

April 19,

2022

The regular meeting of the Municipality of New Lebanon, Ohio was called to order on Tuesday, April 19, 2022 at 7:30 p.m. with Mayor Arriola presiding. Present were Municipal Manager Madden, Police Chief Curtis Hensley, Fire Chief J.C. Keyser, Chief Financial Officer Philip Hinson, and Clerk of Council Sandy Wright. Law Director Ronald Keener, Code Enforcement Administrator Melody Davis and Service Department Superintendent Scott Brock were absent.

INVOCATION/PLEDGE OF ALLEGIANCE

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

ROLL CALL

A verbal roll call of Council Members present at meeting for the record. The following members present were, Nicole Adkins, Ray Arriola, Gale Joy, Tammy Loch, Lyndon Perkins, Christopher Sands. Carol Macmann was absent.

APPROVAL OF MINUTES

Mayor Arriola stated next is the approval of the April 5, 2022 Regular Council 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 we have no old business tonight.

NEW BUSINESS

Mayor Arriola stated under new business we have **RESOLUTION 2022-06. A RESOLUTION APPROVING THE PARTICIPATION IN REGION 8 GOVERNANCE STRUCTURE UNDER THE ONEOHIO MEMORANDUM OF UNDERSTANDING.**

Mayor Arriola stated are there any questions.

Council Member Joy asked how much are we expecting or can you say. What participation are we going to have?

Municipal Manager Madden stated there are a few meetings. The participation is whether or not the money that comes back from the State and how it gets dispersed. Like this governing body is going to decide how this money is spent. There is a set amount that is already allotted to New Lebanon but I do not remember the amount.

Council Member Joy asked is that yearly or monthly?

Municipal Manager Madden stated I believe it will be a one-time payment at this point, but down the road they are hoping to pay more yearly. But again it may be that it goes to a county program that will involve everyone. That particular board is made up of

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two (2) representatives from the largest municipalities; another city from the Greater Dayton Mayors and Managers, townships, villages, Montgomery County Commissioner's, Chamber of Commerce, Montgomery County Alcohol, Drug Addiction & Mental Health Services, Dayton & Montgomery Public Health, Criminal Justice Council, Greater Dayton Area Hospital Association, Individuals who have lived through the Experience, as identified by the Community Overdose Action Team.

Council Member Joy asked how many villages do we have?

Municipal Manager Madden stated Region 8 is all of Montgomery County. Farmersville is a Village, Phillipsburg is a Village, New Lebanon is a Village and we are included because we have had overdoses. The other Villages have not. There was no vote we just got it by default because of our overdoses.

Council Member Joy so we are on the governing board.

Municipal Manager Madden stated I am and Curtis is the backup.

Council Member Perkins stated the money comes from the State.

Municipal Manager Madden stated yes.

Council Member Adkins stated there is no funding at all.

Municipal Manager Madden stated yes.

Council Member Joy stated from all that I can gather the money comes from a lawsuit against the manufacturers.

Mayor Arriola stated anybody else. Nothing heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2022-06.

Motion by Council Member Joy, second by Council Member Loch to adopt Resolution 2022-06.

ROLL CALL ON ABOVE MOTION: Council Member Adkins, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Loch, yes; Council Member Perkins, yes; Council Member Sands, yes; 6 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is **RESOLUTION 2022-07. A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A THREE-YEAR SERVICE AGREEMENT BETWEEN THE MUNICIPALITY OF NEW LEBANON AND THE TOWNSHIP OF JACKSON FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES COMMENCING JANUARY 1, 2022 AND EXPIRING DECEMBER 31, 2024.**

Mayor Arriola stated any questions.

Council Member Perkins asked is there an amount of money that is being paid to the Village?

Municipal Manager Madden replied yes, the amount of levy money they have already voted on. It is the same levy money that has always been there for the north fire district.

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Council Member Adkins asked do you know what the amount is.

Municipal Manager Madden stated there is a new levy that just passed so we are not sure of the amount. The old levy was about \$120.00.

Mayor Arriola stated do I have a motion to adopt Resolution 2022-07.

Motion by Council Member Sands, second by Council Member Loch to adopt Resolution 2022-07.

ROLL CALL ON ABOVE MOTION: Council Member Arriola, yes; Council Member Joy, yes; Council Member Loch, yes; Council Member Perkins, yes; Council Member Sands, yes; Council Member Adkins, yes; 6 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is **RESOLUTION 2022-08, A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO EXECUTE A DELINQUENT DEBT COLLECTION AGREEMENT WITH THE OHIO ATTORNEY GENERAL FOR THE PURPOSE OF DEBT COLLECTION.**

Mayor Arriola stated any questions.

Council Member Perkins asked is this going to cost us anything?

