

**New Lebanon Regular Council Meeting, June 20, 2023, Meeting Minutes**

The Meeting was called to order at 7:30pm by Vice Mayor Loch. The invocation given followed by the Pledge of Allegiance.

Verbal Roll Call of Council Members:

**Council Members:**

Christopher Sands	Present
Carol Macmann	Present
Gale B. Joy	Present
Lyndon Perkins	Present
Nicole Adkins	Present
Tammy Loch	Present
Raymond Arriola	Absent

**Others Present:**

Police Chief Hensley
CFO/Clerk of Council Hinson
Municipal Manager Madden
Law Director Keener

Approval of the June 6, 2023 regular meeting minutes. Any corrections or changes?

7 I's and zero no, minute approved.

Law Director's comments. None.

Old Business. None.

New Business.

Ordinance 2023-06, an Ordinance providing for the submission to the electorate the question of making certain amendments to the Charter of the Municipality of New Lebanon as recommended by the Charter Review Board appointed by the Council of the Municipality of New Lebanon and directing the Board of Elections of Montgomery County, Ohio to place on the ballot at the November 7, 2023 General Election to be held in the Municipality of New Lebanon, Ohio, the question of amending sections 2.01, 2.13, 2.16, 2.17, 3.01, 4.01, 4.06, 5.05, 5.07, 6.09, 7.03, and 8.04 of the Municipal Charter of New Lebanon.

Manager Madden, I have a request that we suspend the three readings of this ordinance. And our Charter allows us to suspend the three readings based on the following reasons: this ordinance is a pass-through from the Charter Review Board to the Board of Elections. Council has no power to make any decisions or changes, and the public has the ability to vote on this come the General Election.

Council Member Joy expressed his apprehension about suspending three readings and stated his main assurance is that he would like to have is that each of the Amendments to the Charter will be voted on separately on the ballot.

Manager Madden expressed each change will be a separate item on the ballot and that the Board of Elections has assured that each one will appear as a separate voting entity.

Council Member Joy asked if they will be made available to the public prior.

Manager Madden stated, yes, we'll have an open forum, and then they're available as soon as this meeting's over and posted, once Council approves the Ordinance.

Council Member Perkins asked, how many changes were made?

Manager Madden, twelve.

Motion to suspend the three readings of Ordinance 2023-06 for the following reasons:

1. the ordinance is just a pass-through from Charter Review Board to the Board of Elections,
2. Council has no power to make any decisions or changes to this ordinance,
3. the public has the ability to vote at the general election on the Charter amendments being presented, rather than address the ordinance.

Motioned by Council Member Macmann, seconded by Council Member Sands.

Roll Call:

Council Member Macmann	yes
Council Member Sands	yes
Vice-Mayor Loch	yes
Council Member Adkins	no
Council Member Perkins	no
Council Member Joy	yes

4 yes 2 no, motion denied. A 2/3rds majority required to approve.

Discussion ensued.

Public Comments on this Ordinance.

Shannon Bemis, 130 Bronwood Street, shared concerns for Council Member Sands being on the Charter Review Board and voting on this ordinance and voices concerns for Charter Review Board as a whole.

Law Director explained it was discussed thoroughly if there was a conflict of interest regarding the Charter Review Committee and it was decided by the majority that there was not a conflict of interest. He elaborated that there is nothing in the Charter currently that says a member of Council cannot sit on the Charter Review Committee but it is one of the changes that will be on the ballot in November.

Motion to reconsider suspending three reads for Ordinance 2023-06 by Council Member Macmann, seconded by Council Member Joy.

**Roll Call:**

Council Member Macmann	yes
Council Member Sands	yes
Vice-Mayor Loch	yes
Council Member Adkins	no
Council Member Perkins	yes
Council Member Joy	yes

5 yes 1 no motion carries to reconsider.

Motion to suspend the three readings of Ordinance 2023-06 by Council Member Macmann, seconded by Council Member Sands.

**Roll Call:**

Council Member Macmann	yes
Council Member Sands	yes
Vice-Mayor Loch	yes
Council Member Adkins	no
Council Member Perkins	yes
Council Member Joy	yes

5 yes 1 no motion carries by 2/3 votes to suspend three reads.

Motion to adopt Ordinance 2023-06 by Council Member Sands, seconded by Council Member Joy.

**Roll Call:**

Council Member Sands	yes
Vice-Mayor Loch	yes
Council Member Adkins	yes
Council Member Perkins	yes
Council Member Joy	yes
Council Member Macmann	yes

6 yes 0 no motion carries.

**Public Comments.**

Shannon Bemis, 130 Bronwood Street, brought up the curb replacement on Waite Ave and that the curb is the responsibility of the homeowner, shared concerns about people driving on the curb, and asked if there is anything people can do to stop people from damaging the curbs that the homeowners might have to eventually pay for to replace.

