

New Lebanon Regular Council Meeting, February 21, 2023, Meeting Minutes

The meeting was called to order at 7:30pm by Mayor Ray Arriola. The invocation was given by Pastor Kershoffer of the Assemble of God Church, and the Pledge of Allegiance was said by all.

Verbal Roll call for Council.

Council Members:

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

Others Present:

Chief Keyser
Captain Chambers
CFO/Clerk of Council Hinson
Municipal Manager Madden
Law Director Keener

Presentation given by RTA Chief Customer and Business Development Officer Brandon Policicchio.

Mr. Policicchio gave an overview of the Greater Dayton RTA include future plans. He explained the primary use of the RTA is for jobs, education, and healthcare appointments. He explained the expansion of routes, and the on-demand service available to people in our area.

Presentation given by Joshua Farley, 136 Bronwood Street.

Thank you guys for giving me an audience. I didn't know if I would receive one. The last time, I guess I was out of turn little bit talking off topic. This time I guess I have my own topics. I spoke briefly about the way that these meetings are conducted and the way that they are drawn around. Not necessarily aggressive, but off putting. Let's put it that way. When I'm looking through and I haven't done this until after this whole incident, looking through the ordinances, the ordinances don't seem that they were made for the protection of the civilian as much as they were for the protection of maybe the office. So, I don't believe that that's the way it's supposed to go. I think that the Constitution states otherwise. I think that a lot of things that we do here, even in our own Charter that we've got written down are against the Ohio Constitution's general law. To constitute both of the constitutions, federal and state, both protect my religious rights to gospel. Gospel is music when you guys are not putting out of time frame that says in the noise ordinance that you have this time to this time where you can celebrate gospel, right? That gives me no time. That puts it up to an officer's discretion to come and arrest me at 12 noon for playing whatever in the back porch. It's not up for me to decide what it is. It's not up for us to

decide what it is. Somebody else's gospel might be different, right? I think my only point is that a lot of these ordinances are overreaches of power. They definitely go into conflicting a lot of my religious rights a lot of my constitutional rights and a lot of the rights that are actually written down in your own charter. The last time, I was here in process of my civic duty to point. Bring light to wrongdoings that are happening in Council and they're happening within this city. I was arrested in a violation of my rights. I was never asked to leave in due process. All these things are projected. The mayor used his powers to overreach the law. Silence my voice. It goes against what everything is stated in the Sunshine law that all I was asking Ray is to provide information that civilians were asking for a period of time that is extended. I guess we could all argue what an extended period of time is. So, I did my own research study and after I got the eyes on everybody here. I asked for the same information, right? And I got it in like 7 days. Now this is the same information that a civilian has been asking for on public record for three years. Denied by this council for three years now that's all I was pointing out when I was arrested. The night I was arrested you were in dereliction of your duty even the Council, and I'm sorry, I apologize, but it is not your right to withhold public records for periods of time of three years because we'll get into it or we'll look into it, Ray, that's not. The way that this works. The Sunshine Law in the state of Ohio gives transparency of public law. Period. Public record is not for you. You are a treasurer of it, you get to hold it for everyone here to be able to see it and that is all. Sorry, I'm getting upset again. I would like to ask a couple of questions of the Council. I hope that you guys will answer if you don't, that's fine. Are you under oath as public officials? Mayor are you? Are you under oath? So, the executive meeting, can we talk about that for a minute? Why is that? Why was it a non executive member was brought into that meeting? You said you're under oath, so was the meeting about my arrest?

What you said you're. Under oath so what's the? Meeting about my arrest. Was the meeting about my arrest?

Mayor Arriola, we have the right to bring anyone into an executive session.

Farley, conspiracy prior to anything going wrong, correct.

Mayor Arriola, we cannot talk about executive sessions.

Farley, why not?

Mayor Arriola, Ohio law.

