

New Lebanon Regular Council Meeting, May 2, 2023, Meeting Minutes

The Meeting was called to order at 7:30pm by Mayor Arriola. 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	Absent
Lyndon Perkins	Present
Nicole Adkins	Present
Tammy Loch	Present
Raymond Arriola	Present

Others Present:
Fire Chief Keyser
Police Chief Hensley
CFO/Clerk of Council Hinson
Municipal Manager Madden
Law Director Keener

Approval of the April 18, 2023 regular meeting minutes. Any corrections or changes?

None heard

All in favor of accepting the minutes, say "I." All opposed?

6 I's and zero no, minute approved.

Law Directors comments.

Law Director, I do have a few comments that I'd like to make tonight. First is the matter of our Charter. I think we've talked about this a little bit before, but I think it's appropriate to bring it up again and mention it. First of all, there's been a discussion about how the Charter comes to be and basically, as was indicated several times, the United States Constitution provides powers to the state. The state is excluded from power granted to Congress, but is granted other powers. Our state constitution says that any municipality may frame and adopt or amend the Charter for its government and may, subject to the provisions of section three of this article exercise thereunder all powers of local self-government. This is where we come up with our self-government rules. Section 3 refers to adoption and enforcement within their limits, such local police, sanitary and other similar regulations as are not in conflict with general laws. Therefore, we try to three-tier matter of government. We have the Constitution of the United States, Constitution and laws in the state of Ohio, and the Charter of the Village of New Lebanon. The ultimate intent and goal is to harmonize the state and local law to allow a flexibility and an innovation and recognize the needs of one part of the state as not being the same as the needs of every other part of the state. This gives the legislature and the municipalities, both of which have constitutional power to legislate. So our legislation is governed by our Charter. This year, we have a review of the Charter going on. Every 10 years, according to the Charter, a Charter review committee is appointed, and it's up to that committee to review the Charter to determine if they

believe there should be any modifications, changes, additions, corrections or whatever to that charter. Our Charter Review committee has had a couple of meetings already and will have more meetings as time goes on. So, they are reviewing the Charter and if they if they propose some amendments or reviews of the Charter, then that will be placed on a ballot, which will be voted on in November by the voters of the Municipality. I think that it's important for the voters to be aware of that now, and hopefully throughout the year there will be more information given to them because this is something that they should take a look at and determine whether the recommendations of the committee are something that they want to adopt or something that they do not want to adopt. But this is important for citizens to be aware of that. These meetings of the Charter Review Committee are open and anybody can come to them. During the committee meeting itself, there's no discussion from other individuals, but toward the end of the meeting there can be discussion where people can voice their opinions or their ideas or thoughts, if they so wish. But it is open and people can come to those Charter Review Committees just like it can come to council meetings. The second item I wanted to talk about is, we've had a lot of discussions about, particularly the streets and street maintenance. And I think it's important to understand that the village has to work within its budget and within its guidance of what they can and can't do. For many, many years, the only source of revenue and income that this village had was the 1% income tax. That could not all have been expended on street maintenance. There's a lot of things to maintain in the village, the village is a community that is just like an individual owning a house. There are things that need to be repaired, there's roofs and furnaces and maintenance that needs to be done. Over those years, the entire revenue from the municipal income tax was not sufficient to keep everything up as it should have been perhaps kept up. The various councils that have taken seats up here for 40 or 50 years were hindered in being able to have the money to do all the maintenance that needed to be done. And particularly, the most visible perhaps, is the street maintenance. What they could do, they did do. Over the years, we have been able to now have a street levy and levies for other purposes as well. So we have a police levy, the fire levy, the street levy and basically other sources. You know, the administration and the department heads have been vital in making applications for grants to help that. Police chief and Fire Chief both work hard on filing grants for any sources of funds that may come in so as to help the Village. Of course, we have our income tax. We now have a street levy. That's important to mention because that's coming up for renewal in November, and hopefully the citizens will renew that, so we have those street funds to be able to put into use with the street maintenance. Bottomline is, however, that the Council can only do what they can do financially out of the street budget. They're not allowed to take money from the police fund to repair the streets. They're not allowed to take money from the fire fund to pay for the streets. Everything has its own fund. The State auditor's office audits all of that. I've heard a lot of words about accountability. The accountability is that these members of Council are doing what they are supposed to be doing under the law to do the best they can with the finances that they can. So, I think it has to be understood that there's not an overabundance of money that all the streets can't go out and be repaired overnight. It just isn't going to happen. It can't happen because financially the money isn't there to do so. It's not the Council's fault. This Council has only been in effect for a couple of years. The new election coming up in November, which will change, perhaps the Council, but in any event, they're doing the best that they can with the funds and

