

October 15,

2019

The Council of the Municipality of New Lebanon, Ohio, met in regular session on Tuesday, October 15, 2019 at 7:30 p.m. with Mayor Arriola presiding. Present were Municipal Manager Glenna A. Madden, Law Director Ronald D. Keener, Police Chief Rick Daulton, Code Enforcement Administrator Melody Davis, Service Department Superintendent Scott Brock, Clerk of Council Sandy Wright and several visitors. Chief Financial Officer Brenda Etter was absent.

ROLL CALL

The following members were present at the Call to Order: Raymond Arriola, Hillary McClusky Christopher Sands, and Douglas Thompson. Carol Macmann and Gale Joy were absent

INVOCATION

Mayor Raymond Arriola gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Mayor Arriola stated next is the approval of the October 1, 2019 regular meeting minutes. Are there any changes or corrections to these minutes? Nothing was heard.

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

VOICE VOTE. ALL IN FAVOR.

SPECIAL PRESENTATION

Gail Dafler from Goodwill Easter Seals Miami Valley gave a short presentation about Prescription Medication Safety and DEA Take Back Day.

OLD BUSINESS

Mayor Arriola stated under old business we have discussion of Street Levy.

Municipal Manager Madden stated I just want to reiterate one more time the street levy is a continuing levy for 5 years with no new taxes. It is not going to cost you anymore that it has been costing you and it is a way for us to continue fixing the streets. We have managed to fix 9 streets over 5 years which is awesome. We would like to continue with that. I have a map over there with the streets marked in green which are the streets done with the street levy. The streets marked in red are streets done with OPWC money. As you can see the nine streets are scattered throughout the community. That is based on the deterioration and where they stand when we go out and evaluate them to see what street needs to be done. We don't have every street on the list and we don't have a list of everything that is eligible. The only way we can continue everyone has to vote for the street levy.

The Jackson Township Issue Fire Levy is a renewal also so there will be no increase that will cost residents new monies. It is a 2.5 mill operational levy with no increase in the incorporated and unincorporated of Jackson Township

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NEW BUSINESS

Mayor Arriola stated under new business is **RESOLUTION 2019-28.** A **RESOLUTION ACCEPTING THE 2020 USAGE AGREEMENT WITH THE NEW LEBANON YOUTH ATHLETICS, INC., FOR THE CONCESSION STAND, BASEBALL FIELDS AND SOCCER FIELDS AT DON RUSK MEMORIAL PARK, 201 S. FULS ROAD, NEW LEBANON.**

Mayor Arriola stated any questions. Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2019-28.

Motion by Council Member Sands, second by Council Member McClusky to adopt Resolution 2019-28.

ROLL CALL ON ABOVE MOTION: Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated **RESOLUTION 2019-29.** A **RESOLUTION DECLARING PROPERTY AS SURPLUS AND AUTHORIZING THE MUNICIPAL MANAGER TO LIST IT WITH GOVDEALS, INC. (“GovDeals”), 100 CAPITOL COMMERCE BLVD, SUITE 110, MONTGOMERY, ALABAMA 36117**

Mayor Arriola stated any questions. Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2019-29.

Motion by Council Member McClusky, second by Council Member Sands to adopt Resolution 2019-29.

ROLL CALL ON ABOVE MOTION: Council Member Sands, yes; Council Member Thompson, yes; Council Member McClusky, yes; Council Member Arriola, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated **RESOLUTION 2019-30.** A **RESOLUTION AUTHORIZING MONTGOMERY COUNTY AUDITOR’S OFFICE, LIENS & ASSESSMENTS DIVISION TO PLACE LIENS ON THE ATTACHED LIST OF PARCELS IN THE AMOUNT OF \$74,138.40 WHICH INCLUDED THE AUDITOR FEE OF 5% FOR CURB AND GUTTER REPAIR INCURRED WITH THE MARILEE STREET PROJECT AND THE BRONWOOD STREET, LAREDO AVENUE, YORKWOOD ROAD PROJECT IN 2019.**

Mayor Arriola stated any questions. Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2019-30.

Motion by Council Member Sands, second by Council Member McClusky to adopt Resolution 2019-30.

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ROLL CALL ON ABOVE MOTION: Council Member Thompson, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Arriola, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is public comments or questions. If anybody has any comments or questions please come forward to the podium and state your name and address for the record.