Farley, it is Ohio law that I can request it and you get it. So, I am going to go about the proper channels to receive that and we will see what was in there, in the executive meeting. That is my next problem. I promise you. As I stated, if that was the discussion of the executive meeting, that is by definition conspiracy against me prior to breaking any law period. Just so that is on record as well. This is 155 pages of fiscal information that was

given to me without a problem as long as the eye was on Ray Arriola. As long as everybody was paying attention to this Council, this stuff came instantly from your office. Three years she's been waiting for it she got the same packet.

Manager Madden stated, What you asked for was the minutes. That's what you have there. Yes, you asked for the minutes.

Well, then you denied my request, I didn't open this, it says in all fiscal. All fiscal exchanges, that's not minutes.

Manager Madden explained, And the letter you got also said you can't ask for all you need to be more specific.

Farley, I am more specific. This is very clear, legally stated was given to me by an attorney to write up. So this stuff that you're refusing and denying is against the law again by 149.43. It's just really simple and then there's a couple of other statutes in the Ohio State Constitution that state this very clearly. So, I guess that's all I have this evening, you know. Also, the language of disturbing a meeting that you had me arrested for literally states that to the group not to one person. So, I don't believe that I was disrupting the meeting to the group, but we'll find that out in court, I guess. Have a good day. Thank you for your time. I appreciate, you guys, man.

Approval of Minutes: February 7, 2023 Regular Meeting Minutes, any changes?

Council Member Adkins, yes, there is. There's actually a few things that's in here. And it was on what I said, on page 19. It reads, I do not feel a warning, I said I did not hear a warning. Feel and hear is totally different. And then I do got a question about the minutes. I thought that we was not allowed to put anything unless they was at the podium into the minutes?

Mayor Arriola, what are you speaking of?

Council Member Adkins, you got about the audience noise a lot throughout here which we've never had that every in any minutes that we're had a lot of people that's talked throughout the other minutes. You also have basically when one said that they was going to be getting an attorney, and they was not at the podium when that was said. And have when, page 17. It says you will be hearing from my attorney that was not at the podium. It was on page 9 there was one when he was actually walking away, and he was in the audience and it says Mr. Farley continues to speak as he returns to the audience. And we also have one when he says on page 7 when they said Mr. Farley apologize, I'm sorry. He's actually sitting in his chair in the audience. I just know that we was. We've always said that we wasn't posting stuff that was said in the audience unless it was at the podium. So, about what I said, I do want to amend because that's not what I said. So, I want that fixed on my behalf.

Mayor Arriola, thank you. Do I have a motion to amend the February 7, 2023 minutes?
Motion Adkins, seconded by Perkins.

Roll Call:

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

Five yes and zero no motion carries, minutes amended to fix Adkins statement on page 19.

Motion by Vice-Mayor Loch and seconded by Council Member Sands.

Roll Call:

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

Five yes and zero no motion carries, amended minutes approved.

Law Director comments, I don't have very many comments. First of all, Mr. Farley, I appreciate you coming in. I do not necessarily agree with everything he said. I would suggest to you that if you have specific violations that you feel that this Council has done, as far as violations of the Charter, violations of the Sunshine law, violations of the ordinances of the State of Ohio or violations of the Constitution of the State of Ohio, I would ask you to write those down, document them with specific instances of why you are saying that they've been violated. I'll be happy to look at it. I'll be happy to sit down with you and talk about them. And if I feel that there's any reason to do so, I'll bring them to the Council for the Council to look at them and decide whether there's anything that needs to be done. I think that's very simple.

Farley, Well, I have those documents ready and I've already turned them over to the Ohio State Attorney General.

Law Director, Well then then you're fine. So that's my comment. If you read the Sunshine Law, the Attorney General's office does not have any authority to enforce that.

Farley, But, he has the authority to enforce dereliction of duty by a mayor.

Law Director, So, that's the only thing that I have to say. I do again say the same thing I said last time that the more that we can have the meeting go without distraction and have people one at a time as they are recognized by the mayor speak. The better off we are, you

know, we have rules about coming to the podium and speaking. We have time limits on those things. Those things are for everybody's benefit, and I encourage everybody to abide by those so that we don't run into confusion. We don't have comments that are picked up on the microphone and therefore put on the record and perhaps not supposed to be there, but you know it's important for the record and for everything to go forward in such a fashion that we do have a good record of the proceedings.

Mayor Arriola, Old business third reading of Ordinance 2023-01. I would like to table until March 21st 2023. Because we have a few council members missing at this time, and I'd like to have a full Council when we vote on this particular.

Council Member Adkins, I can't do the 21st because I won't be here. It'll be in April because I'm down for two to three weeks.

Mayor Arriola, may I have a motion to table the Ordinance 2023-01 until the 4th of April 2023?

Motion Vice-Mayor Loch seconded by Council Member Sands

Roll Call

Council Member Adkins	no
Vice-Mayor Loch	yes
Mayor Arriola	yes
Council Member Sands	yes
Council Member Perkins	yes

Four yes, one no, motion carries.

Voice from audience, Mayor may I ask a question about that?

Mayor Arriola, sure.

Shannon Bemis 130 Bronwood Street, So ordinance has not been removed because you're tabling it. But you have enough for a quorum. So you have enough for a vote. I would say that two Council members missing is far less important than a standing room only audience for this topic. So for them to come here and then for you to table the item because two people are missing when you do in fact still have a full quorum. I don't think it's appropriate.

Audience noise

Mayor Arriola, for this ordinance we would like to have full council vote.

Shannon Bemis, then will you allow people to speak on behalf of this ordinance that will not be able to be here in April.

Theresa Cooper 443 Hazelhurst, When I first heard that this ordinance was going to be on the board I was like, shocked, I cannot believe that we would have something this on the ordinance. I mean, this is ridiculous. Who decided to do this.

Manager Madden, the police asked for this.

Theresa Cooper, Are we having a lot of kids running around with toy guns? I understand not having the orange on the bottom, and I understand the seriousness of a police officer going against the child with a gun. But I also understand because I work for the Montgomery County Children Services what these misdemeanors do to these children and how ridiculous, I have a misdemeanor because I have a toy gun. If this is going to be against the kids that are doing Nerf wars. Could you please get something in this town that could help these kids get them off the streets? Give them something to do. We have nothing if you're not in sports, you have nothing. There is zilch. So, what are these kids supposed to do they have nowhere to swim in the summer. They have nowhere to out outdo their energy and you want to take the one fun thing, and I really have not heard very many instances and I know cheesegate was pretty bad. I could understand that one, but Nerf guns? And if this is aimed at those kids. Then I think that we need to really understand? Are we adults? Are we in Communist China? Where are we? This is new Lebanon.

Manager Madden, I think the understanding is the Nerf gun looks like a toy gun. That is not the premise of this. The premise is to not have a gun that looks like a real gun, that isn't distinguishable from a toy gun.

Theresa Cooper, I'm sorry to interrupt you, but every gun that is a toy gun that looks like a real gun is supposed to have the orange thing at the bottom. Now I can understand. That if that's not fair, but how many instances are there in new Lebanon, someone taking a toy gun with the orange off into a public place. So, my grandson's nine years old, special needs kid gets dirt on it, takes it into the Public Library. You're going to give him a misdemeanor. I mean, come on.

Timothy Williams 194 Gloria, my question since it's been brought up that you brought up this. Is what is the federal law dictating towards discerning whether a toy gun is a toy gun.

Captain Chambers, I didn't bring this up.

Mayor Arriola, the Chief is not here.

Timothy Williams, The next thing is I believe that this ordinance piggybacking off what she said. If the kid decides to join the military right and they want top secret clearance? The FBI will look into that and it goes 10 years back. So there again, a kid who's being a kid gets in trouble because of this and then they can't further their career. Also, this is very vague. It's a very vague ordinance. For one, it doesn't say minors. It doesn't state the amount of distance that needs to be visible, whether it's a toy gun or not. Let's see here. It just says municipal grounds. So over here, there's no sign saying you can't bring firearms, but it's

municipal ground, correct? Over here, I can carry a pistol legally, because I'm a law-abiding citizen. But if I were to spray paint a toy gun which I'm allowed to do because I'm an adult and carry it around. Then I get charged for the misdemeanor even though I carry a real firearm. Also brought up that guns can be painted and coated to look like toy guns. They can be put inside of other guns. I believe that this is so vague that it is just right for a 4th amendment violation. If you agree with it, I don't understand why we can't just downvote it right now, right? But I don't believe this should go through mainly because I don't want to have to pay higher taxes because this city was sued because of the 4th Amendment violation. Right now, there are auditors all over the country who are looking for this exact reason to come here we are a little bit insulated for a small town, but if this gets out, I can guarantee there will be droves of auditors coming here. Other than that, can anybody say why this was put up? Why the reasoning for this? And I will commend the one Council member so far for standing up for our rights. And one more question, one last one, if this does pass, how quickly do we rescind it?

Manager Madden, it can be rescinded during the 20 days it sits for 20 days for any kind of petition that wants to come out to rescind it.

Timothy Williams, (audience noise/inaudible) are ordinances subject to an injunction?

Law Director, they're not subject to an injunction. There's a 20 day period to file a referendum. Once the referendum is filed, it's almost automatic there is an injunction until the referendum.

Mayor Arriola, I would love to vote on it tonight. People elected seven people and this is a hot ordinance.

Inaudible.

Council Member Adkins, And I also wanted to say this on record, this is what I was talking about for the city of Beaver Creek Police Department. I was talking about the educational that they needed to do well city of Beaver Creek does this, it's called safety town. And one of the things that they do, they do stranger danger, but it's still kindergarten. The school works with the Police Department. Like I was asking Chief Hensley to work with the school District, but they also did the gun safety and this is a brochure about it and I want to make sure Chief Hensley gets this in his hands because this is something that we actually need to do build here in New Lebanon instead of trying to do the pass this gun ordinance. We need to teach them in the school starting in kindergarten so they know what's going on.

Manager Madden, I know Chief Hensley has reached out to Dr. Williams.

Council Member Sands, Has anyone read the ordinance, 129-3. It says schools, right? If this related to the schools and not having guns in the schools. Why is a municipality different?

Audible noise

Council Member Adkins, According to the police chief, he was talking about, you know, we all know schools as it's supposed to have any guns. And it doesn't matter if it's a toy gun or not. That is a school rule that's a school thing that's going nationwide. So that's not something that we're actually talking about on this ordinance. It was about being in the parks or on municipal properties. And so if you're in the park and they kids are playing cops and robbers and they think it's a real gun or it looks like it and it's not even though, you know, if you look at some of these guns you can't even tell it was even a gun. I seen some that it looked like it's a screwdriver. I would have thought it was a screwdriver until I seen it, you know, so who is to say what a gun is from a toy anyway. You should just say, hey, there's a possibility it could be. Well, that's in anybody's mind, but we should not be given a kid a criminal charge, a misdemeanor that is going to affect their life.

Council Member Sands, I understand that. But all we're doing is amending 137. To include municipal property, that is all we are doing.

Law Director, Just a second. The entire matter involving this is just to try to protect the children. And the number of killings where an officer was confronted with a minor who had a gun that looked realistic. The minor either didn't understand, didn't hear, or whatever turned in such a fashion that the officer was immediately put on guard. He shot and killed the minor.

Audience noise.

Law Director, I didn't interrupt you. Is nothing that we can put on the books. That is going to be perfect. Personally, I don't know if I agree with this ordinance or not, because I see both sides of this. But the intent and the purpose was to protect children. I understand what a misdemeanor in juvenile court is, which is normally not as severe as what you say. I've been doing this for 53 years, so I know a little bit about it. Both sides and both sides are very strong on this. But the intent that was presented to this Council to decide was to do something to prevent a child from being accidentally shot. And when we talk about a child, I mean, it's one thing to talk about a 6-7-8-9 year old, but we're talking about 15-16-17 year olds and I don't know, but I was crazy when I was 15 used to take my rifle to school and go squirrel hunting after school. It's a different world, I don't know what the right answer is. I know that there's no verbiage that can be put into place that is going to be perfect. The Council is considering this. We've got mixed emotions up here. I haven't talked to anybody personally about what their feelings are, they understand where the intent came from. This same ordinance is in other municipalities as well. So, when you're when you're looking at it and considering it from your standpoint. Consider it all. That's all. Thank you.

Timothy Back, 29 Main Street. I just got one question for the Council. You guys are all sworn in to uphold the Constitution of the United States, correct? I believe Mr. Timothy [Williams] asked you and stated it wasn't basically in violation of the 4th Amendment and you agreed with him. So then if it's unconstitutional and you swore an oath to the

Constitution, why would it even be on the forward to be voted on, to be shot down because it's unconstitutional. Don't need any more people. If it's unconstitutional, you swore to uphold the Constitution each and every single Member of this Council. You agree that it's unconstitutional, so if it's unconstitutional why are we even having a debate on it, That's my statement on that. As for guns, I've dealt with guns a long time. I'm firm Second Amendment supporter and I mean I've seen guns that still have the plastic tip and they're real guns. You know, like you said, what defines real and fake? Also, maybe one of the officers could answer when it comes down to addressing anybody with a firearm, I believe there's a procedure, whether they, you know, whether it's real or fake that they take. I think the problem is I get like, Mr. Keener was saying, but the problem is we're not hearing a lot of people on the other side that are saying we don't want this. We've got people coming up saying, hey, this is unconstitutional, it shouldn't even be debate. We shouldn't need two Members when it's unconstitutional. You guys swore to uphold the oath of the Constitution. This shouldn't even be a discussion at this point. As an American citizen who pays my taxes and lives and lives and does things right the correct way. I don't understand why my Council and my town is even debating on something that I've heard the mayor even agree to that it's unconstitutional. So is there anything we can do today to just stamp this out or are we going to be OK with, you know, possibly furthering something that's unconstitutional? I mean, we people are here. You've heard several people spoken out, and of course you're never going to have everybody's opinion on it. But there's not really another side and there shouldn't be when it's unconstitutional. So as a person of this town and you agree that it's unconstitutional, can we just stamp this out now and shoot it down and just close it? Because, I mean, if you're going to further it, I'm going to be assuming that you're OK with violating my constitutional rights. Which at that point I would be willing to ask any Member that is willing to violate my constitution rights tonight to step down from their office.

Council Member Sands, I guess my question would be then should we just get rid of the entire I mean including schools?

Tim Back, You shouldn't need to ask that question if it's unconstitutional, you should know you knew what you were doing when you swore the oath to the Constitution. It's as simple as if it violates the Constitution of the United States of America that you swore that we all just said the Pledge of Allegiance to this great nation's flag in this country and what it stands for.

Law Director, the ordinance as it is, is a state law.

Tim Back, Is it unconstitutional?

Law Director, I consider it not. As it exists it is constitutional. Provided for in the Ohio Revised Code.

Tim Back, So you're telling me? That it doesn't affect my 4th Amendment rights.

Law Director, I'm not representing you.

Tim Back, Yes, you do. Yes, you do. You sit. On this Council board, you definitely represent me because you were elected to put people up there. Inaudible noise

Manager Madden, he's our Law Director.

Tim Back, but we pay him. You serve this community. I'm not asking that complicated question, just yes or yes, Sir. You don't want to answer that I wouldn't either. You're at least smart enough as an Attorney. I know my constitutional rights and you won't dare under oath in front of me on live or any courtroom admit that does not violate my 4th Amendment right?

