

**VILLAGE OF NEW LEBANON
COUNCIL MEETING
March 5, 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 Pastor Kyle Wardlaw from New Lebanon Brethren Church, followed by the Pledge of Allegiance.

VERBAL ROLL CALL OF COUNCIL MEMBERS

Council Members:

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

Others Present:

Interim Police Chief Chambers
Fire Chief Keyser
Interim Clerk of Council Anderson
Interim Municipal Manager Anderson

APPROVAL OF MINUTES

February 20, 2024 meeting minutes will be prepared for the next meeting.

OLD BUSINESS

Council member Perkins spoke on the meeting minutes.

Council member Joy brought up the resolutions from the last meeting and submitted the following questions:

When the AG was contacted (date and time)?

When the state auditor was contacted (date and time)?

When the special counsel law firm was contacted (date and time)?

When the interim manager was contacted (date and time)?

Who initiated communication with the law firm?

Who communicated with the interim manager?

What the relationship is between the mayor, council members, and the law firm?

What the relationship is between the law firm and the interim manager?

When the interim manager was appointed?

When was the law contract signed?

What account are we using to pay the law firm and the manager?

Any correspondence between the mayor, council, and the law firm.

Any correspondence between the law firm and the interim manager.

Curious how and where the contract with the interim manager was negotiated and signed between 8 p.m. on 2/20 and 9 a.m. on 2/21.

Who wrote the resolutions?

When the resolutions were written?

How Mr. McNamee was able to conduct official business at the council meeting before he was appointed?

How the law firm was able to direct the mayor at the council meeting?

If any other member of council, employees, or the community knew about the agreements?

If any other member of council, employees, or the community knew about the resolutions?

Did anyone on council read the engagement letter with the law firm regarding rates are subject to change at the MLG's discretion and may obtain the assistance of other attorneys or paralegals in the firm?

Council member Perkins asked questions regarding the investigation, interim manager, and tax resolution on the agenda.

Vice Mayor Adkins spoke on touring the village facilities.

Council member Loch asked questions regarding the investigation and public records requests.

Council member Sexton spoke on public records requests.

Council member Back spoke on touring the village facilities.

NEW BUSINESS

ORDINANCE 2024-01 – AN ORDINANCE AMENDING PORTIONS OF CHAPTER 36 OF THE VILLAGE OF NEW LEBANON CODIFIED ORDINANCES, TITLED “INCOME TAX” TO COMPLY WITH THE CHANGES ENUMERATED IN OHIO HOUSE BILL 33.

Council member discussion regarding this being the first of three readings. Second Reading will be scheduled for the March 19 Regular Council Meeting.

RESOLUTION 2024-07 – A RESOLUTION AUTHORIZING THE ACTING VILLAGE MANAGER TO ENTER INTO A CONTRACT FOR EMS BILLING SERVICES.

Council member discussion regarding the EMS billing company with Fire Chief Keyser and the acting village manager.

Council member Sexton’s motion received a second by Council member Back.

Roll Call:

Vice Mayor Adkins	Yes
Council member Back	Yes
Council member Joy	Yes
Council member Loch	Yes
Council member Perkins	Yes
Council member Sexton	Yes
Mayor Nickerson	Yes

7 yes 0 no, motion carries.

RESOLUTION 2024-08 – A RESOLUTION AUTHORIZING THE ACTING VILLAGE MANAGER TO ENTER INTO A CONTRACT FOR TEMPORARY FINANCIAL SERVICES.

Council member discussion asking for information to be given at the next council meeting with more details.

Council member Perkins’s motion to table until the April 2nd meeting received a second by Council member Back.

Roll Call:

Council member Perkins	Yes
Council member Back	Yes
Council member Loch	Yes
Council member Sexton	Yes
Vice Mayor Adkins	Yes
Council member Joy	Yes
Mayor Nickerson	Yes

7 yes 0 no, motion carries.

RESOLUTION 2024-09 – A RESOLUTION AUTHORIZING THE VILLAGE OF NEW LEBANON COUNCIL TO APPOINT MICHAEL P. MCNAMEE OF MCNAMEE LAW GROUP AS INTERIM LAW DIRECTOR AND TO APPROVE A LEGAL SERVICES AGREEMENT.