Municipal Manager Madden stated no.

Council Member Sands stated this just us another avenue for collecting the debt.

Municipal Manager Madden stated correct.

Council Member Joy stated so when we have delinquent debt the Attorney General goes after them.

Municipal Manager Madden stated this is when someone is not paying their income taxes and we have gone through the courts and exhausted everything this would be that last step.

Council Member Perkins asked do we know the amount of debt?

Municipal Manager Madden stated this is the last day to collect income tax so off hand I do not the amount. Kelly will be working on the amount of debt owed.

Mayor Arriola stated do I have a motion to adopt Resolution 2022-08.

Motion by Council Member Sands, second by Council Member Joy to adopt Resolution 2022-08.

ROLL CALL ON ABOVE MOTION: Council Member Joy, yes; Council Member Loch, yes; Council Member Perkins, yes; Council Member Sands, yes; Council Member Adkins, yes; Council Member Arriola, yes; 6 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated no one has signed in so there are no public comments tonight.

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Public Comments or Questions

None

ADMINISTRATIVE STAFF COMMENTS

Mayor Arriola stated Police Chief Hensley.

Police Chief Hensley stated the only thing I have is the Montgomery County Law Enforcement Memorial which is to be held on Friday, May 6, 2022 at 11:00 a.m. at the Pavilion at Riverscape Metro Park, 111 E. Monument Avenue, Dayton, Ohio. The public and elected officials are welcome to attend.

Mayor Arriola stated any questions for Police Chief Hensley. Nothing was heard.

Mayor Arriola stated Fire Chief Keyser.

Fire Chief Keyser stated we did receive all of our CO Detectors. They will be distributed at a community event later this year.

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

Mayor Arriola stated Code Enforcement Administrator Melody is not with us. Does she have anything for us?

Municipal Manager Madden stated she does not have anything tonight.

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

Mayor Arriola stated Chief Financial Officer Phil.

Chief Financial Officer Phil stated I have nothing tonight.

Mayor Arriola stated any questions for the Financial Officer. None voiced.

Mayor Arriola stated do I have a motion to adopt the March 2022 Financial Report.

Motion by Council Member Sands, second by Council Member Loch to adopt the March 2022 Financial Report.

ROLL CALL ON ABOVE MOTION: Council Member Loch, yes; Council Member Perkins, yes; Council Member Sands, yes; Council Member Adkins, yes; Council Member Arriola, yes; Council Member Joy, yes; 6 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

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

Municipal Manager Madden stated nothing from Scott tonight.

Mayor Arriola stated any questions for Scott. None voiced.

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Mayor Arriola stated Municipal Managers comments.

MANAGER'S COMMENTS

Municipal Manager Madden stated I have a few. This Saturday is Prom and it is also NLYA baseball start with the first game at Don Rusk Park. We have earth day Village clean up on April 24th so if anybody is interested they are meeting at Don Rusk Park at 12:30 pm. We have the Community Garage Sale coming up April 28th, April 29th, April 30th and May 1st. I believe we currently have 20 locations registered. I will probably start posting the list Monday or Tuesday of next week.

The water tower cleaning is still moving forward. There have been some weather issues if you haven't noticed and there have also been some material issues that have slowed things down.

The other thing we are doing is the Sunflower Festival in August is being renamed to the Stagecoach Festival. We are going back to a name we used before and using the same timeline that we used for the Sunflower Festival so it will be on August 6, 2022.

Council Member Joy asked will there be a committee for that?

Municipal Manager Madden stated the Village did not do anything with it. It was actually handled by an outside committee. Yes, we have some people who are willing to serve on a committee through the Park Board.

Mayor Arriola stated anything for the Manager. None voiced.

COUNCIL MEMBER COMMENTS

Mayor Arriola stated Gale.

Council Member Joy stated I think that is good thing with the Stagecoach Days. I think people will be happy to see that happen. Other than that I have nothing more.

Mayor Arriola stated Chris.

Council Member Sands stated I have nothing this evening.

Mayor Arriola stated Tammy.

Council Member Loch stated I have nothing this evening.

Council Member Adkins stated I have a couple of things.

Mayor Arriola stated Lyndon.

Council Member Perkins asked are they going to take any more trees down this spring or are they going to wait until fall?

Municipal Manager Madden stated they are going to continue to try to get the rest of them done.

Mayor Arriola stated Nicole.

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Council Member Adkins stated I have a lot of people complaining about the roads still not being patched. I talked to someone who used to be council who said they used to have a durapatcher. Do we still use that?

Municipal Manager Madden replied yes.

Council Member Adkins stated they said it was two year band aid so we could get funding and could you clarify what roads we are doing this year.

