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MUNICIPALITY OF NEW LEBANON
REGULAR COUNCIL MEETING
MARCH 19, 2019
7:30 P.M.

1 MR. ARRIOLA: I'd like to call to
2 order the March 19th, 2019 regular council
3 meeting. First item on the agenda is the
4 invocation by Pastor Mark Kirchhoffer from the New
5 Lebanon Assembly of God. And then please remain
6 standing for the Pledge of Allegiance.

7 PASTOR KIRCHHOFFER: Bow our heads.
8 Dear Heavenly Father, we thank you, Lord, for our
9 blessings upon our village, upon our council. We
10 pray that you'll be with 'em, give them wisdom and
11 guidance. And Lord, just direct our affairs. We
12 ask you for it in Jesus's name. Amen.

13 (Pledge of Allegiance recited.)

14 MR. ARRIOLA: There's no minutes.
15 Old business. New business. Resolution 2000 --

16 MR. SANDS: Wait a minute. We
17 skipped over old business?

18 MR. ARRIOLA: We have some old
19 business?

20 MR. SANDS: I was going to ask about
21 the letter for Key Bank.

22 MS. MADDEN: I'm still looking for a
23 contact.

24 MR. SANDS: Okay.

25 MR. ARRIOLA: Anything else? Okay.

1 New business. Resolution 2019-11: A resolution
2 authorizing the temporary fee waiver for April 25,
3 26 and 27, 2019 of garage sale permit fees in
4 order to facilitate a spring spruce up program in
5 the Municipality of New Lebanon. Any questions?

6 I have a question. Besides this, can
7 we see about getting a couple of dumpsters for
8 Fuls Park so people can --

9 MS. MADDEN: Sure.

10 MR. ARRIOLA: -- throw all the stuff
11 they wanted to get rid of.

12 UNIDENTIFIED SPEAKER: Large
13 dumpster.

14 MR. ARRIOLA: One or two, whatever
15 they can --

16 UNIDENTIFIED SPEAKER: Okay.

17 MR. ARRIOLA: All right. Then do I
18 have a motion to adopt resolution 2019-11?

19 MR. THOMPSON: So moved.

20 MS. MCCLUSKY: Second.

21 THE CLERK: Mr. Joy?

22 MR. JOY: Yes.

23 THE CLERK: Ms. Macmann?

24 MS. MACMANN: Yes.

25 THE CLERK: Ms. McClusky?

1 MS. MCCLUSKY: Yes.

2 THE CLERK: Mr. Sands?

3 MR. SANDS: Yes.

4 THE CLERK: Mr. Thompson?

5 MR. THOMPSON: Yes.

6 THE CLERK: Ms. Wackerman?

7 MS. WACKERMAN: Yes.

8 THE CLERK: Mr. Arriola?

9 MR. ARRIOLA: Yes.

10 THE CLERK: Seven yes, no no.

11 MR. ARRIOLA: Public comments, anyone
12 from the public like to make a comment, please --
13 oh, never mind. That's right. Old habits are
14 hard to break. All right. Public comments,
15 Shannon Bemis, 130 Bronwood Street.

16 MS. BEMIS: Hi guys, just a couple
17 quick questions. I notice the \$5 fee on our water
18 bill is off. That was for a sewer rehab project,
19 correct?

20 UNIDENTIFIED SPEAKER: Lift station.

21 MS. BEMIS: The lift station.

22 MS. MADDEN: Lift station.

23 MS. BEMIS: When -- when will that be
24 finished.

25 MS. MADDEN: The lift station?

1 MS. BEMIS: Yeah.

2 UNIDENTIFIED SPEAKER: I thought it
3 was finished.

4 UNIDENTIFIED SPEAKER: I thought it
5 was off the bill.

6 MS. MADDEN: Yeah, it's off the bill.
7 The \$5 is off the bill as of January 1.

8 MS. BEMIS: Well, I know. I was just
9 wondering when the project would be --

10 MS. MADDEN: Oh, the lift station?

11 MS. BEMIS: Yes.

12 MS. MADDEN: They're still getting
13 started on that. I don't think that's finished
14 yet. That's the one -- I believe that's the one
15 at --

16 UNIDENTIFIED SPEAKER:
17 (Indiscernible.)

18 MS. MADDEN: Johnsville. Thank you.
19 Johnsville.

20 MS. BEMIS: So they haven't even
21 started on it?

22 MS. MADDEN: No, I don't believe.
23 Yeah.

24 MS. BEMIS: All right. I was under
25 the impression --

1 MS. MADDEN: Last check it was not.

2 MS. BEMIS: -- it was something
3 urgent. That's why there was the three emergency
4 readings to put the \$5 on our water bill every
5 month so that's --