Council member discussion regarding Mr. McNamee, his responsibilities, and contract.

Council member Sexton’s motion received a second by Council member Back.

Roll Call:

Council member Sexton	Yes
Council member Back	Yes
Council member Perkins	No
Council member Joy	No
Council member Loch	No
Vice Mayor Adkins	Yes
Mayor Nickerson	Yes

4 yes 3 no, motion carries.

PUBLIC COMMENTS

Darla Edds, 670 Homeway Drive, expressed disagreement with Mr. McNamee and his roles feeling he is padding his pocket.

Theresa Cooper, 443 Hazelhurst, thanked the council members and thinks its interesting people are all of a sudden worried about public record requests and how we spend money when they didn't in the past. Applauds our new interim manager for trying to get us back and supports a temporary financial service.

Tammy Joy, 35 Comer, expressed disagreement with the council's decision to deny two community members a board position and appointing one person to the boards. Mrs. Joy did not like how Mr. McNamee took charge in the last council meeting, saying the council is damaging the reputation of those on leave, and employees have freedom of speech. Mrs. Joy inquired into employees on leave.

Tina Bell, 301 Blosser Street, would appreciate the back parking lot being open for council meetings so there is more room to park. She said things have been going on for years and the council never cared before about what money was spent or questioned things. Things aren't getting done and answers not being met.

Craig Roberts, 1080 Saladin, spoke on voting on the budget and there are valid reasons why some of our funds are negative. Mr. Roberts stated the council doesn't have the authority to suspend anyone. Spoke of low morale and trust. Believes council is seeking retaliation is all.

Joshua Farley, 136 Bronwood Street, expressed displeasure with two council members not having concerns over conflict of interest when Mr. Keener did an internal investigation, but now they do because it is a different attorney. Mr. Farley touched on executive sessions.

Shannon Bemis, 130 Bronwood Street, expressed her displeasure with certain council members never carrying about questions, money, contracts, but now they do. Mrs. Bemis felt they were more worried about protecting friends rather than the results of the investigation. She appreciates the council looking into issues and the investigation.

Council member Loch motioned for an executive session to discuss personnel matters, seconded by Council member Perkins.

Roll Call:

Council member Loch	Yes
Council member Perkins	Yes
Council member Joy	Yes
Council member Sexton	No
Council member Back	No
Vice Mayor Adkins	No
Mayor Nickerson	No

3 yes 4 no, motion fails.

ADMINISTRATIVE STAFF COMMENTS

Council member Perkins asked the acting Police Chief about the camera that was found, and advised it was returned to the owner.

MUNICIPAL MANAGER COMMENTS

Council members requested copies of the acting municipal manager’s contract and a copy of the questions from Council member Joy and Council member Loch.

COUNCIL MEMBER COMMENTS

Council member Sexton addressed comments and stated this is not a buddy system up there. They were voted by the people to do a job. She went into this open minded and with what gets laid out in front of her is how she will vote and continue to do so.

Council member Joy stated Carol Macmann requested to be on all three boards and council has disrespected her by rejecting her applications. He stated his disapproval of Mrs. Farley being appointed and did not feel she was qualified.

Council member Perkins stated Doug was on council with him.

Council member Adkins stated she is not friends with anyone on council.

Council member Perkins inquired about two staff members on leave.

Council member Loch questioned why they voted on the recent resolutions with just receiving them. Council member Adkins replied because of her obligation due to the seriousness and the nature of the matter.

VICE MAYOR COMMENTS

MAYOR COMMENTS

ADDED TO AGENDA

ADJOURNMENT

Council member Sexton motioned to adjourn, Vice Mayor Adkins seconded.

Roll Call:

Council member Sexton	Yes
Vice Mayor Adkins	Yes
Council member Perkins	Yes
Council member Back	Yes
Council member Joy	Yes
Council member Loch	Yes
Mayor Nickerson	Yes

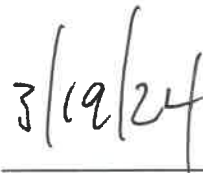
7 yes 0 no, motion carries.

Meeting adjourned at 9:09 p.m. by Mayor Nickerson.

Approved:



Mayor



Date



Acting Clerk of Council



Date