



## MUNICIPALITY OF NEW LEBANON

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### MEMORANDUM

**To:** Mayor Nickerson and Village Council Members

**From:** Rob Anderson, Acting Village Manager

**Re:** Friday Update

**Date:** June 28, 2024

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You have another light agenda for Tuesday's meeting. Here are a couple of brief updates for your information:

- Village offices will be closed on Thursday, July 4 for the Independence Day holiday.
- The next volunteer meeting for a Day at the Park event is scheduled for Monday, July 8 at 5pm. The meeting will be held at Don Rusk Park. Anyone wishing to volunteer is encouraged to attend.
- We have several vacancies on the Planning Commission, Board of Zoning Appeals, and Parks and Recreation Board. I placed an announcement on the Village website asking for inquiries from residents that are interested in volunteering. I hope to have a list of those folks for you before the second Council meeting in July.

Have a great weekend.

**MUNICIPALITY OF NEW LEBANON,  
REGULAR COUNCIL MEETING  
Tuesday July 2, 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 June 18, 2024, Regular Council Meeting
- V. Unfinished Business
- VI. New Business
- 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. Shannon Bemis
- XIV. Adjournment

**VILLAGE OF NEW LEBANON  
COUNCIL MEETING  
June 18, 2024, at 7:30 p.m.  
Council Chambers**

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

**VERBAL ROLL CALL OF COUNCIL MEMBERS**

**Council Members:**

Timothy L. Back	Present
Gale B. Joy	Absent
Tammy Loch	Absent
Lyndon Perkins	Present
Melissa Sexton	Present
Nicole Adkins	Present
David Nickerson	Present

**Others Present:**

Acting Village Manager Anderson
Interim Law Director McNamee

**APPROVAL OF MINUTES**

- Approval of the June 4, 2024, regular meeting minutes. Council Member Adkins made a motion to approve the June 4, 2024, minutes as presented. Council member Back seconded.

5 yes and 0 no votes, minutes approved.

**UNFINISHED BUSINESS**

Council member Sexton asked Interim Municipal Manager Anderson about the Pickleball court and what the plan entails.

## **NEW BUSINESS**

Mayor Nickerson stated he had new business and read a note regarding Council member Loch's noncompliance with the village charter requirement for a seated council member, forfeiting her seat.

Mayor Nickerson distributed copies of the resolution to council members and the public to review.

Mayor Nickerson moved to introduce the following resolution for consideration. Accordingly, for the resolution to be added to the agenda, he made a motion as follows:

**RESOLUTION NO: 2024-13 – A Resolution recognizing the self-executing forfeiture of Council Member Loch's position on Village Council and setting forth the procedure to fill the vacancy.**

Mayor Nickerson's motion received a second by Council member Back

Council comments regarding the resolution:

Council member Perkins asked if anyone else on Council was looked at for delinquent taxes. He also asked who initiated this action.

Council member Back stated that this was something the Charter Review Committee recommended, and the public voted to approve last November.

Public Comments regarding the resolution:

Shannon Bemis discussed the charter review committee, the community voted to accept the new changes to the charter at November's election, and that even though she didn't like the change, you must go by the charter.

Craig Roberts discussed the charter regarding being in good standing with municipal taxes and inquired if Council member Loch was on a payment plan or delinquent.

Charles Cooper, 443 Hazelhurst, thanked the council for the job they do and asked about vacancies on council.

Mayor Nickerson asked for a roll call vote to add the resolution to the agenda.

Roll Call:

Council member Sexton	Yes
Council member Perkins	No
Council member Back	Yes
Mayor Nickerson	Yes
Vice-Mayor Adkins	Yes

4 yes votes and 1 no vote, motion is approved.

**RESOLUTION NO: 2024-13 – A Resolution recognizing the self-executing forfeiture of Council Member Loch’s position on Village Council and setting forth the procedure to fill the vacancy.**

Council member Back made a motion to approve Resolution 2024-13 as read. Council member Sexton seconded the motion.