PUBLIC COMMENTS OR QUESTIONS

Susan Nickerson, 559 Benbow Circle. Mrs. Nickerson stated I know a lot of people watch the meetings. I would like to encourage everyone to vote on the November 5th election. There are 2 levies on that including no new taxes and several council seats are open. There are a lot of people who complain on the Village website. Please report those things to the police office and not just complain on social media because nothing is resolved. People need to come to the council meetings so they know what is going on.

Shannon Bemis, 130 Bronwood Street. Mrs. Bemis questioned Resolution 2019-30 wanting to know if the liens were actually being placed or are these liens people have requested to be added to their property taxes?

Municipal Manager Madden stated the Auditor's office calls them liens.

Mrs. Bemis stated back to what Mrs. Nickerson said about social media; I agree people should call the police. I have posted on Facebook small or big call the police because they can't do their job if they don't know. Mrs. Bemis stated she does think Face book is a good thing.

Mayor Arriola stated you can always call the Manager.

Mrs. Bemis replied I have called but I have not received any return calls. When I had my public records request it was past the deadline.

Mrs. Bemis asked if zoning had noticed some of the people have reverted back to old ways.

Mrs. Bemis stated I did see on Facebook that a man who lives on Dorothy Lane reported a water leak and he had been calling the Village office for a month and nothing was done. From what the man said the leak was on the Village side. So if we are leaking or have some type of water leak which, sounded like it was a significant amount why is it being let go for months and not taking care of the problem.

Municipal Manager Madden stated we had the same problem on my street. It was a small leak but it wasn't bubbling over.

Mrs. Bemis replied she did some research on line and even if it is a small leak in a three quarter copper pipe underground depending about how much pressure there is you are talking potentially 200,000 thousand gallons of water a day. Do you have a comparison to go by? I am assuming that you something to measure how much water is used in a day. Is there someone who monitor's that?

Service Department Superintendent Scott Brock's reply was not audible.

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Mrs. Bemis then asked if I do a public record request daily usage for a week's span from a year ago and then compare it to a weeks span this year.

Mayor Arriola asked why would you need it.

Mrs. Bemis stated I am a curious cat. I would like to know how much water we are using.

Service Department Superintendent Scott Brock response could not be heard. He did not have the microphone turned on.

Mrs. Bemis stated I also noticed on Facebook a picture of a hole with a ladder and a head coming out of it. I thought we were using boxes for water breaks like that per OSHA standards.

Service Department Superintendent Scott Brock's response could not be heard. He did not have the microphone turned on.

Mrs. Bemis stated if you go six feet down you go six feet wide.

Mrs. Bemis stated I did not want to see anyone buried alive.

Mrs. Bemis stated you saw the post about the water quality. I am not going to take what is posted on there because I would have to have it tested. Do you use the same company every year when you have the water tested? The results are in the paper.

Service Department Superintendent Scott Brock stated we use the City of Eaton.

Mrs. Bemis stated I would think it would better to have it tested by someone else just for the public relations of it. It would probably cost us \$200.00.

Mayor Arriola stated the EPA would be all over us.

Mrs. Bemis asked what are the plans for the court building when their lease is up?

Municipal Manager Madden replied it is really hard to say. If someone comes in and said I would like to rent that building, then they will be renting the building. I don't see the court leaving anytime soon. I even suggested that everyone should get on a bus and attend a commission meeting to ask why they are spending taxpayer's dollars to build a brand new facility when the facility they are in now is the right size especially when they are building a 12,000 square feet and we have a 17,000 square foot building.

Mrs. Bemis stated someone wanted to know if there is a way to consider a zoning change so people cannot convert their garages into rooms because their vehicles are parked on the street.

Municipal Manager Madden stated we will have to look into it.

Mrs. Bemis stated some neighborhoods would like to have their mail delivered to the home rather than to a common box?

Municipal Madden stated that is a postal issue. They would like their mail delivered to their door rather than the common box.

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Mrs. Bemis mentioned work order system. I think for accounting purposes that we need to know where the money is going. When I ran a company in Chicago each guy had their box. One would be mowing at Don Rusk Park 6 hours would go the parks Department. I am just surprised that we do not use that system. Also clocking in and out is just a much more accountable way of keeping people accountable. There is also a big problem with loose dogs around this town. I am going to start walking my dog again so what can I do to protect myself and my dog.