6 MS. MADDEN: But we have to -- once
7 we collect the money, now we have to go out and --

8 MS. BEMIS: Right.

9 MS. MADDEN: -- bid it and get it --
10 and get it (indiscernible).

11 MS. BEMIS: Oh, so it hasn't been
12 bid or anything?

13 MS. MADDEN: It's been bid actually.
14 I'll have to pull stuff, Shannon, and check.

15 MS. BEMIS: Oh, okay. Okay. I was
16 just --

17 MS. MADDEN: I don't --

18 MS. BEMIS: -- curious.

19 MS. MADDEN: -- have that right in
20 front of me.

21 MS. BEMIS: Okay. And then this
22 might be something that maybe I can meet with
23 Mr. Thompson. I know he's familiar with
24 financials. Going through the financial
25 statements on the expense report, for example, it

1 will say like Red Wing Shoes for uniforms, but
2 it's listed in like five different categories.
3 And I know, say, that you have a \$500 charge and
4 say a hundred of it will go towards sewer, a
5 hundred will go towards the streets, I can see
6 allocating it to each fund and like separating it
7 but this is -- these are like in several
8 categories, the same amount. So that didn't make
9 sense to me.

10 MR. THOMPSON: It's allocations. I
11 mean, we need to have Brenda here to kind of go
12 over that. But from an allocation standpoint, you
13 could have the same time amount -- it depends upon
14 which employees in which units, which departments.

15 MS. BEMIS: It -- it just seems like
16 it's the same expenses and multiple -- I mean,
17 this is just an example. There is multiple ones
18 the same date, the same amount and it's in like
19 several different categories.

20 MR. THOMPSON: Yeah. The --

21 MS. BEMIS: So I didn't --

22 MR. THOMPSON: The root -- I mean, go
23 back to the total invoice amount and -- well,
24 before it's allocated is where you want to start.
25 But I think Brenda can help you with that. I'm

1 looking over at the city manager.

2 MS. MADDEN: Yep. Yeah.

3 MS. BEMIS: Okay. All right. And
4 then I know this is a broken record, but what's
5 the plan with zoning and -- I've been starting to
6 walk my dog at night and we walk around town and
7 it's even worse than I thought it was as far as
8 looking at the homes and cars that are parked on
9 the yard next to their homes, broken garage doors,
10 siding falling off. There's trailers parked in
11 the front yard, in the driveway, there's
12 refrigerators, there's mattresses leaning against
13 houses. It's just -- it's awful.

14 I mean, just walking my dog, I have
15 probably 40 homes just on my one mile walk of --
16 of things that are -- I just -- I don't understand
17 why we're not moving forward and why everything is
18 just so stagnant with the village.

19 MS. MADDEN: Well, we -- we're
20 rewriting all of that zoning and compliance so
21 that we can do it a different way instead of
22 sending people to court. So that takes a lot of
23 time to rewrite all of that. I can't speak. I'm
24 sorry.

25 MS. BEMIS: No.

1 MS. MADDEN: No, I can't say -- say
2 rewrite.

3 MR. ARRIOLA: If we write everybody
4 up right now and they go to court, they're just
5 going to get their hand slapped and it's a waste
6 of our time. It really is.

7 MS. BEMIS: I mean -- so -- so are we
8 not sending any letters out? I mean, I would
9 think --

10 MS. MADDEN: No, here's --

11 MS. BEMIS: -- that there is some
12 type of a response --

13 MS. MADDEN: -- here's what I would
14 like to do, Shannon, honestly is I would like to
15 send letters to anyone and everyone who has stuff,
16 any stuff in their yard, anything that they need
17 to clean up across the town. Everyone gets a
18 letter understanding that the zoning and
19 compliance is getting ready to change and, you
20 know, here's your chance to fix your stuff up
21 before we get out there and we start fining you.
22 So that everyone gets that.

23 MS. BEMIS: Yeah. Because, I mean, I
24 think -- I think you'll get at least -- yeah.
25 You'll get like a maybe 30, 40 percent --

1 MS. MADDEN: Maybe. Hopefully
2 something.

3 MS. BEMIS: -- positive -- right.
4 Okay. That's all --

5 MS. MADDEN: Yeah. And the other
6 thing we want to do is -- is kind of start a
7 beautification over the summer kind of program so
8 we're working on that too. But that will be a
9 different --

10 MS. BEMIS: Okay.

11 MS. MADDEN: You won't get fined if
12 you don't beautify.

13 MS. BEMIS: Right. Okay. All right.
14 Thank you, that's it.

15 MS. MADDEN: Okay.

16 MR. ARRIOLA: Okay. All right.
17 Administrative staff comments. Police chief.

18 POLICE CHIEF: I have a quick
19 comment -- it's not a comment, it's more of an
20 introduction. Many years ago we had a chaplaincy
21 program in the police department. That kind of
22 fell by the wayside because trying to find
23 volunteers that had time to donate got to be
24 something we just couldn't find.