revenues that are available. They try to choose the streets that are in most need, the places where the money will do the most good. That may not be the same as what any other individual may elect, as far as which street they pave and which are not. But it is the best way that they can do it. The third thing I wanted to talk about, is a matter of accountability and communication. This is something that is particularly hard. There's a bill in the United States Congress now – changing some rules relating to social media, social communication. To limit that in some way because it seems that every time we make the technological advance, there are people that misuse that and abuse it. Although it doesn't directly apply to us, the things that they're talking about now are things about bullying. I know that one of the high schools over in Oakwood had this problem recently with a bullying situation that went on with social media. If you recall not too long ago, there was a girl convicted of manslaughter because she bullied a young man, and he committed suicide. This relates to communication and accountability. We've had some situations here, much less factor, but it still is a factor to be considered. People can say whatever they want to say on Facebook, on websites, or any other social media that may be out there. The fact that they can say it; doesn't mean that it's true. We locally had a situation where somebody indicated that there was \$250,000 missing from the Village, and the Council didn't know about.

Audience noise.

Mayor Arriola, please.

Law Director, to the best of my knowledge and belief, that is not true, has not been true, and certainly the state auditor, when they do their audits, did not indicate that any fashion whatsoever if somebody goes out on and puts that on Facebook or any other media communication and doesn't have the facts to back it up, they're doing an injustice to the community, they're doing it injustice to the law. It should not be done. If they've got facts to back it up, go through the public procedures. Submit it to the police authorities, the Sheriff's Department, the Auditors Department, wherever they want to go. If they have facts it back it up, then back it up, but it's not fair for the people who read about that from Facebook to be confronted with that. We've already had people asking for information about that particular situation. There's no information to provide to them. Something that I think is even more egregious is posting on Facebook and or making comments in public about the mayor and this Council being – .

Audience noise.

Mayor Arriola, can't you respect the Law Director and be quiet please?

Law Director, the word is corrupt. That's the word that was used. That's what was accused of this Council, Mayor, and others. What is corrupt? The definition of corrupt is a form of dishonesty or a criminal offense undertaken by a person or an organization which is entrusted in a position of authority in order to acquire illicit benefits or abuse of power for personal gain. That's a crime. If you will please be quiet. I'd appreciate it.

Mayor Arriola, If you can't be quiet Mr. Farley, would you please leave the room?

Law Director, Accusation of a crime is slander. It is exercisable by subjecting the person who makes that accusation subject to enforcement through the law. I think you folks are wanting accountability. And I think anybody who makes those kind of comments or statements also should be held to accountability for making them. They are not true. I do not believe that any person on this Council has in any fashion whatsoever obtained a personal gain by any of the decisions or comments or actions that they have made as Council Members, as Mayor or as the Village Manager. I cannot imagine any personal gain that they can make. They don't write the checks, they don't take the money. They're not involved in that. There is no personal gain for them. What does the Council member get for being a Council member? They get the right to perform a civic duty, they donate their time, they bring their knowledge and bring their background. They forfeit time with their families in order to be here. What do they receive? Well, they get a lot of complaints from a lot of people. They have to be stopped in the grocery store and listen to a complaint at some time. They certainly don't receive any thanks in any case. In this situation, they are charged with being corrupt. It is slanderous and irresponsible for those comments to be made. I don't know the last time that I can remember that Council member received a thank you or a pat on the back or anything for donating their time and spending their money and spending their time away from their families by doing the civil duty of sitting up here and trying to make this a good, honorable community. And I would suggest the kind of comments that I'm referring to with a lack of responsibility—stop, and let's start trying to have some form of communication that is credible and can make this community grow. It's grown a lot over the years. We still have things to do, and we can't do it if those kind of remarks are going to be thrown out. Thank you.