Police Chief Daulton stated I do not have a real good answer.

Mrs. Bemis stated one more thing Get out to vote.

Mrs. Bemis asked if she could message the Municipal Manager about candidates.

Municipal Manager Madden suggested she organize a Candidates Night.

Mrs. Bemis mentioned having it in the Council Chambers.

Municipal Manager Madden stated sure. We can't do it, but you can. Let me know the date and time.

Mrs. Bemis stated Chief Daulton if I can show you a picture there is a student at the high school who said at 6.00 a.m. When she goes to school there are people coming off of Short Street; there are cars parked up to the intersection and people can't see. If she lives on Traction Avenue, go on Short Street, turn left on Perry Street and on the right side people can't see and people have almost hit. I will show you the picture and maybe you can make sense of it.

Municipal Manager Madden asked is it someone standing attempting to ride the bus?

Mrs. Bemis stated no. This is a teenager driving and people are parking so close to the intersection people can't see. People almost wreck there.

Police Chief Daulton's comments were not audible.

Melissa Sexton, 1280 Parkview Drive; when is the Commissioner meeting?

Council Member Thompson stated every Tuesday at 1:30 p.m. on the 10th floor.

Mrs. Sexton asked have we moved forward with the path at the park?

Service Department Superintendent Brock's comments were not audible.

Municipal Manager Madden stated we are paving it ourselves.

Mrs. Sexton asked what about the playground?

Municipal Manager Madden stated we are doing some things in the park so the playground is on the back burner for now so we can get some drainage work done.

Mrs. Sexton stated I have brought this up a couple of times and even done some research on the dog stations with the plastic bags and even brought in pictures and prices. It was roughly around \$100.00 for each station.

Mayor Arriola stated they should carry their own.

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Mrs. Sexton stated it is not happening.

Mrs. Sexton stated last has there been any word on the hole in front of my driveway? I brought it up last year and it has not been patched.

Service Department Superintendent Brock's comment was not audible.

Mrs. Sexton stated if you come by tomorrow I will be home and would be happy to show you what I am talking about.

Mayor Arriola then asked person talking to come to the microphone in order to be heard. Mrs. Bemis stated I know their names are not on the list and every meeting you guys take the sheet before public comments but tonight you took it before the meeting started. I think they should be allowed to speak.

Greg Gillman, Jackson Township Trustee stated we have a Fire Levy on the ballot and would appreciate your support.

Timothy Back, 29 E. Main Street. I have a few questions. Have you guys noticed the roads up there right past the school that was recently paved not too long ago, as I have noticed it is breaking down and deteriorated. I know it is not the council's responsibility to fix the roads but it is the council's responsibility to notify the state, is that correct?

Mayor Arriola asked are you talking about where it was repaved recently right past the beauty shop going east.

Mr. Back stated it is that whole road past the school going toward West Alexandria. My next question is I have seen a lot of people complain about the roads. It has been brought to my attention that you guys have a Dura-Patcher. I am wanting to know if you guys are using that because from what I understand it is a good way to patch things for up to two years.

Mayor Arriola stated they have been using it this year.

Mr. Back stated I heard you guys talking about having the engineer to come out and look at the roads before you guys can prioritize the work to be done. Have you guys had the engineer out yet? How do you guys go about finding these engineers?

Mayor Arriola stated we have an engineer that we use.

Mr. Back stated you have to pay for that every time he comes out. Wouldn't it better to have the majority of the roads in New Lebanon done so we not taking money out of the taxpayers pocket.

Mayor Arriola and Vice Mayor Sands stated together he is under contract with us.

Mayor Arriola stated he is coming out after winter because if it is done before winter we will have something entirely different in the spring.

Mr. Back could not be understood. He was talking to fast and not directly into the microphone.

Lyndon Perkins, 734 Greyhound Drive. First of all I would like to compliment who ever put this out. It had a lot of good information out to the community about what is being done. I want to thank the Fire Chief for service on my wife about three (3)

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weeks ago when she was taken to Miami Valley Hospital and we found she had pneumonia and an irregular heartbeat of 145. The nurse said today her heartbeat is back to normal. I am happy for that. That gentleman there, Scott has a whole lot on his plate. I hope he gets half of it done. I am kind of disappointed about the road going to Brookville, at least it was paved so it is smoother. I know the levy is coming up and I don't know if you can put it on Facebook that they need to get out and vote in order for the levy to go through. I know I have 72 signatures but I don't know if I can count on all those 72 to show up and vote for me. Doug knows about my situation.

ADMINISTRATIVE STAFF COMMENTS

Mayor Arriola stated we will go to administrative staff comments.

Mayor Arriola stated Police Chief Daulton.

Police Chief Daulton stated this is in regard to Mrs. Dafler's remarks. We do have a drug drop off here. People have to put pills in a sealed zip locked bag before dropping giving it to the Police Department. We also take the bottles as long as the label is removed and they are put in a sealed zip locked bag. The bottles are then sent to third world countries. We take them Monday thru Friday between the hours of 8:00 a.m. and 4:00 p.m.

Mayor Arriola stated Police Chief, do you have anything else.

Police Chief Daulton stated no,

Mayor Arriola stated Fire Chief Keyser.

Fire Chief Keyser stated we have the first half of our equipment on the grant. We are waiting on the cot and then the company will come in to install it in the medic.

Mayor Arriola stated any have anything for the Fire Chief. Nothing was heard.

Mayor Arriola stated Code Enforcement Administrator Melody Davis

Code Enforcement Administrator Melody Davis stated I have nothing.

Mayor Arriola stated Chief Financial Officer is not here. Does she have anything?

Municipal Manager Madden stated she doesn't have anything.

Mayor Arriola stated do I have a motion to adopt September 2019 Financial Report.

Motion by Council Member Thompson, second by Council Member Sands to adopt September 2019 Financial Report.

ROLL CALL ON ABOVE MOTION: Council Member McClusky, yes; Council Member Sands, yes; Council Member Arriola, yes; Council Member Thompson, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated Service Department Superintendent Scott Brock.

Service Department Superintendent Scott Brock stated I have nothing tonight sir.

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

Mayor Arriola stated Parks and Rec.

Municipal Manager Madden stated Halloween in the Village will be October 24th from 5:00 p.m. to 8:00 p.m. at Stanley Jones Park. There is a house decorating contest. Applications can be picked up from the magazine rack in the hallway or printed from online. There will also be a costume contest. There will also be a Trunk or Treat again. If you want to be a participant there is an application to be completed. There will be food trucks and vendors there.

Beggar's night is Thursday, October 31st from 6:00 p.m. to 8 p.m. no matter the weather.

MANAGER'S COMMENTS

Municipal Manager Madden stated on November 5th that the renewal of the street levy and renewal of the Jackson Township Fire levy will be on the ballot.

COUNCIL MEMBER COMMENTS

Mayor Arriola stated Hillary.

Council Member McClusky stated I have nothing tonight.

Mayor Arriola stated Doug.

Council Member Thompson stated I have three (3) comments. I want to thank everyone for coming out. We also have the budget hearing coming up. My full-time job is in Finance and I deal with government details. I think you need to understand the budget so you have an understanding of what we can and cannot do. You have heard me say several billion times when asking for the police and fire levy it was not supported so we are still taking money out of the general fund to pay for our police. That \$400,000 could be utilized to fix some of the problems in this community. I would encourage this community to get involved in the budget. The budget is the public policy for the next year and it will allow you to better understand what we can and cannot do. The third thing is we do need to continue to work with the roads so I ask for your support of the levy. Thank you.

VICE MAYOR'S COMMENTS

Mayor Arriola stated Chris.

Vice Mayor Sands stated I agree with what Doug has said. The budget meeting is at 7:00 P.M. on October 29th. It is open to the public but there will be no discussion from the public

MAYOR'S COMMENTS

Mayor Arriola stated I ditto what has already been said. Thanks to everyone for coming.

ADJOURNMENT

Mayor Arriola stated do I have a motion to adjourn.

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Motion by Council Member Thompson second by Council Member McClusky to adjourn the meeting.

ROLL CALL ON ABOVE MOTION. Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Meeting was adjourned at 8:30 p.m.

Approved:

Mayor Date

Clerk of Council Date