Municipal Manager Madden stated at this point we have an OPWC for Blosser Street and we are still looking at what we are going to do as far as the street levy.

Council Member Adkins stated okay. And then are we still doing the newsletters?

Municipal Manager Madden stated actually we have not done one in awhile because we have been under a pandemic and there wasn't a whole lot to put out there. That is on my list of things to get back out there.

Council Member Adkins stated somebody asked me are we getting a 5G tower on Church Street.

Municipal Manager Madden replied a what!

Council Member Adkins stated a 5G tower.

Municipal Manager stated a 5G tower on Church Street.

Council Member Sands stated 5 G towers.

Municipal Manager Madden stated not that I have heard. No one has taken out any permits.

Council Member Adkins stated that is what I thought too. Basically I wanted to make sure on that and I've got two more things. You know the school sign when you're going out of town?

Council Member Sands asked going west or going east?

Council Member Adkins stated going towards Eaton.

Mayor Arriola stated west.

Council Member Adkins stated I know we have the one light that is on the pole where the red light is; is there a way we could get a hold of ODOT and see if we could get it on the side of the road?

Municipal Manager Madden stated I talked to them awhile back and they are in the process of doing that.

Council Member Adkins stated because to be honest, I actually didn't even realize that light was there because if you look at the red light you miss that light.

Municipal Manager Madden stated I have already talked with them. It will not be something they do quickly.

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Council Member Adkins stated there have been a lot of people actually that have contacted me recently about they had to get permits for signs. Is there a way that you could clarify what the sign permit is and what it consists of? Because some of them, they got flags and they are saying that a flag is not a flag unless it is a United States Flag. There is different flags that are out there, some is gay pride and some is you know that they got in trouble for and a peace flag, Biden signs, Trump signs, political signs and they're just concerned about freedom of speech.

Municipal Manager Madden stated it is not based on what the sign says, it is the size of the sign and the type of sign it is that fit under the code. If it is a temporary sign it has to have a permit and if it is a permanent sign it has to have a permit. It is based on the size and it is all in the code. I would have to read the whole sign code, and that would be insane. All of the sign code is out on our website.

Council Member Adkins stated it is very confusing for a lot of the people. They are wanting some clarification.

Municipal Manager Madden stated when Melody sends a letter out, it informs them exactly what they need to do and why based on our code.

Council Member Adkins asked does she tell them exactly what sign it is?

Municipal Manager Madden stated yes I do believe so and what they need to do and the part of the code...

Council Member Adkins stated so far the letters I have seen have not said which sign. There were a couple of signs that had cuss words on them.

Municipal Manager Madden stated we cannot dictate content. It just has to be a certain size.

Council Member Adkins asked how many signs are they limited to?

Municipal Manager Madden stated they are limited to the amount of footage in their yard.

Council Member Adkins asked are businesses required to get permits for signs?

Municipal Manager Madden stated yes, they always have. This sign code has always been in effect. We have always had a sign code. All we did was clean it up and update it last year. This isn't new. If they want to call in and talk to us we will be happy to meet and talk with anybody and go through it. That is not a problem.

Council Member Adkins stated so do they have to get a permit for welcome signs, soliciting signs, or no trespassing signs in their yards.

Municipal Manager Madden stated no, those are safety signs.

Mayor Arriola stated I see signs with cuss words on them and I wish we could do something about them. It shows something about their character when those kind of signs are in the yard. Do you have anything else?

Municipal Manager Madden stated I will be more than happy to meet with you next week to go through the sign code so when people have questions you can answer them.

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Council Member Adkins stated that would be great. Thank you.

Mayor Arriola stated Vice Mayor.

VICE MAYOR'S COMMENTS

Vice Mayor Macmann absent.

MAYOR'S COMMENTS

Mayor Arriola stated I don't have anything further.

Municipal Manager Madden stated I am sorry. I do have one more thing. I would like to give a shout out to Kelly. Someone gave a shout out that the tax lady in New Lebanon is really nice and very helpful and she is awesome. She did a really great job.

Council Member Adkins stated she did ours and she did a great job.

Council Member Perkins state did the Mushroom Business open yet?

Municipal Manager Madden stated they are moving some of their equipment in. As soon as they are ready they are going to invite the Council in for a tour. That is coming soon.

ADJOURNMENT

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

Motion by Council Member Joy second by Council Member Perkins to adjourn the meeting.

ROLL CALL ON ABOVE MOTION: ROLL CALL ON ABOVE MOTION: yes; Council Member Perkins, yes; Council Member Sands, yes; Council Member Adkins, Council Member Arriola, yes; Council Member Joy, yes; Council Member Loch, yes; 6 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Meeting was adjourned at 7:51p.m.

Approved:



Mayor Date



Clerk of Council Date