Old Business, none.

New Business.

First reading of Ordinance 2023-05, An Ordinance directing the Board of Elections of Montgomery County, Ohio to place on the ballot at the election to be held on November 7, 2023 the question of whether the Municipality of New Lebanon, Ohio should effect a Governmental Electricity Aggregation Program with opt out provisions pursuant to Section 4928.20 and a Natural Gas Aggregation Program with opt out provisions pursuant to Section 4929.26 of the Ohio Revised Code.

Council Member Adkins, this is just to lower the gas, get us in a fixed gas rate?

Manager Madden, yes, it would put us in an aggregate with other municipalities or other government entities.

Council Member Adkins, and then everyone has the opportunity to opt out if they do not want to be in.

Manager Madden, Correct, and the opt out, it depends on how they're written, but most of the opt out is two years for gas and three years for electric.

Council Member Adkins, this is a big plus for us.

Manager Madden, and it will be on the ballot in November.

Public Comments on this ordinance.

Shannon Bemis, 130 Bronwood Street, thank you for proposing to put this on the ballot. I've asked about this a few times over the years, and I think it's great for our community. So, thank you for listening.

Joshua Farley, 136 Bronwood Street, is this something that gets renewed or relooked at over time or is it something that gets locked into for a period, or do we know that yet?

Manager Madden, it depends on how the aggregate works and who we end up going with. There's a couple of different aggregation programs out there. So, it just depends. So, yes, it would be locked in for a period of time.

Joshua Farley, if then we do switch in, we still have a chance to opt out then too, yes?

Manager Madden, you have the opportunity yourself to opt out.

Public Comments.

Shannon Bemis, 130 Bronwood Street, first thing, dogs. I know you all know about the little girl who was bit on Saturday. I just started walking last week, Bronwood around North on Church Street and back around with my dog. Dogs were coming after us. I left my dog at home and now I'm walking by myself. I'm not doing that anymore. There's two dogs on Church Street that chase us. There's one on Cain. We have a dog problem. I mean this isn't like, I'm not complaining about the Police Department or anything, but I've been here before over the years saying that we had a loose dog problem. Luckily and fortunately, it sounds like we haven't had a lot of aggressive incidents but this girl who spent days in the hospital from a dog bite, riding her bike, and this dog has bitten before. Do we have something set up where we can keep track of loose dogs? Maybe the first time – because I know dogs get out, you know you forget to close the gate, whatever, it happens. But there are repeat offenders, and we need to do something about the dog problem. So, is there something we have set up a spreadsheet, a way to track this, especially dogs that have bitten? Because I guess the Animal Resource Center wanting to take the dog down for quarantine.

Police Chief, we do keep track of warnings that are issued. I don't limit the officer's discretion, but my recommendation is in everything but an egregious situation, give a warning the first time. But if they don't respond after that, then I recommend that they're cited for it. With regard to quarantine. I don't know of any county right now that is requiring quarantine outside of the home. They do require home quarantine, and it's for 10 days.

Mayor Arriola, Do you know, these dogs actually belong to an individual or are they running into town?

Shannon Bemis, they're coming off their property. I've asked you (Chief) before – I'm going to start carrying a billy bat that I have. And I hate doing that, but I can't even walk around my block.

