



MUNICIPALITY OF NEW LEBANON

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MEMORANDUM

To: Mayor Nickerson and Village Council Members

From: Rob Anderson, Acting Village Manager

Re: Council Update

Date: September 13, 2024

Here are some brief updates on your agenda for Tuesday night:

- **Resolution 2024-19 – A resolution authorizing the acting village manager to donate the 1985 FMC fire tanker to Engine 911 Fund LLC.** Chief Keyser secured federal funding to help offset the cost of the new tanker that is scheduled to be delivered next week. As part of the agreement for the funding of the new tanker, the Village is limited in how we can reuse or dispose of our old tanker. According to the Assistance to Firefighter grant paperwork, the Village is not permitted to donate the old tanker to another fire department in the US for active use. We are allowed to donate the vehicle to another country that needs service vehicles. Chief Keyser found the 911 Fund LLC that will take our old tanker and ship it to a third-world country for use as a fire vehicle.

Here are some other items for your consideration:

- The Village tire recycling event is tomorrow, September 14, from 9 am to 3:30 pm. or until the dumpsters are full.
- The fall Village wide garage sale is scheduled for next weekend, September 19-22. I should have a list of the garage sales early next week and will post them on the website and have some copies available at the village offices.
- Chief Keyser has begun construction on a new blessing box to be placed next to the gazebo behind the Village offices. There are some finishing touches that need to be made to it, but it should be ready in the next week or so.

Have a great weekend!

**MUNICIPALITY OF NEW LEBANON,
REGULAR COUNCIL MEETING
Tuesday September 17, 2024, 7:30 PM**

- I. Call to Order
- II. Invocation/Pledge of Allegiance
- III. Verbal Roll Call of Council Members Present for the Record
- IV. Approval of Minutes
 - A. Approval of minutes from the September 3, 2024, Regular Council Meeting
- V. Unfinished Business
- VI. New Business
 - A. **RESOLUTION 2024-19 – A Resolution Authorizing the Acting Village Manager to Donate the 1985 FMC Fire Tanker to Engine 911 Fund LLC.**
- VII. Public Comments or Questions (limit 3 minutes per citizen. No donation of time.)
- VIII. Administrative Staff Comments
- IX. Municipal Manager’s Comments
- X. Council Members’ Comments (limit 5 minutes per Council Member)
- XI. Vice-Mayor’s Comments
- XII. Mayor’s Comments
- XIII. Requested to be Added to Agenda (limit 5 minutes per presentation)
 - A. Bonnie Bertleson
 - B. Josh Farley
 - C. Shannon Bemis
- XIV. Adjournment

**VILLAGE OF NEW LEBANON
COUNCIL MEETING
September 3, 2024, at 7:30 p.m.
Council Chambers**

The meeting was called to order at 7:30 p.m. by Mayor Nickerson. The invocation was given by Council member Cooper, followed by the Pledge of Allegiance.

VERBAL ROLL CALL OF COUNCIL MEMBERS

Council Members:

Timothy L. Back	Present
Gale B. Joy	Present
Lyndon Perkins	Present
Melissa Sexton	Present
Charles Cooper	Present
Nicole Adkins	Present
David Nickerson	Present

Others Present:

Interim Police Chief Wortman
Interim Clerk of Council Anderson
Interim Municipal Manager Anderson
Fire Chief Keyser
Interim Superintendent Chris Edds
Interim Zoning Inspector Gary Long

APPROVAL OF MINUTES

- Approval of the August 20, 2024, regular meeting minutes. Council Member Sexton made a motion to approve the minutes from the August 20, 2024, meeting. Vice Mayor Adkins seconded the motion.

6 yes votes and 1 no vote, minutes approved.

UNFINISHED BUSINESS

None

NEW BUSINESS

Mayor Nickerson stated all four department heads were at the meeting to give quarterly updates to the council and the public.

