

April 20,

2021

Meeting Disclaimer: Meeting Disclaimer: During this pandemic, and in an effort to maintain social distancing, comply with the Stay-at-home-Advisory, keeping our gatherings to less than 10 people while continuing to meet the requirements of an open meeting, we will meet by Zoom. Additionally, Zoom allows the public to join and participate in our open meeting during the public comment portion of the meeting.

The regular meeting of the Municipality of New Lebanon, Ohio was called to order on Tuesday, April 20, 2021 at 7:30 p.m. with Mayor Arriola presiding. Connected were Municipal Manager Madden, Law Director Ronald Keener, Fire Chief J.C. Keyser, Captain James Chambers and Clerk of Council Sandy Wright, and Code Enforcement Administrator Melody Davis. Chief Financial Officer Brenda Etter and Service Department Superintendent Scott Brock were absent.

INVOCATION/PLEDGE OF ALLEGIANCE

The invocation and Pledge of Allegiance was given by Mayor Arriola.

ROLL CALL

A verbal roll call of Council Members present on the conference meeting for the record. The following members connected at the Roll Call were Raymond Arriola, Gale Joy, Carol Macmann, Susan Nickerson, Lyndon Perkins, Christopher Sands and Douglas Thompson.

APPROVAL OF MINUTES

Mayor Arriola stated next is the approval of the April 2, 2021 regular meeting minutes.

Mayor Arriola asked are there any corrections or changes that need to be made to these minutes? None voiced.

Mayor Arriola stated all in favor of these minutes please signify by saying aye, all opposed same sign.

VOICE VOTE. ALL IN FAVOR. MOTION CARRIED.

OLD BUSINESS

Mayor Arriola stated there is no old business tonight. Does anyone have any old business? None was heard.

NEW BUSINESS

Mayor Arriola stated next under new business is **ORDINANCE 2021-03. AN ORDINANCE AMENDING §152.182 FENCES, WALLS, AND HEDGES OF THE MUNICIPAL CODE OF ORDINANCES OF THE VILLAGE OF NEW LEBANON, OHIO.**

Mayor Arriola stated any questions.

Council Member Joy stated were we able to come up with any wording to change it so that garden fencing is not appropriate.

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Municipal Manager Madden stated do you mean garden fencing around the whole property.

Council Member Joy stated anywhere. I understand garden fencing around a garden but as a border I am opposed.

Municipal Manager Madden stated they can only have metal chain link, vinyl coated chain link, iron, vinyl, natural durable wood, or treated wood. Garden fencing does not fall into one of those categories.

Council Member Joy stated chicken wire or what they use on the farm....

Municipal Manager Madden stated it does not meet the definition of chain link. A chain link fence is a mesh fence made of thick steel wire interwoven in a diamond pattern.

Council Member Joy stated the reason I am concerned is that there is a lot of it around town.

Municipal Manager Madden stated we can't get rid of what is already there as it gets grandfathered and remember this was an agriculture area at one point. But going forward no one can put that in on a residential property. They can put it in if they are in an agriculture area.

Council Member Joy stated thank you.

Mayor Arriola stated any other questions. Nothing was heard.

Mayor Arriola stated do I have a motion to declare an emergency and waive three (3) readings.

Motion by Council Member Sands, second by Council Member Macmann to declare an emergency and waive three (3) readings.

ROLL CALL ON ABOVE MOTION: Council Member Joy, no; Council Member Macmann, yes; Council Member Nickerson, no; Council Member Perkins, no; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; 4 yes 3 no

MOTION CARRIED.

Mayor Arriola stated do I have a motion to adopt Ordinance 2021-03.

Motion by Council Member Macmann, second by Council Member Sands to adopt Ordinance 2021-3.

ROLL CALL ON ABOVE MOTION: Council Member Macmann, yes; Council Member Nickerson, no; Council Member Perkins, no; Council Member Sands, yes; Council Member Thompson, yes; Council Member Joy, no; Council Member Arriola, yes; 4 yes 3 no

MOTION CARRIED.

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Mayor Arriola stated any public comments or questions. Did anyone sign up?

PUBLIC COMMENTS OR QUESTIONS

Municipal Manager Madden stated no one signed in.

ADMINISTRATIVE STAFF COMMENTS

Mayor Arriola stated Police Captain Chambers.

Police Captain Chambers stated I hope everybody drives safe tomorrow. The roads are supposed to be icy so be careful.

Mayor Arriola stated any questions for Captain Chambers.

Council Member Joy asked are you hearing any issues with what is coming out of Minnesota?

Captain Chambers stated so far we have not had any issues. It is New Lebanon nice and quiet.

Mayor Arriola stated Fire Chief Keyser.

Fire Chief Keyser stated I don't have anything tonight.

Mayor Arriola stated any questions for Fire Chief Keyser. Nothing was heard.

Mayor Arriola stated Code Enforcement Administrator Melody Davis.

Municipal Manager Madden stated she does not have anything this evening.

Mayor Arriola stated anybody have anything for Melody. Nothing was heard.

Mayor Arriola stated Chief Financial Officer Brenda. Is there anything from her other than the motion?

Municipal Manager Madden stated she has nothing else.

Mayor Arriola stated do I have a motion to adopt the March 2021 Financial Report.

Motion by Council Member Thompson, second by Council Member Joy to adopt the March 2021 Financial Reprt.

ROLL CALL ON ABOVE MOTION: Council Member Nickerson, yes; Council Member Perkins, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Joy, yes; Council Member Macmann, yes; Council Member Arriola, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated any questions for Brenda. Nothing was heard.

Mayor Arriola stated Service Department Superintendent Scott Brock. Does he have anything for us?

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Municipal Manager Madden stated he has nothing tonight.

Mayor Arriola stated does anyone have anything for Scott. Nothing was heard.

Mayor Arriola stated Municipal Managers comments.

MANAGER'S COMMENTS

Municipal Manager Madden stated Church Street paving is to begin next week with weather permitting.

On Sunday we have our earth day Community Clean up. Anyone is welcome to come join in. This year it is a challenge so you can join with small teams. The winning team will win the Trash ProTrophy along with bragging rights for a year. Get your team together and see how much trash you can pick up.

The Community Garage Sale starts on Thursday and runs through Sunday. I have 29 homes on the list right now. I will post them on our website late afternoon Wednesday.

Mayor Arriola asked what time is the Community Clean Up on Sunday?

Municipal Manager Madden stated it is 1:00 p.m. to register your group. We will start the clean up at 1:30p.m. The weigh in of the trash bags will be at 2:00 p.m. You can't bring your trash from home to weigh in. It has to be trash you collect along the street.

Council Member Sands stated if I dump my trash in the street and then pick it up does that still count.

Municipal Manager Madden stated no.

Mayor Arriola stated you will get a ticket for littering, right.

Municipal Manager Madden stated that is correct Captain Chambers.

Police Captain Chambers stated yes.

Vice Mayor Nickerson stated is that published anywhere. I have not seen it.

Municipal Manager Madden stated Starr put it out on the Parks and Rec Facebook page.

Vice Mayor Nickerson stated I just missed it then.

Municipal Manager Madden stated I think it is a flyer Susan.

Mayor Arriola stated any questions for the Manager.

Council Member Sands stated on your cover letter you said you were going to review the speed limit on SR35. Could they also look into the possibility of putting an end school zone at the east end just past Fuls Road. There is a 45 mile speed limit sign there already. It would be nice if they would put an end school zone sign underneath it. I think some people think it is 20 mph all the way down to Clayton Road.

Municipal Manager Madden stated we will look at that too with the school zone being there because the school no longer faces 35 at all.

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Council Member Sands stated I think the school zone should be there but an end of school zone is needed.

Municipal Manager Madden stated I am making a map of where the street signs are so I keep pulling over. I know what you are talking about.

Council Member Thompson stated I have a question. Are there any updates on the Brookville Johnsville Road closing. I noticed they are closing Brookville Johnsonville Road between SR35 and Old Dayton Road. I did not know if that is part of the county's plan to update that road.

Municipal Manager Madden stated it is part of the county's plan. We are in conjunction with them for the portion that is part of us. The county will be doing all of the work. We are paying for our portion of it. No one has sent me anything or said anything.

Council Member Thompson stated so it looks like it is going to happen.

Municipal Manager Madden stated it is going to happen this year.

Fire Chief Keyser stated I received something from the County saying they are going to start paving from 35 to Amity Road within the next week.

Council Member Thompson stated that would be nice to get that out to the community. A lot of people are like me you go all the way down that road until the detour and you end going to the next road down.

Council Member Thompson asked any updates on the paving of the track in the park?

Municipal Manager Madden stated we are still looking at some of the drainage issues there but hopefully we will get another section paved this summer. At least that is the goal.

Council Member Thompson stated my last question is I noticed in the Dayton Daily Newspaper is that the County is moving forward with the court house. Does that change anything that we currently have?

Municipal Manager Madden stated we have a lease agreement with them through June of 2022. They are going to have to move quickly to have the building ready by June of 2022 so they may need to extend the lease agreement. I did call them because I questioned the article itself. It said they were moving from here because of lack of public transportation. That is not the issue. RTA did a study and RTA pulled out of here because they did not have people riding the bus at all. I did not like the way the article read so I did call Michael Goldberg about that.

Council Member Thompson asked where are we in hiring a Police Chief.

Municipal Manager Madden stated I have it down to four (4) or five (5) applicants. We had twenty-seven (27) people apply. Retired Chief Daulton is helping me go through the applications.

Council Member Thompson stated thank you again for your time. I appreciate it.

Mayor Arriola stated anyone else have any questions for the Manager. Nothing was heard.

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COUNCIL MEMBER COMMENTS

Mayor Arriola stated Gale.

Council Member Joy stated I have nothing further.

Mayor Arriola stated Chris.

Council Member Sands stated I have nothing else this evening.

Mayor Arriola stated Carol.

Council Member Macmann stated I have nothing.

Mayor Arriola stated Doug.

Council Member Thompson stated I have just one comment for the Fire Chief. I assume that posting for the road closure will be put on the neighborhood watch and how long will it be closed?

Fire Chief Keyser stated I think it is going to be closed for 10 days. It is supposed to start April 22nd for 10 days. All it says is road resurfacing so I don't know if they are actually going to close the road or if they are only going to close sections they are resurfacing.

Municipal Manager Madden stated I will reach out to the Engineer's office to find out if it is going to be closed completely or if it will be just rerouting traffic across it.

Council Member Thompson stated thank you again. No further comments from me.

Mayor Arriola stated I drove that way and it was closed.

Council Member Sands stated at that time they were replacing the bridge at Seim's Hardware.

Fire Chief Keyser stated they were doing crossovers but we did not get notification that they were doing crossovers. It was a surprise to us that it was closed.

Mayor Arriola stated it was good thing you did not have to go to a fire.

Fire Chief Keyser stated correct.

Mayor Arriola stated Lyndon.

Council Member Perkins stated no comment at this time thank you.

Mayor Arriola stated Vice Mayor Nickerson.

VICE MAYOR'S COMMENTS

Vice Mayor Nickerson stated I do not have anything.

MAYOR'S COMMENTS

Mayor Arriola stated I don't have anything further.

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ADJOURNMENT

Mayor Arriola stated do I have a motion to adjourn the meeting.

Motion by Council Member Nickerson, second by Council Member Joy to adjourn the meeting.

ROLL CALL OF ABOVE MOTION: Council Member Perkins, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Joy, yes; Council Member Macmann, yes; Council Member Nickerson, yes; Council Member Arriola, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Meeting was adjourned at 7:51 p.m.

Approved:

	
Mayor	Date

	
Clerk of Council	Date