It's ridiculous these dogs that hop over the fence or they're in their front yard, not contained, no leash, no collar, and they're chasing you down the street.

Police Chief, we do notify the Animal Resource Center when there are things like this, or at least that in some instances, they'll come out and ensure that the dog is properly licensed. They are generally mandated for handling, I mean, it's the animal Resource Center and animal control. But certainly anytime you observe dogs running at large, especially if they're aggressive, call us. If it's a non-emergency situation, dispatch is the way to go. It's an emergency situation, of course 911 and if you carry something that's, you know, obviously for protection. It's not otherwise prevented by law. You're not going to get any trouble from the Police Department.

Manager Madden, and the Animal Resource Center is county run. So if you want to contact Commissioners and start complaining to them, that would be awesome. And we've tried to get them out here and they don't always come.

Shannon Bemis, so maybe you could do something more local like the zoning ordinance. You said the courts weren't backing you guys up and were throwing things out. Then maybe we need to start something at the local level because it's ridiculous. If you go on New Lebanon Community page, search dogs, you will see hundreds of dogs that are constantly out, and those are the only ones that are posted. I mean, I could call you every day.

Police Chief, what do you suggest? I mean you're suggesting we start something locally, what do you mean? Do you mean additional enforcement? Do you mean additional personnel?

Shannon Bemis, I think there needs to be more of a penalty for it because these people don't care.

Police Chief, increased penalties for it? Okay, I'll take a note.

Council Member Macmann, I just wanted to point out; in this county, isn't there a leash law? People are supposed to have their dogs on a leash and under control. I understand because I had a situation where I was in the park and a dog ran toward me. I don't think he was going to hurt me or my dog. I just think he was excited, but I don't know what my dog's gonna do. And I had to pick up my dog because my dog's a dachshund and then he thinks he's a rottweiler, you know? So I could pick him up and I was really worried. And this happens like every morning. And you can never say that my dog won't bite, and that's what this person said to me: "You don't have to worry, he won't hurt you." Well, if you put a dog in the right position, I don't care how sweet they are.

Shannon Bemis, but this is the second time this dog has bit.

Council Member Macmann, but I'm agreeing with you that I'm concerned about it too. Because you need to have your dog on a leash and under control. You know, if you're in a public area, if you're going to be around other people.

Mayor Arriola, are these people being charged if this dog's bit somebody twice?

Police Chief, Well, I can't really answer that because I don't know if there were any charges for this. That would be up to the Dog Warden's office. However, we have responded, like I said generally more than once to the same locations, it's always my recommendation to have citations issued. We do notify the Animal Resource Center in most cases because like I said they'll do because many times the dogs aren't even licensed. So they have a requirement for that. In the event that a dog does bite someone and it's a dog at large, not owned, the Animal Resource Center will generally respond to that as far as I'm aware. You have to talk to them. But I believe that's what their emails come out and say. They send us out, what priority level they're on, pretty much daily basis, they will come out for that. But if the dog is owned by somebody, they can identify the owner, they'll do the home quarantine and then from there I don't know what their enforcement is. Again, it is the Animal Resource Center. It's their mandate to primarily enforce those statutes. It's not that we can't, and we do sometimes, but in a case like that where there has been a bite, we would generally ask them to do that. In the same way that if we had an incident that's generally handled by another agency. Let's say for instance, a fatal crash happens here. Often times we'll call the Ohio State Highway Patrol to investigate that crash because that's their specialty and their mandate is investigating crashes on all state highways. So it's not something we, you know, slough off. We generally will handle it, but in a case like that in that level of severity, we would generally expect the Animal Resource Center to do that. But I don't know this particular case whether they did or whether we did.

Council Member Adkins, Shannon, have you made sure that both bites has been reported to Animal Resource Center?

Shannon Bemis, this one has. They said they would come out and quarantine the dog and said they were full.

