

Buckeye Lake Village Council Meeting Minutes  
Held in Council Chambers, streamed live on Facebook  
**September 12, 2022**

**Call to Order:** By Council President Linda Goodman at 7:01p.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), Deb Julian (0,0),  
(Consecutive, Total Absences) John Lemmon (0,0), Max Thompson (0,1)  
Absent: Sue Wadley (0,2), Tom Wolfe (0,1)

**Staff Present:** Jennifer Dennis, Clerk/Treasurer; Samantha Torres, Clerk of Council; David Ruton, Fire Chief;  
Jason Harget, Police Chief; Toby Miller, Water and Public Works Superintendent

**Approval of Council Meeting Minutes:** Motion by Councilor Cable, seconded by Councilor Lemmon, to approve the August 22, 2022 regular council meeting minutes.

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

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

**Approval of Clerk Treasurer's Report:** Motion by Councilor Lemmon, seconded by Councilor Thompson, to approve the August Reconciliations and Treasurer's report dated September 8, 2022.

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

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

**APPOINTMENTS AND PRESENTATIONS** – None.

**COUNCIL STANDING COMMITTEE REPORTS**

**Finance Committee:** Meeting held today. Minutes will be submitted. Next standing meeting will be October 10<sup>th</sup> at 5:45pm.

**Public Safety Committee:** Fire Chief informed Chair Thompson that he does not have any updates on the fire engine repair yet. Police Chief Harget is finishing a background check on a full-time police officer candidate. Christmas with the Kids / Shop with a Cop and an October Halloween movie night are both being planned.

**Public Service Committee:** No meeting held in September but an update from Public Works Director Toby Miller was included with the council packet. Next meeting will be October 3<sup>rd</sup> at 6:30pm.

**Community Development Committee:** Absent, no report.

**Rules Committee:** Absent, no report.

**Personnel Committee:** Meeting held this evening. Next meeting to be held on October 24th at 6:30pm.

**Report of Council President:** Operating Levy Committee will have an ice cream social in the village parking lot from 6pm-8pm on Thursday with informational handouts and elected officials will be there to answer any questions about the levy. Police Chief Harget will issue warnings to those who park in the village parking lot during the posted times. Four resumes for Planning and Zoning Commission vacancies have been received. Interview meeting will be scheduled soon and hope to have those seats filled for the next Planning and Zoning Commission meeting which is the first Thursday of the month. Parks and Recreation Commission will hold an open house and celebration of the new Buckeye Lake Recreation Center on Saturday October 1<sup>st</sup> from 12pm-2pm. Trunk or Treat will return to Ryan-Braden Park this year. We thank the Harbor Community Center for

hosting it the last few years. Now that the Recreation Center is new and improved, we are able to hold the event there again on Thursday October 27<sup>th</sup>.

**Report of Mayor:** Written report submitted.

## **ORDINANCES**

### **Ordinances for 3<sup>rd</sup> Reading –**

**Ordinance 2022-33** - AN ORDINANCE SETTING POLICY ON SUMP PUMP AND DOWNSPOUT DISCHARGES FOR THE VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO.

Motion by Councilor Lemmon, seconded by Councilor Julian, to adopt Ordinance 2022-33.

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

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

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

**Ordinance 2022-36** - AN ORDINANCE ESTABLISHING BUSINESS REGULATIONS FOR SHORT-TERM RENTAL UNITS AND BED AND BREAKFASTS WITHIN THE VILLAGE.

This will move on to a third reading.

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

**Ordinance 2022-37** - AMENDING ORDINANCE 2022-08 PERMANENT APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY.

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

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

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

Motion by Councilor Cable, seconded by Councilor Lemmon, to adopt Ordinance 2022-37.

**Discussion:** Recommended from Finance Committee. Jennifer Dennis said there could be more repairs to come, per Chief Harget.

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

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

**Ordinance 2022-38** - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT MODIFICATION WITH ADR & ASSOCIATES, LTD FOR PROJECT DEVELOPMENT PROCESS FOR THE REPLACEMENT OF DEFICIENT STRUCTURE AND SIDEWALKS IDENTIFIED AS LIC-SR79-0.364 (PID #108770), AND DECLARING AN EMERGENCY.

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

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

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

Motion by Councilor Lemmon, seconded by Councilor Cable, to adopt Ordinance 2022-38.

**Discussion:** Councilor Goodman asked Toby Miller where these sidewalks are located, to which Toby stated this is the TAP and bridge project that is currently in progress. He stated that in the process of doing OUPS verification, a tremendous amount of storm water lines were found that were not written on anyone's maps.

Also, the sanitary lines were not where they thought they were. Where all of this was coming together, they were putting in a 48" in diameter pipe 30 feet in the ground, but now there is not enough room, so it needs to be moved further off of the roadway, which needs some redesign and reengineering of traffic signals. It is a net-0 modification because some tasks in the "not to exceed" project contract have not used all of the money, so that money is being moved from one task to a different one and the "not to exceed" does not change. This is on the northeast corner of the Mill Dam / Hebron Road intersection.

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

**Ordinance 2022-39** - AN ORDINANCE AMENDING THE PAY PLAN FOR 2022 – 2023 TO CHANGE THE ASSISTANT FIRE CHIEF PAY SCHEDULE FROM STIPEND TO HOURLY AND THE DECLARATION OF AN EMERGENCY.

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

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

Motion by Councilor Cable, seconded by Councilor Julian, to adopt Ordinance 2022-39.

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

### **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 2022-19** - A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.

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

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

Motion by Councilor Cable, seconded by Councilor Lemmon, to adopt Resolution 2022-19.

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

### **UNFINISHED BUSINESS** -

Councilor Goodman stated that an 8-page privileged document was received by the Mayor, Council, and Planning and Zoning Commission around 1pm today by the village solicitor. It answers many of the questions that they had from Planning and Zoning Commission meetings in reference to the Wells Development. She stated that at this time, no action is needed by council based on a thorough legal opinion. She believes that council will be going into executive session on Tuesday night at 5:15pm with the solicitor to discuss this further.

Four resumes received for the Planning and Zoning Commission vacancies. Councilor Goodman hopes to get the interviews scheduled for next week which will also be done in executive session.

### **NEW BUSINESS**

**Buckeye Lake Margaritas LLC Liquor Permit** - Document received from the Ohio Department of Commerce in the transferring of a liquor license from Kulture Kitchen Authentic Foods LLC to Buckeye Lake Margaritas LLC asking whether council requests a hearing of advisability to this liquor permit.

Motion by Councilor Lemmon, seconded by Councilor Cable to NOT ask for a hearing of advisability of issuing a liquor permit for Buckeye Lake Margaritas LLC.

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

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

### **Trick or Treat 2022 in the village -**

Motion by Councilor Thompson, seconded by Councilor Cable, to declare Thursday October 27, 2022 as trick or treat night in the village.

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

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

Trunk or Treat event will also be held that night from 5:30pm-7:30pm at Ryan-Braden Park.

### **CITIZEN'S COMMENTS**

**Brian Moore – 86 Nautica Way** – Questions regarding Ordinance 2022-36 on short-term rentals:

**Section A** – defines short-term rentals as 271 days or less; Brian is unsure where that number came from and it does not seem very short-term, others are considered 30 days or less.

**Section B** – states that the property owners will maintain a minimum of \$1,000,000 of insurance. Brian assumes that that means liability insurance, not property insurance, but it does not specify.

**Section C** – states that an inspection will be done by Code Enforcement and Zoning inspectors, Fire and Police Departments, but then it only mentions needing to meet electrical standards and the proper number of working fire extinguishers, smoke alarms, etc. Brian was wondering: if there were any other code or zoning violations, would those be grounds for denial? It also states that the inspection will be done prior to issuance of a permit, but it does not specify if an inspection will be done to get a permit renewed, so Brian asks: will an inspection be done annually or just one-and-done?

**Section F** – it states that all violations will result in a third-degree misdemeanor but nowhere does it specify whether a prior violation or any number of prior violations are grounds for denial or suspension, so no matter how many times you might be a repeat offender, you can still continue to maintain your permit.

List of his notes are included with the minutes.

**David Ruton – 99 Elmhurst Lane** – David asked why Trick or Treat was moved to a Thursday when Halloween is on a Monday. He said he does not think what the surrounding towns do matters to what we are doing. He thinks it would be more fun for the kids to have trick or treat on Halloween.

Councilor Goodman stated that, traditionally, neighboring communities try to do Trick or Treat on the same night to cut down on the number of people travelling from community to community. She believes Thursday will be the same night that Hebron, Heath, Millersport, and Thornville will have their Trick or Treat. It is a safety issue as well to try to keep a lot of people from coming into town.



## COUNCIL MEMBER COMMENTS

**Councilor Cable:** Buy local. New businesses coming all the time. They provide good service and good value. Buy local not just for the village but for the region around the lake as well.

**Councilor Lemmon:** Need to make sure we speak as one voice for the whole village during this time of development. He recently heard from a realtor and a person selling property and their developer that council was against their project to bring 23 new homes \$500,000-\$750,000 that never came through council, so he does not know where that came from or how that happened but the developer decided to not purchase the property. He does not think that anyone would speak for council. He did not, so he hopes that council can all be on the same page and speak as one. Councilor Goodman said that council was never approached with that information. She said there are a lot of developers and a lot of people coming in and out of town asking a lot of questions, and if they are not hearing immediately what they want to hear, then they are moving on. She said that social media comes into play as well for rumors.

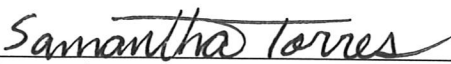
**Councilor Julian:** As summer is coming to a close, she thinks they should all be proud of how the village presented itself and the interest it continues to have, both from a business standpoint and a residential standpoint. All of the little changes that we are attempting to make may not seem monumental, but every little change is for the better. Good businesses and the housing prices are showing that. Realtors out here have had a good year. She hopes we can keep it up going into 2023.


**Councilor Thompson:** The levy committee has put in a lot of hard work. He is anxious to get the levy passed. He encourages everyone to get out and talk to voters about the levy and what it means to the village. He hopes everyone will come to the informational ice cream social.

**Councilor Goodman:** She attended a Labor Day event in downtown Newark where there were a few people running for elected office and some officials from Licking County and as soon as they heard that she was from Buckeye Lake, they all talked about the good things that are coming this way and the improvements that are being made. It was very upbeat and it is nice to hear positive things.

**ADJOURNMENT:** Motion by Councilor Cable to adjourn the meeting and seconded by Councilor Julian. All in favor. Meeting adjourned at 7:41pm

**NEXT MEETING:** Regular Council Meeting: September 26, 2022

  
Samantha Torres, Council Clerk

  
Linda Goodman, Council President