Fire Chief Keyser-presented stats for the fire department, thanked those for coming to the ceremony for Steve Kautz, discussed the new tanker that is being delivered on 9/19, and proposed that council donate the old tanker to the organization, Engine 911 Funds.

Council member discussion with Fire Chief Keyser regarding the funding for the tanker and driver training.

Questions from the public for Fire Chief Keyser-none.

Interim Police Chief Wortman-presented stats for the police department, stated that he is working with the manager to keep staffing levels up currently having three open positions, upcoming projects such as LESO for the annual inventory audit and Ohio Collaborative re-certification for officers. Smaller projects he is working on are the annual Continued Professional Training for officers, cruisers, and updates to the police department. Interim Police Chief Wortman advised that he requested BCI to come in and investigate allegations against the police department to move forward and was informed the request needs to come from Special Counsel or a private citizen.

Questions from the public for Interim Police Chief Wortman:

James Adkins, 1651 W. Main Street, spoke of an incident that occurred at his home with a man looking in his windows, called the police, and was not satisfied with the way the situation was handled. Mr. Adkins was advised the report was sent over to the prosecutor for review.

Council member discussion with Interim Police Chief Wortman regarding staffing levels and the increase in calls.

Interim Service Department Superintendent Chris Edds - presented the Service Department Activity report, advised we are within EPA guidelines, and informed council that the Blosser Street phase III is coming to a close and Comer Court will be temporarily closed for paving starting the following week. Interim Service Department Superintendent Edds relayed a grant was received from the Ohio EPA for leak detection

equipment that will help tremendously, and that Blosser Street Phase 4 will be coming up next year for possible OPWC funding.

Questions from the public for Interim Service Department Superintendent Edds-none.

Council member discussion with Interim Service Department Superintendent Edds regarding Comer Court, appreciation for the new lights at the park, the lighting issue on Access Road, meter replacement, trees along Main Street, and Hometown Hero Banners.

Interim Zoning Inspector Gary Long - presented stats for the zoning department, relaying the issue with sending violation letters and fines is that some people still don't comply and suggests looking into involving the court system. He also mentioned the trouble with a few repeat property maintenance violations and the need to update our codes to better handle these situations.

Questions from the public for Interim Zoning Inspector Gary Long:

Shannon Bemis, 130 Bronwood Street, brought up the tree overhanging on Bronwood Street that is tangled in the utility lines.

Council member discussion with Interim Zoning Inspector Long regarding the zoning process, the car lot on Main Street, the house that burnt down on Cain, and updating the nuisance ordinance.

PUBLIC COMMENTS

Donald Baird, 107 Glenada Court, informed council of an ongoing issue he has with his neighbor where there are arrests, daily arguments, drugs, and people coming and going all the time. He has spoken with the police multiple times, is concerned because there are children in the home, and he is unable to enjoy himself. He has safety concerns and asks that the property be declared a nuisance and the people be evicted.

Clinton Goad, 198 S. Main Street, asked to have a document be placed in the public record. Mr. Goad asked about previous audits, and about the village's financial status.

Council member discussion followed regarding the fact that some council members are being blocked on a Facebook post Mr. Goad referenced and the opinion that it is unprofessional for someone in uniform to tag council members asking for a discussion on social media.

Natasha Farley, 136 Bronwood, thanked the department heads for the updates they gave, asked council about moving public comments back to the top of the agenda, asked Interim Police Chief Wortman about the usable cruisers we have, questioned if there was a social media policy for the police officers, agreed with Interim Police Chief Wortman that having BCI come in to investigate makes the most sense, and asked if there can be an actual American flag in the chambers and not one that is an admiralty flag.

Joshua Farley, 136 Bronwood, asked if there was a way citizens can bring forth amendments to the charter, suggested civilian boards to review police procedures, informed council of issues he has with missing body cam footage, an officer stopping him in his personal vehicle, and holding officers accountable. Interim Police Chief Wortman suggested Mr. Farley reach out to BCI because they will initiate an investigation if a citizen has a sufficient complaint.