Council Member Adkins, basically a dog usually gets three chances. I had a dog that bit and that's how I know. This has been years ago, the dog's dead now. But he when he bit, he bit twice. They took him the second time. And then the dog was just freaking out, and they let him come back. But the third time, he would have been euthanized. They would have put him down. So the biggest thing is on a dog bite you have to document it. It has to be through Animal Resource. They have to know it on file because if not then this dog's got one bite charge, if both of them's not on it. So that's the biggest thing. Anytime that you do get a dog bite you have to make sure it's documented.

Shannon Bemis, I think the problem is that when you guys do file charges on them, they get dropped at the court, just like the zoning issues were. That's why I feel like if you can do something more at the local level and bring it in house.

Manager Madden, we can do those (zoning violations) as a nuisance abatement. But a dog charge we cannot do as a nuisance abatement. That's a different type of charge.

Shannon Bemis, but you can with an ordinance, as far as having them on a leash.

Manager Madden, correct. We can look at the ordinances – it sounds like the leash ordinance and then we can look at our ordinances. But what he's saying is animal control is the one that has to come in and handle the animal control issues, but we can look at our ordinances and see.

Cross talk.

Shannon Bemis, for example, Melissa, her two dogs got out, and they went over and killed her chickens. You guys put charges on him and they were dismissed. That's what I'm talking about, is that you can do what you want to do. I'm not blaming anybody, but I'm saying that I feel like if we have, like you say, the zoning violation, first time is a warning. Then the second letter it's \$100 fee. The second time it's a \$200.00 fee. I feel like we need to have a little bit more accountability with people and their animals in New Lebanon.

Council Member Macmann, so what I'm hearing you say is you want us to look at the ordinances and create ordinances so that we can fine them ourselves. Is that what you're asking?

Police Chief, I would suspect, and Mr. Keener please correct me if you know more about this than I do with the zoning violations. Those are civil violations, basically, whereas these are considered, you know, they're Ohio Revised Code, they're criminal violations. I don't know if we have a mechanism to put civil violations for dog ownership, but certainly it's something we could look at. Mr. Keener, I'm sure you'd be able to come up with an answer, right?

Law Director, I think you're correct in what you say. The way that it's best taken care of, if the courts would do so, would be to file a criminal charge. Like Shannon says, maybe the first time it wouldn't be much, but on the second offense, the third offense, you know the penalties can be increased. Other than that, you know we can bring a civil charge against them for the responsibility of the dog and the violation of it being confined or under-leashed or whatever, but it's a difficult thing. Several cases, they get lost in the court system, it seems. Takes forever to get a solution and to get an answer. And I know from past experience the dog wardens, they're like everybody else, they're understaffed and over worked, and they don't come out this way very often.

Shannon Bemis, how long have all you been up here?

Council Member Adkins, I just came in last year.

Council Member Sands, probably been around here since 2004.

Vice Mayor Loch, I came in last year.

Mayor Arriola, 13 years.

Council Member Macmann, around 2016.

Shannon Bemis, and if somebody put something on Facebook, isn't it libel not slander?

Law Director, Libel's written, slander's spoken.

Shannon Bemis, I know what post you're referring to and I've always been factual when I post which I don't post much. This post was about money that was not missing, but money that was

not known to be spent by Council. I believe that's what he's referring to. So just I think that's what it was. I think that it wasn't that it was missing or stolen, but there were hundreds of thousands of dollars being spent for years and Council was unaware. That Council acknowledged on record that it had not been known.

Mayor Arriola, I'd like to know when.

Shannon Bemis, well, in 2018, when I started coming up here. This is when there was all this money being spent and council had said that they were not aware of it.

Mayor Arriola, it wasn't that amount of money.

Shannon Bemis, yes it was. It's on record. Mr. Thompson – everybody had said that they were unaware, they had no knowledge that the money was being spent.

Manager Madden, I think his comment was that amount of money.

Shannon Bemis, I mean it was asking for a levy in the amount of like 175,000 or whatever. And there's been a lot of money spent that council has not known about.