Roll Call:

Mayor Nickerson	Yes
Council member Back	Yes
Council member Perkins	No
Vice-Mayor Adkins	Yes
Council member Sexton	Yes

4 yes votes and 1 no vote, motion passes.

## **PUBLIC COMMENTS**

Mark Bundy, 124 Laredo, discussed issues with fireworks he has had in the previous years, presented the law director with our current firework ordinance along with the O.R.C. on fireworks asking him to review, and requested Lieutenant Wortman be investigated for an issue he had with him the previous year.

Shannon Bemis, 130 Bronwood Street, stated Council member Sexton was working on fireworks for the community event in August, touched on the firework ordinance, and expressed her displeasure with one of the council members supporting a council member violating the charter.

Timothy Williams, 194 Gloria, stated he had a firework company contact and he would forward the information to Council member Sexton.

### **ADMINISTRATIVE STAFF COMMENTS**

Council member Sexton inquired into the absent council members and if notification was given that they would not be at the meeting. She asked what the process is for the Pickleball/tennis court project and relayed her embarrassment for the condition they are in and the school scheduling away games due to this.

Council member Back also discussed the poor condition of the tennis courts.

Council member Sexton presented photos from Don Rusk Park showing poles knocked over due to careless maintenance, the outside of the walking track needing to be trimmed back, a lawn rake left in the field for weeks, and the natural habitat area should not be mowed down. She stated there are two large mounds of dirt that can be utilized somewhere, the markers for the frisbee golf are damaged or pulled out from mowing and need to be fixed. Council member Sexton also suggested storing records at the water plant.

Council member Back discussed the maintenance issues at Don Rusk Park.

Council member Perkins asked who was responsible for telling the service department workers what jobs to do. He also asked about records being stored, an invoice from Mr. McNamee, and the investigation.

Council member Sexton said she received a message regarding the farmland behind her house and the strong odor from whatever they are using. She also addressed Council member Perkins and expressed her frustration with him questioning the investigation while disregarding the findings.

Council member Perkins made comments and then left the meeting.

Vice-Mayor Adkins brought up the treatment plant/retention pond by the apartments and the offensive odor residents are dealing with. She also asked about an inventory of what the village owns.

Council member Back added to the discussion regarding the farmland on the west of town and the smell stating he thinks it could be Roundup and it was very strong. He also discussed the wastewater treatment plant and the awful odor that residents have complained about. He also asked for an update on the salt barn and the lighting by the juvenile center.

### **MUNICIPAL MANAGER'S COMMENTS**

Acting Manager Anderson stated the village would be closed for the Juneteenth holiday, but trash service will not be disrupted. He highlighted a new business in the village on Main Street, Origin Coffee and Cream. Mr. Anderson commended them for their delicious drinks and pastries. He highly recommends them and asked for our community to support our new local business. Mr. Anderson stated that Mrs. Bemis has been volunteering by cleaning and organizing things in the office and expressed his appreciation.

### **COUNCIL MEMBERS' COMMENTS**

Council member Back stated he visited Origin Coffee and Cream, and it was great and encouraged everyone to support our small businesses. He congratulated our newest full-time police officer, relayed that the families with Hometown Hero banners arriving late would get an additional year, and thanked everyone for coming out.

### **VICE-MAYOR'S COMMENTS**

Vice-Mayor Adkins thanked our newest full-time police officer for accepting a position with our village and wished Officer Oney best wishes with his new position at Huber Heights.

### **MAYOR'S COMMENTS**

Mayor Nickerson stated that we had a guest, State Representative Phil Plummer. Representative Plummer thanked the council for serving and said to use him as a resource if any help is needed.

Mayor Nickerson stated that the Rite Aid in New Lebanon would be closing at some point and that he would be reaching out to see how we could keep something similar in that location.

**ADJOURNMENT**

Vice-Mayor Adkins made a motion to adjourn, Council member Sexton seconded.

Roll Call:

Council member Sexton	Yes
Vice-Mayor Adkins	Yes
Mayor Nickerson	Yes
Council member Back	Yes

4 yes 0 no, motion passes.

Meeting adjourned at 8:32 p.m.by Mayor Nickerson.

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date