Manager Madden explained the curb has to be repaired before fixing the road.

Shannon Bemis asked if she could put cones to block off the curb in front of her house.

Police Chief, no.

Council Member Joy, could you paint them yellow so you're not allowed to park?

Police Chief, you could request that the Village make it a no parking zone.

Vice Mayor Loch, that would mean she's not allowed to park there as well.

Shannon Bemis stated it doesn't seem right, so maybe we can collectively think of something.

Council Member Adkins asked on Waite Ave, if that's the part that's being totally redone.

Manager Madden, it will be Waite and part of Homeway.

Council Member Adkins, about the sidewalks on Main Street, voiced concerns about the sidewalk being lifted in places and asked if anybody has addressed that and addressed the owners of the buildings that the sidewalks are in front of.

Manager Madden stated she hasn't talked to anyone, there are new owners now, and in another place AES destroyed it, and they're supposed to be repairing it.

Linda Lewis, 213 Lawson Avenue, expressed her appreciation and thanks to the street department for repairing the leak that has been on Lawson Avenue.

Teresa Cooper, 443 Hazelhurst, asked who would be writing the pros and cons to the ballot measures to explain what they are.

Manager Madden, we're going to put out there what is going to be on the ballot, but it's not up to Council to tell you how to vote. If someone wants to do that, they can.

Teresa Cooper brought up the curb replacement and voiced that Hazelhurst has about 10 potholes in the middle of the road and the curbs are bad as well. She also voiced that the homeowner should not have to pay to replace the curbs, and there's no responsible way to protect them from people parking on them.

Administrative staff comments

Police Chief, nothing.

Fire Chief, nothing.

Zoning and Compliance, nothing.

Comments for Zoning.

Council Member Adkins brought up that at 416 and 438 E Main Street there are trees and grass covering sidewalk and expressed that joggers have to go into the road to go around it.

Chief Financial Officer.

Motion to adopt May 2023 financial report by Council Member Sands, seconded by Council Member Adkins.

**Roll Call:**

Council Member Adkins	yes
Vice-Mayor Loch	yes
Council Member Sands	yes
Council Member Perkins	yes
Council Member Joy	yes
Council Member Macmann	yes

6 yes 0 no motion carries.

Service department.

Manager Madden, the leak on Lawson has been fixed, and they are currently working on Blosser Street.

Comments for service.

Council Member Adkins asked how far along they are with cleaning the sewers.

Manager Madden responded that they haven't had a chance between fixing Lawson and Blosser Street, but it's still on the agenda.

Council Member Perkins inquired about the manholes and if they've been taken care of.

Manager Madden responded that the manhole project was completed.

Council Member Perkins voiced his concern about the Charter Review being every 10 years and expressed that it should be every 5 years.

Municipal Managers comments.

Manager Madden, Camp Connect is underway; 9am-2pm Monday to Thursday until the 29<sup>th</sup>. The playground equipment's in at Don Rusk – the rain has slowed down putting in the sand and filling it back in, so that will get done as soon as they can drive on the ground. Reminder that our next meeting in July will be July 5<sup>th</sup>, instead of the 4<sup>th</sup>.

Council Member Comments.

Council Member Macmann reminded everyone about Night Out on June 30<sup>th</sup> from 6 to 8:30pm, and Reyna Spears will be performing. Food trucks and a face painter will be there.

Motion to go into an execution session, pursuant to the Ohio Revised Code §121.22 (G) (1), (2), (3), (5) to discuss personnel matters and legal matters, by Council Member Sands, seconded by Council Member Adkins.

Roll Call:

Council Member Sands	yes
Council Member Macmann	yes
Council Member Joy	yes
Council Member Perkins	yes
Council Member Adkins	yes
Vice Mayor Loch	yes

6 yes 0 no motion carries.

Reminder given by Vice Mayor; no additional business will take place when we return from executive session.

Motion to return from executive session by Council Member Macmann seconded by Council Member Adkins.

Roll Call:

Council Member Macmann	yes
Council Member Joy	yes
Council Member Perkins	yes
Council Member Adkins	yes
Vice Mayor Loch	yes
Council Member Sands	yes

6 yes 0 no motion carries.

Motion to adjourn by Council Member Sands. Seconded by Council Member Adkins.

Roll Call:

Council Member Joy	yes
Council Member Perkins	yes
Council Member Adkins	yes
Vice Mayor Loch	yes
Council Member Sands	yes
Council Member Macmann	yes

6 yes 0 no motion carries.

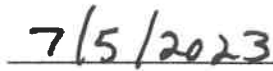
Meeting adjourned at 8:30pm by Vice Mayor Loch.

Approved:

  
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 Mayor

  
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 Date

  
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 CFO/Clerk of Council

  
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 Date