Joshua Farley, 136 Bronwood Street, Chief Hensley, is it my understanding that you do not enforce Ohio State Revised Code here?

Police Chief, I don't know if that's your understanding or not.

Joshua Farley, well that's what you just told us that the leash law you don't enforce.

Police Chief, did I say that we don't enforce the leash law?

Joshua Farley, I think that you did. You said that that's something that the warden takes care of and something that you wouldn't deal with, because that's their kind of department. Well, since it's an Ohio Revised Code, it's the police department's kind of department. So if you show up to a call where a dog bit somebody and weren't on a leash, they should probably get charged. Since it's Ohio Revised Code. Secondly, it really seems like you want the 1st amendment to be taken away by the way you talk about the for those bill in Congress, that stuff is trash, very dangerous speech. Anything that I share or any words that I use, I do have proof of, files of it. When you guys see it, it's going to kind of drop your pants. Now as far as anybody else using any other words, saying 175 or 200,000 dollars were spent. We all know this to be true. It's on record, which I now have at my house thanks to Glenna giving me the wrong stuff. So you guys, yeah, in the meetings, you know you give me all that packet with all the meetings.

Manager Madden, yeah because that's what you asked for.

Joshua Farley, well no, that's not what I asked for, but that's what I have now. And it also includes her meetings, which I was looking into, it's really interesting. So there's a lot of admission of guilt from you guys and now you guys are saying that none of this ever happened? You're also saying we've only been here for a short time, so we've not been able to do anything – 23 years, 13 years. Come on, guys. Man, don't make excuses for yourself cause one guy is angry with you doing a bad job. I think sometimes you do amazing jobs, but I think sometimes when

you say things like they're 45 minutes talking about how we don't have the money for streets. Well, I started highlighting the map and matching them up with Council members and ex-Council members and police chiefs and fire chiefs. And guess what? All the ones that had the highlighting mark also have one of you sitting on it.

Audience noise.

Mayor Arriola, if you're in the audience, please do not speak.

Tim Back, 129 E Main Street, good evening, I want to thank you all, since Mr. Keener says we don't thank you guys enough. I thank you all for your time to listen to us and hear our concerns. I just have a question for you before I would like to pass out some pictures and stuff. Have you guys driven around our community and looked at road issues and other possible concerns?

Mayor Arriola, yes.

Council Member Adkins, yes I have.

Tim Back, may I approach you guys and show you some pictures that I have.

Mayor Arriola, sure.

Tim Back, so here's some work that was done up here at the Village, here's my back alley. I know you were talking about roadways. Here is kind of how they're done when you go through and do some of that stuff. With the sealing around the edges, whether it's cut out and cold patched. So when they do cold patch they're supposed to spray tar to create an adhesive and they're supposed to suck out the gravel because if the gravel is left in there, what happens is it causes it to not settle correctly. And it when you guys come through? The patch it doesn't last as long. Please let me know when the picture of the mulch job has made it down through everybody. Which one of those jobs would you guys prefer done that you've seen? Would you prefer what you've seen at the municipality building or at the other the other building that I showed? Please each of you answer.

Mayor Arriola, I'd prefer the jobs that get done that are on the streets, not the alleyways.

Tim Back, that's not the question I asked. Which of the mulching jobs would you like done on your property.

Mayor Arriola, we haven't done mulching this year.

Tim Back, that looks like fresh mulch to me. Can you answer my question please?

Council Member Adkins, I would rather have the professional.

Council Member Sands, Yeah, the professional looking. Like they said we haven't done it all yet.

Council Member Adkins, which mulch have we done already?

Manager Madden, the only mulch that we have done is the one down at the Police side.

Council Member Adkins, so why didn't they pull the weeds out?

Manager Madden, they haven't gone out to do that yet.

Council Member Adkins, wouldn't we do that first before we put the mulch down?