Council members discussed with Mr. Farley clarifying questions they had regarding his complaints.

Tina Bell, 301 Blosser, asked who wrote The Voice, thanked Tim Back for the fireworks show, asked why we don't have time clocks for the Service Department, asked about updating the website, thanked the first responders for helping with her neighbor, and gave a garden update that they are working on fall cleanup if anyone wants to help and wants to add another blessing box in the community. Ms. Bell expressed her concern with Comer Street being so narrow and fears first responders will have a hard time maneuvering on the street. She also questioned the sidewalks being so wide compared to Blosser Street.

ADMINISTRATIVE STAFF COMMENTS

None

MUNICIPAL MANAGER'S COMMENTS

Interim Municipal Manager Anderson updated the council on the municipal manager search stating it is narrowed down to two candidates. Mr. Anderson said there will be a Special meeting on Tuesday, 9/10, where the council will go into executive session to speak with both candidates. After, there will be a small, informal, open house for those that want to meet the candidates.

COUNCIL MEMBERS’ COMMENTS

Council member Back thanked all the department heads and the community for coming to the meeting. Mr. Back wished Facebook comments would calm down until things were finalized

Council member Perkins asked clarifying questions regarding the Special meeting with the two candidates.

VICE-MAYOR’S COMMENTS

Vice-Mayor Adkins thanked the department heads for coming out and giving their quarterly reports. She also stated social media is not the place for council members to debate and they are blocked from most of the comments anyway. Mrs. Adkins said they don’t have information on the AG’s investigation and as soon as it concludes everyone will have answers to their questions.

MAYOR’S COMMENTS

None

ADDED TO AGENDA

Shannon Bemis, 130 Bronwood Street, spoke on council having to make hard decisions that nobody has ever had the courage to do in the past for the betterment of the community. Mrs. Bemis inquired into potholes being patched, the bathrooms being open at Don Rusk Park, and thanked the council for trying to do the right thing.

ADJOURNMENT

Council member Back made a motion to adjourn, Council Member Sexton seconded the motion.

Roll Call:

Council member Perkins	Yes
Council member Cooper	Yes
Vice-Mayor Adkins	Yes

Council member Joy	Yes
Council member Sexton	Yes
Council member Back	Yes
Mayor Nickerson	Yes

7 yes votes and 0 no votes, motion carries.

Meeting adjourned at 8:56 p.m.by Mayor Nickerson.

Approved:

Mayor

Date

Acting Clerk of Council

Date

**VILLAGE OF NEW LEBANON
MONTGOMERY COUNTY, OHIO**

**RESOLUTION NO: 2024-19
BY
MAYOR DAVID NICKERSON**

A RESOLUTION: AUTHORIZING THE ACTING VILLAGE MANAGER TO DONATE THE 1985 FMC FIRE TANKER TO ENGINE 911 FUND, LLC.

WHEREAS, the Village is in the process of taking delivery of its new fire tanker; and

WHEREAS, the funding source that the Village utilized to fund the replacement of the old 1985 FMC tanker does not allow for the 1985 FMC tanker to be repurposed and utilized in the United States; and

WHEREAS, the Village is recommending that the tanker be donated to the Engine 911 Fund, LLC where it will be utilized to deliver fire services to a poverty-stricken region in a third-world country; and

WHEREAS, Engine 911 Fund, LLC will be responsible for the removal and transport of the 1985 FMC tanker.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEW LEBANON, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:

SECTION I That the Acting Village Manager be and is hereby authorized to take all necessary action to donate the 1985 FMC tanker to Engine 911 Fund, LLC.

SECTION II It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION III That this Resolution shall take effect immediately upon adoption.

PASSED this 17th day of September 2024.

David Nickerson, Mayor

Attest:

Robert Anderson II
Acting Clerk of Council

Date: