very good spot for getting grant money right now for things like sidewalks and crosswalks but we are not always going to be in that. That goes up and down over time.

This will move on to a third reading.

**Ordinances for 1st Reading –**

**Ordinance 2023-59** - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR REIMBURSEMENT OF LEGAL COUNSEL FOR INDIGENT DEFENDANTS FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO.

This will move on to a second reading.

**Ordinance 2023-60** - AN ORDINANCE AMENDING ORDINANCE 2022-56 REGARDING SHORT-TERM RENTAL ORDINANCE AND BED AND BREAKFAST REGULATIONS.

**Discussion** – President Goodman stated she was told that information is being gathered from short-term rental owners and answering some basic questions. They have the needed information for the iWorq software and they should be good to go on it.

This will move on to a second reading.

**RESOLUTIONS**

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

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

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

**Resolution 2023-20** - A RESOLUTION AUTHORIZING THE LICKING COUNTY COMMISSIONERS TO ACT AS THE PURCHASING AGENT AND GOVERNMENTAL AGGREGATOR FOR ELECTRIC POWER FOR THE VILLAGE OF BUCKEYE LAKE, OHIO.

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

**Roll call vote: Yes:** Wolfe, Cable, Goodman, Green, Julian, Wadley  
**Abstain: 0; Nays: Lemmon; Motion Passed 6 – 1**

Motion by Councilor Wadley, seconded by Councilor Wolfe to adopt Resolution 2023-20.

**Discussion:** Councilor Lemmon was not in favor of turning it over. He stated maybe we turn it over and just let it happen or we stop and look and consider that the village negotiates, and there is residual income that these companies make and other municipalities have done this, they get some of the residuals off of all of the electric instead of a private company making all of the profit off of our citizens. It is just food for thought and it would be a lot of work and some people would have to know what they are doing and we could look into that if it goes to a third reading. If not, just do it as presented by Licking County, turn it over to them, let them turn it over to the group in Toledo and they can make money off of it. President Goodman stated there will be a board member selected from the village.

**Roll call vote: Yes:** Wolfe, Cable, Goodman, Green, Julian, Wadley  
**Abstain: 0; Nays: Lemmon; Motion Passed 6 – 1**

**UNFINISHED BUSINESS** -

Motion by Councilor Wolfe, seconded by Councilor Cable to go into executive session concerning disputes involving the public body that are subject of pending or imminent court action. Those invited are council members, Toby Miller, and Mayor Peterson (absent).

**Roll call vote: Yes:** Wolfe, Cable, Goodman, Green, Julian, Lemmon, Wadley  
**Abstain: 0; Nays: 0; Motion Passed 7 – 0**

Council entered into executive session at 7:32pm.

Council entered back into open session at 7:42pm.

**Payment to Toby Miller for Additional Fiscal Office Work** - President Goodman asked for a floor vote. It had been discussed in a council meeting about paying Toby Miller for the time he is spending on fiscal duties while the village is without a fiscal officer and the village is paying his going rate of \$27.66 an hour. That money is in there because Jennifer Dennis has been gone as the fiscal officer and the village is not paying her, so available funds would be used. President Goodman wanted to give this transparency to the people of the village that Toby will be paid for his additional work.

Floor vote suggested by Councilor Goodman, seconded by Councilor Lemmon to approve payment to Toby Miller for his additional fiscal office work from Jennifer Dennis' departure until the fiscal position is filled.

**Roll call vote: Yes:** Wolfe, Cable, Goodman, Green, Julian, Lemmon, Wadley  
**Abstain: 0; Nays: 0; Motion Passed 7 – 0**

**NEW BUSINESS** –

President Goodman stated an email was received from Ray Annarino of Shackleford's Disposal, the trash company currently contracted for the village. Their contract allows, with consent of the village, a 3% rate increase if they can show to council why it is necessary. Those reasons would be to show that they have increases in cost. It will be requested that Mr. Annarino provide those specific increases in writing or come to

the next council meeting. This would take effect in January 2024. Councilor Cable mentioned that it was a 5-year contract and we are in year 2 or 3 probably. Councilor Wadley stated she did some quick calculations on that and it is really only \$5-6 more a year. Councilor Lemmon stated it is important that it is documented properly and we receive the paperwork that shows that there was an increase. He has no doubt that they have an increase in cost. President Goodman stated that it would include labor, fuel, and landfill increases.

### **CITIZEN'S COMMENTS** -

**Brian Thom** – 4863 North Bank Road – Brian provided a required written notice of the intent to circulate petitions for the recall of Mayor Jeryne Peterson. The notice and bullet points for the recall can be found in the meeting minutes binder with a letter certifying acceptance by Council Clerk Torres.