Tim Back, So as a professional with over 15 years of experience doing lawn care and landscaping that is not how you do that job. I would get called out to a job site and either fired or told to redo it. The mesh is not supposed to stick out. It's actually supposed to prevent weeds. And the mulch is thrown down, just scattered, which is really tacky. Why are we spending hundreds and thousands of dollars for poor quality work from our roads to landscaping. If you wouldn't accept this quality at your house or property, why should we as taxpayers accept it? If someone has done this quality work at your house, you would call them out to do the job right and have a higher standard of quality or would you not? From the mixed match mulch colors, the mesh not being installed correctly, so on and so forth. I want my next statement to be very clear. I do not blame the Village workers for the poor-quality work that is being provided as service to our community. I am seeking to hold the Municipal Manager accountable, as is the job to oversee projects upon completion. And the quality we are given at the expense of the citizens tax dollars of our great community. The lowering of standards of quality of work done and any reflections of service workers who serve our community due to lack of standards and expectation that are to be upheld and held accountable by our Municipal Manager and then upheld by our Council members. Due to the continuation of poor quality of service, I am assuming that this work quality is acceptable by the Manager of our Municipality. Therefore, I bring the question how many hours does our Municipal Manager put into put in a week. I hear that we pay a very handsome pay with benefits to our Municipal Manager, and yet we get presented with poor quality acceptance of work provided to our community. At such a high pay rate for her service. From my understanding, Beavercreek Municipal Manager doesn't make the same as hers, and we are a Village, not a city. All I am asking is that the standard of quality be provided to our community, otherwise we may be inclined to find someone at a better price that will uphold that standard of quality. We deserve quality for the taxes we pay. Our servicemen should be able to provide quality work as a standard expectation of our community and not lowered by the standards of our Municipal Manager that unfortunately reflects on them as individuals who do not want to who want to do the job right, but are told to accept lesser quality of work. I'm here to ask to hold the Municipal Manager accountable for the services. Poor quality work doesn't last, quality work lasts. We want people to come here and buy homes off Holderman that are \$250,000. But poor quality won't get us there. They won't buy them. People that are trying to sell their homes are going to have a hard time with the roads looking like that. Nobody wants to come and buy a house where the roads are bad. The poor quality of work being done as a reflection of us as this community, whether it's mulch jobs or not, and I would like to specifically come out and say the people that installed our mulch, they get paid more than me. Three words, accountability, quality, and standard. Thank you. Have a great blessed and I appreciate you guys' time.

Melissa Sexton, 180 Parkview Drive, If I can approach you and show you what I'm talking about. So this is the park, they're everywhere. There's ruts. [inaudible]. So I've seen someone with a roller. What is happening is they're going out when you've had five days of nothing but rain, and I don't know what the purpose of that – I don't know if they were rolling the field. But it's

everywhere, from around the tennis courts, around the trees. It's just rutted up. It's not just one spot; it's around the whole entire park. It happens often. And I know there are certain time limits, where people try to do things but you got to have a little bit of common sense too. You can't go out there and run Gators and tractors on your grass. You wouldn't do that in your own yard after you've had five days of rain. It happens more times than not. Who is responsible for the grounds? Is it the park? Is it the NLYA?

Manager Madden, the NLYA takes care of the baseball fields.

Melissa Sexton, who's responsible for the trash clean up, the upkeep on it?

Manager Madden, picking up the trash in the park? Because it depends on what's going on. If the NLYA has something going on then they pick up the trash, and we empty the trash cans.

Melissa Sexton, I'm generally talking around the fields.

Manager Madden, around the ball fields? That would be NLYA.

Melissa Sexton, there's trash in the cans. It's probably not there now, but have been since the summer. Anyway, we still have zoning; the lady that works for the zoning?

Manager Madden, yeah.

Melissa Sexton, and then last but not least, the waste cans for the dogs?

Manager Madden, they have not gone up yet.

Melissa Sexton, Right. Obviously it's in the plan at some point. Did you decide where exactly or no?