25 We now have a -- a new chaplain

1 coming on the department that's Mr. Laird Baldwin.
2 Laird is the pastor of the Bible Baptist
3 Fellowship in Brookville and he's graciously
4 decided to come on with the New Lebanon Police
5 Department, become our chaplain for the police
6 department.

7 Laird has worked with Perry Township
8 Police Department for several years as their
9 chaplain. He's going to switch from Perry to us.
10 He's also worked with Dayton Police Department for
11 many years. He has received several citations for
12 just work with both Perry and from Dayton and he's
13 also a certified crime prevention -- in the crime
14 prevention, so he's going to help us start
15 implementing some new crime prevention measures
16 that everybody's been asking for.

17 Mr. Baldwin.

18 (Applause.)

19 MR. ARRIOLA: Thank you.

20 POLICE CHIEF: Would you like to say
21 a few words to council.

22 MR. BALDWIN: Accustomed as I am to
23 be behind a pulpit, I did not bring a sermon with
24 me tonight. My name is Laird Baldwin. That's an
25 odd name but it's easy to remember because you

1 won't find any more around here by that name.

2 I was ordained in 1977 and I come
3 from a law enforcement family. My granddad in New
4 Mexico was a deputy sheriff and two uncles served
5 in law enforcement in New Mexico. My brother
6 retired from the Columbus Police Department after
7 25 years of active duty and ten years as a reserve
8 officer and now serves at the Franklin County
9 Sheriff. So I have a -- a fairly extensive
10 experience in law enforcement situations.

11 Law enforcement is a very unusual and
12 very trying situation. It's a closed community.
13 For obvious reasons law enforcement officers are
14 not very open to the general public. Not a very
15 popular time to be a police officer. Law
16 enforcement has among the highest divorce rates of
17 any profession and the highest suicide rate of any
18 profession so they need a chaplain.

19 I have spent many hours in the car
20 with officers hearing every kind of story and I
21 have spent a lot of time going to funerals. I
22 have done funerals. I have done weddings. I have
23 done callouts at all hours of the day and night
24 and it is remarkable ministry. I deeply
25 appreciate the reception and support that I have

1 received from Chief Daulton. I am gratified by
2 the opportunity to -- to help this particular
3 department. And you are not terribly far from
4 where I live. I live in Harrison Township. It
5 takes me about 20 minutes to drive from my home to
6 here so it makes it very handy. So that's a
7 little bit about me.

8 I am, as Chief Daulton pointed out,
9 a -- an endorsed chaplain. I'm endorsed by the
10 Regular Baptist Chaplaincy Ministries, Auxiliary
11 of the General Association of Regular Baptist
12 Churches. Regular Baptist Chaplaincy is
13 recognized by the Department of Defense, United
14 States Pentagon, as an authorized endorsing agency
15 for military and police chaplains. I'm also a
16 member of the Miami Valley Crime Prevention
17 Association and the Ohio Crime Prevention
18 Association and I'm a certified crime prevention
19 specialist with the Ohio Crime Prevention
20 Association. So that is a little bit about my
21 background.

22 Do you have any questions? Thank you
23 very much for the opportunity. I appreciate it.

24 MR. ARRIOLA: Thank you. Thank you.

25 MS. MADDEN: You're welcome.

1 MR. ARRIOLA: You're welcome. Thank
2 you.

3 MR. THOMPSON: I have a question for
4 the chief, mayor.

5 MR. ARRIOLA: Go ahead.

6 MR. THOMPSON: Rick, I know we
7 don't -- we really don't police Perry Township.

8 POLICE CHIEF: (Indiscernible).

9 MR. THOMPSON: But Friday night, I
10 was at a situation in Perry Township that required
11 a Perry Township police officer and we ended up
12 calling county dispatch and the Montgomery County
13 Sheriff's Department responded but it was like 90
14 minutes later because of the Outlaw funeral that
15 was occurring at Montgomery County fairgrounds.

16 Do you have any information about
17 Perry Township's police response? I know they've
18 got some challenges going on, but if you have any
19 information you could share with council. Because
20 as we all drive from here to Brookville or other
21 communities, especially when they're so close to
22 us, do you know what's going on up there with
23 Perry Township police? Maybe you can could share
24 something.

25 POLICE CHIEF: Right now they're

1 basically in restructuring. They have hired a new
2 chief up there. They're trying to get their
3 staffing built back up. They have some challenges
4 right now. They are not running 24 hour coverage
5 to my understanding.

6 MR. THOMPSON: That's what I found
7 out.

8 POLICE CHIEF: And the sheriff's
9 department is taking calls out there. Us and
10 Brookville are both assisting when we can, trying
11 to keep in mind that our primary responsibility is
12 to the -- to the Village of New Lebanon --

13 MR. THOMPSON: Correct.

14 POLICE CHIEF: -- and not to Perry
15 Township. So we try to make sure that we limit it
16 as much as possible to the duration, when we go
17 out there, so that we are not, you know, using the
18 village's resources outside the village.

19 MR. THOMPSON: Right.

20 POLICE CHIEF: I mean, we all help
21 each other. We will help each other as much as we
22 can. But that's the biggest thing is, you know,
23 we have to re -- remember where our moneys come
24 from and where we need to spend our resources.

25 MR. THOMPSON: Yeah, the county

1 dispatch did not throw out Brookville or New
2 Lebanon to assist. It was automatically you need
3 to wait for a deputy to respond. We did get
4 Brookville to respond eventually but they have no
5 jurisdiction. So I think it's a reminder for
6 those who live in this community as you're
7 traveling through Perry Township, if there's an
8 emergency for police, you may be waiting a while.

9 POLICE CHIEF: If it's a real
10 emergency, they will actually start us to
11 basically hold a scene or anything until the
12 sheriff's department can get someone there. What
13 we was running into at one point in time, they
14 would send us and then say they would -- they
15 would say they would start a sheriff's car, but
16 they were a little slow on the starting of the --
17 hoping that we would handle the situation and then
18 they wouldn't have to respond.

19 But that's kind of resolved itself
20 now so that, you know, we -- we will assist them
21 but the jurisdiction's the biggest thing. We
22 do -- we can have jurisdiction out there if we are
23 on mutual aid, which we have a mutual aid
24 agreement with Perry Township; but technically it
25 has to be requested by the highest ranking officer

1 on duty to the highest ranking officer on duty of
2 the department being requested.

3 MR. THOMPSON: Okay. And my second
4 question, we found out about the funeral over at
5 Montgomery County fairgrounds, the Outlaws, and
6 did Montgomery County Sheriff's Department or ODOT
7 communicate with the village? The reason why I
8 ask, they had an ODOT vehicle parked outside of
9 the city limits on Saturday probably around 12 or
10 1 o'clock, but every road going near the
11 fairgrounds was closed. And I know I was running
12 late for an appointment so I was diverted all the
13 way down to Dayton Farmersville Road to -- to
14 Route 4.

15 Did you feel the communication from
16 those leaders were adequate enough to let people
17 know in New Lebanon that were going 35 or other
18 routes that they need to take alternative routes?

19 POLICE CHIEF: I -- I never received
20 anything from ODOT about any -- what roads were
21 going to be closed. Sheriff's department had an
22 ops plan, they put everything out. They were
23 actually pretty good communicating with us about
24 what was going to take place as far as the
25 funeral-wise but as far as all the road closures

1 and stuff, we weren't fully aware of everything
2 that was going to be closed.

3 MR. THOMPSON: It seemed like it was
4 a big secret --

5 POLICE CHIEF: (Indiscernible).

6 MR. THOMPSON: Sorry. It seemed like
7 it was a big secret. I know it was on WHIO but
8 for many of us, you just bumped into the
9 situation. It would have been nice to have some
10 additional communication from those others that
11 had the knowledge to pass it along to the
12 community. Like I said, it was an ODOT truck
13 parked right outside the city limits that said
14 take an alternative route, the road is closed
15 ahead. But you wouldn't know that until you got
16 up to near Union Road. So I just wanted to pass
17 that along. Thank you.

18 MR. ARRIOLA: Thank you. Anyone
19 else? Okay. Fire chief?

20 FIRE CHIEF: It's in your
21 (indiscernible). We're going to have an open
22 house April 27th and then that day we're going to
23 do donuts and coffee for the community that does
24 show up that morning.

25 MR. ARRIOLA: Okay. Anyone have any

1 questions?

2 MS. MADDEN: Open house is from 9 to
3 11?

4 FIRE CHIEF: 9 to 11.

5 MS. MADDEN: 9 to 11. And it's
6 during that garage sale Saturday so people should
7 be out anyway because they're out buying good
8 stuff. So might as well stop in, have a donut
9 before they go shopping.

10 MR. ARRIOLA: Okay. Zoning
11 compliance officer, David?

12 MR. LUNSFORD: I have nothing
13 tonight, sir.

14 MR. ARRIOLA: Anyone have anything
15 for David? Chief financial officer, anything from
16 Brenda?

17 MS. MADDEN: No. She has nothing.

18 MR. ARRIOLA: Okay. Do I have a
19 motion to adopt the February 2019 financial
20 report?

21 MR. THOMPSON: So moved.

22 MR. SANDS: Second.

23 THE CLERK: Ms. Macmann?

24 MS. MACMANN: Yes.

25 THE CLERK: Ms. McClusky?

1 MS. MCCLUSKY: Yes.

2 THE CLERK: Mr. Sands?

3 MR. SANDS: Yes.

4 THE CLERK: Mr. Thompson?

5 MR. THOMPSON: Yes.

6 THE CLERK: Ms. Wackerman?

7 MS. WACKERMAN: Yes.

8 MR. ARRIOLA: Mr. Joy?

9 MR. JOY: Yes.

10 THE CLERK: Mr. Arriola?

11 MR. ARRIOLA: Yes.

12 THE CLERK: Seven yes, zero no.

13 MR. ARRIOLA: Okay. Anything from

14 the service department?

15 MS. MADDEN: Service department is

16 working on -- I'm going to get it wrong -- North

17 Church Street to get it ready for Vectren to get

18 in there and then them to get in there and do the

19 water -- waterlines and they've been filling

20 potholes. They've been trimming back trees. So

21 you should be seeing them all over town since the

22 weather got warm. That's it.

23 MR. ARRIOLA: Okay. Any questions?

24 All right. Parks and rec, Star?

25 MS. STAR: I have nothing tonight.

1 MR. ARRIOLA: Okay. Anybody have
2 anything for Star? Okay. All right. Thank you.
3 Municipal manager's comments.

4 MS. MADDEN: I do not have any
5 comments tonight. Thank you.

6 MR. ARRIOLA: Okay. Council member
7 comments. Gale.

8 MR. JOY: I have nothing this
9 evening.

10 MR. ARRIOLA: Hillary?

11 MS. MCCLUSKY: I have nothing.

12 MR. ARRIOLA: Carol?

13 MS. MACMANN: I have nothing.

14 MR. ARRIOLA: Doug?

15 MR. THOMPSON: I have nothing.

16 MR. ARRIOLA: Stephanie?

17 MS. WACKERMAN: I have nothing.

18 MR. ARRIOLA: Vice mayor --

19 MR. SANDS: I have nothing this
20 evening.

21 MR. ARRIOLA: Okay. I don't have
22 anything. But welcome, Chaplain Baldwin. Thank
23 you for serving our community, our police force.
24 So do I have a motion to adjourn?

25 MR. SANDS: So moved.

1 MR. THOMPSON: Second. Second.

2 THE CLERK: Ms. McClusky?

3 MS. MCCLUSKY: Yes.

4 THE CLERK: Mr. Sands?

5 MR. SANDS: Yes.

6 THE CLERK: Mr. Thompson?

7 MR. THOMPSON: Yes.

8 THE CLERK: Ms. Wackerman?

9 MS. WACKERMAN: Yes.

10 THE CLERK: Mr. Joy?

11 MR. JOY: Yes.

12 THE CLERK: Ms. Macmann?

13 MS. MACMANN: Yes.

14 THE CLERK: Mr. Arriola?

15 MR. ARRIOLA: Yes.

16 THE CLERK: Seven yes, zero no.

17 MR. ARRIOLA: Meeting adjourned.

18 (End of audio.)

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1 STATE OF OHIO)

2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Monica M. Silverwood, a Notary Public
4 within and for the State of Ohio, duly
5 commissioned and qualified,

6 DO HEREBY CERTIFY that the above-named
7 taped proceeding was reduced to writing by me
8 stenographically and thereafter reduced to
9 typewriting to the best of my ability.

10 I FURTHER CERTIFY that I am not a relative
11 or Attorney of either party nor in any manner
12 interested in the event of this action.

13 IN WITNESS WHEREOF, I have hereunto set my
14 hand and seal of office at Dayton, Ohio, on this
15 2nd day of August, 2019.



16
17 Monica M. Silverwood
18 MONICA M. SILVERWOOD, RPR, CET
19 NOTARY PUBLIC, STATE OF OHIO
20 My commission expires 9-2-2019
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