**Casey Clark** – 241 Lakeview Drive – Casey read a comment explaining the position of the village without a recall of Mayor Peterson, along with a request of the people of the community for their support. The comment can be found in the meeting minutes binder.

### **COUNCIL MEMBER COMMENTS**

**Councilor Green:** Thank you to Casey and Brian for coming forward and being honest. She wishes everyone a nice Thanksgiving.

**Councilor Lemmon:** With the countless lawsuits we are having, council is going to have to take a look at the expenses we are going to be facing and how we are going to move forward in spending money, and we are at risk of losing our liability insurance or at the very least we would have an increase in that. Somewhere along the line we would need to mitigate that or at least get in the position where we are no longer setting ourselves up for those lawsuits. Councilor Lemmon stated he knows this council has not done that but citizens are trying to take an action. He does not know what the right answer is but we are in a bad spot as far as administration is concerned right now. Everyone here has been very respectful and wonderful to work with. He has worked with them for the last four years. He stated when they first started, Councilor Cable wanted to return the respect and Councilor Lemmon believes that President Goodman said similar things in her campaign and he did as well. He believes council has done that. The problems we had years ago with council and the arguments and the fights happened at a time when two previous mayors were on council which is when it really got started bad and the village started getting a bad reputation. We have moved away from that and he does not want to get back there. He does not believe this council will get there but the arguments with the mayor - he does not want to be back there again. Whatever the toxicity is, we need to make sure that it is taken care of.

**Councilor Cable:** Nothing to say.

**Councilor Julian:** Thanked the brave citizens for their actions tonight. Every time she has been asked in the past few months, she thinks there is an assumption generally that council can do more – she said we can't. So, we are to the point of thanking the citizens. As for working on the office hierarchy – they spent hours in meetings then to, in 48 hours, be disrespected and told “oh, I don't want to do that.” Councilor Julian stated it is embarrassing for us as council members that our opinions are not respected and we cannot resolve issues professionally and responsibly for the citizens. So, she appreciates the citizens coming forward. There are so many things that we need to get done and we do not need rogue employees in the village that are costing the village money. She hopes in the next six months that we can get some resolution to at least a couple of those items.

**Councilor Wolfe:** Congratulations to Councilors Cable, Lemmon, and Goodman on their return to council for 2024. They did a fine job at their election. Thanks for the citizen's comments tonight. They had great points that are appreciated. Looking forward to the holiday parade.

**Councilor Wadley:** Congratulations to the 3 and 1 new member of council who will be joining. She wanted to express her concerns with some of the service being provided to residents knowing that our budget is going to

be a challenge to get past along with the vacancies we have and getting those filled. All of that affects our residents and our taxpayers. You will hear a common theme from her about transparency even through the budget discussion. She looked up transparency in public administration and it promotes accountability, provides information for citizens about what their government is doing, and she thinks it is important that residents and taxpayers know where the money is being used and how and in the right way. She knows it was difficult for Brian Thom to come forward and publicly present that and she respects him doing that and all of the work they are doing.

**Councilor Goodman:** President Goodman stated that her, Councilor Julian, and the village solicitor had met with the mayor – they were all very encouraged and felt very good and very positive about moving forward. The first of three meetings was held; that went well. Conference call with the solicitor went well and they asked several times to confirm that the mayor did indeed want the office hierarchy changes as far as who reports to whom. There was a meeting scheduled with the department heads. President Goodman attended the meeting and the department heads were there and they had started the discussion for about 10-15 minutes. Mayor Peterson then announced to President Goodman in front of all of the department heads that it is not happening and she had changed her mind after the time and work that had been put in to do the new organizational chart using job descriptions. President Goodman stated she said to the mayor that this discussion was geared more toward the next meeting they were going to have with a mediator because we know there are things we do not agree on. That is going to happen but they also agreed upon mediation, which has not happened. President Goodman stated she had not heard another word back from the firm that was going to do the mediation and President Goodman knows the mayor was the last person to have a discussion with them and President Goodman has not heard a word in over three weeks from them. That is where things stand. Does President Goodman wish we were not here? 100%. She does not want to speak for all of council but she thinks they all feel that way. They do not want to be here and do not want this to happen but they all love this village and want to treat this village with as much respect and hard work that we can give it. She stated we may not always get it right but we are listening to you and we will try to get it right. It might take us a couple of tries to get it right. She is sorry we are here but we are here. Thank you to Mr. Thom for his letter; we will proceed. Enjoy your families at Thanksgiving. Remember what we are blessed with and be thankful for everything.

**ADJOURNMENT:** Motion by Councilor Cable to adjourn the meeting and seconded by Councilor Julian. All in favor. Meeting adjourned at 8:05pm

**NEXT MEETING:** Regular Council Meeting: November 27, 2023

  
Samantha Torres, Council Clerk

  
Linda Goodman, Council President