Manager Madden, I was thinking near the front and by the bridge.

Melissa Sexton, and then who's responsible for the bridge?

Manager Madden, we are.

Administrative staff comments

Police Chief, I have nothing.

Comments for Police Chief.

Council Member Adkins, do we know why the sign wasn't lit this time?

Police Chief, Yes, because it's been raining for several days and the sun hasn't been out to charge the solar using the solar array. Interestingly enough, though, I did talk with the Service Director today and I asked for any way that we could get power there because it is really inconvenient to go and drag it back here, charge it for a few days, and then drag it back there. We do it in the middle of the night to try to avoid traffic, but it's very difficult to do. He tells me that we can in fact tie into the streetlight there with an extension cord running down, because we do have power across the street where the display and everything. We can't run a cord across the street. So I actually had that discussion with him today, he says they can run that one down the pole.

The only catch is that it will only charge the unit when the street light is on at night and the solar won't work then anyway. So hopefully between having constant power at night and then utilizing the solar array, it'll be a lot more reliable.

Fire Chief, So the first thing is I want to take the opportunity to thank the Police Department. When we had the bomb threat at McDonald's a couple weeks ago. What we go through is – and some of you have as well – is national incident management system and the unified command. And through the years, I've had the opportunity to go on deployments and work in at various national disasters for hurricanes and I've seen it not work. Typically egos get in the way. That's not what's transpiring here. Everybody's able to understand what their role is, whether it's a police matter, whether it's a fire department matter. And the people within the different departments within the village fall in line with whatever that is without issue. So I just want you guys to know that at least here, under the current department heads and administration, that it is working the way that the federal government says it's supposed to work. The second thing is, and I'm sure Glenna will cover, is Friday is Fiesta with First Responders at the court building. I'm sure she'll give you more information. And the last thing I want to clarify on record, since Mr. Farley brought it up. I do not live in the village. I live in the fire district. And Yale Ave was not paved until after I did not live on Yale Ave. It probably wasn't paved for a year or two after I moved. So if we want factual information, the fact is, is that road was never paved when I lived there.

Zoning and Compliance Officer, nothing tonight.

Chief Financial Officer, nothing.

Service Department Superintendent, they've been working on the chlorinator and the de-chlorinator at the sewer plant. And at the park before they install the new playground equipment. That's taking up a lot of time.

Municipal Managers comments.

Manager Madden, we have Fiesta with first responders on Friday from noon to seven. There's food trucks. They'll be in the parking lot with some tables set up. So it will be an opportunity for them to come out and mingle with police and fire. And enjoy some I'm assuming churros. The other thing I want to clarify. Mr. Back pointed out that I might make more than Beavercreek City manager. I believe this was posted at one point on Facebook, and I reached out to Pete myself and asked him. He makes \$169,950 a year; he gets a \$5000 car allowance and \$420.00 for a phone. That's public record. You can look it up. I do not make that. I guarantee I do not make that.

Council Member Comments.

Council Member Perkins, in November, vote for the street levy.

Council Member Adkins, I want to say about quality when he made a comment. I do live on Main Street. The streets are messed up on Main Street. The sewers that I've been complaining about since last summer, it's still got the trees growing out of it, so there's no favoritism on that. So I

look at it every day and I'm not going to clean it this year like I did last year, so I'm just hoping that service department eventually gets over there.

Motion to adjourn by Council Member Sands. Seconded by Vice Mayor Loch.

Roll Call:

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

6 yes 0 no motion carries.

Meeting adjourned at 8:30pm by Mayor Arriola.

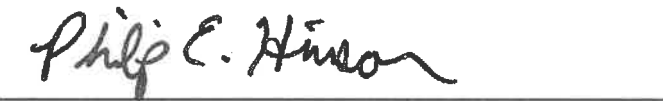
Approved:



Mayor

5-16-2023

Date



CFO/Clerk of Council

5-16-2023

Date