Mayor Arriola, we are sworn to uphold the laws of New Lebanon, and Ohio . . .
inaudible/Audience noise

Tim Back, And the Constitution calls for the United States above all. OK, do what you need to get done, but until then, it's still violates my rights. Whether it's the original or the rewritten, it violates my constitutional rights. That's why your attorney knows better than to answer that because he knows in a court of law that it wouldn't go in this state. It violates my 4th amendment, along with every single person here. And that's kind of scary that our chief would even put that on the table knowing that is a violation of our 4th amendment.

Law Director, define what you are talking about? The ordinance as it exists, was not put on the table by the chief. The ordinance says it exists is Ohio Law under the Ohio revised Code. Now, if it's unconstitutional it's not been determined by any courts in Ohio.

Tim Back, Does it violate my 4th amendment?

Law Director, if it violates your 4th Amendment it has not been determined by any court in Ohio.

Audience noise

Tim Back, I'm asking you does it violate by 4th amendment?

Law Director, I am not rendering an opinion.

Tim Back, You don't want to because you know that it does. I wouldn't answer that either. That's a smart attorney. You get paid to win. Whether it's the original or the rewritten, it should be shot down. It's in violation of my constitution, Mr. Mayor, even though the lawyer for New Lebanon disagree, it is in violation of my 4th Amendment site. 4th amendment.

Mayor Arriola, let me stop you, and we can see what we can do. I'm not for this and haven't been from the start. So, just let us discuss with the attorney real quick. For the

record, you know, Council member Gale Joy wanted us to wait until he returns. Well, once he returns, she won't be.

Audience noise

Mayor Arriola, what would the rest of council like to do?

Inaudible

Motion to return 2023-01 to table made by Council Member Adkins, seconded by Council Member Perkins.

Roll Call

Council Member Adkins	yes
Vice-Mayor Loch	no
Mayor Arriola	yes
Council Member Sands	yes
Council Member Perkins	yes

four yes, one no, motion carries to return to table.

Motion to turn down ordinance 2023-01 made by Council Member Adkins, seconded by Council Member Perkins.

Roll Call

Council Member Adkins	yes
Vice-Mayor Loch	no
Mayor Arriola	yes
Council Member Sands	yes
Council Member Perkins	yes

Four yes, one no, motion carries to turn down.

Noise

Move on to ordinance 2023-03 an ordinance rezoning a parcel from B-1, neighborhood business district to B-2, community business district and amending the official zoning map of the municipality of New Lebanon for parcels L52 00101 0003, 0128, 0129, 0130, 0187, 0221, and 0225 on the Montgomery County Auditor's Tax Records also known as 35 W. Main Street, New Lebanon, Ohio 45345 and accepting the approval of the planning board (PC CASE 22-04). Any questions? Just in case anybody didn't know this is the ordinance to approve the Mexican restaurant in the American Legion.

Noise

Melissa Sexton, 180 Parkview Dr. Do we know the name of who the gentleman is that is going to be opening this restaurant?

Mayor Arriola, he has two in Richmond and he is opening one up in Brookville. I don't know the name.

Motion to approve Ordinance 2023-03 made by Council Member Sands, seconded by Council Member Adkins.

Roll Call:

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

Five yes, zero no, motion carries.

No New Business.

Public Comments or Questions, reminder on the sign in sheet you have three minutes:

Shannon Bemis 130 Bronwood Street. Clarification can council have a side bar during a public meeting?

Law Director, anything spoken up here should be heard. There are occasions where it is appropriate.

Shannon Bemis, amazing how much overtalking of each other. So, you want conduct and I'm all for conduct. I like rules. without rules there's chaos. But you can't expect from us to behave a certain way and to follow certain rules when Council can't. I'm coming up here, every single meeting since 2018. Mr. Farley was a little mistaken as far as what he's referring to by me coming for the three years. I have gotten my public records request. Have I gotten them in seven days, my last one was 18 days. But I know that that's something that somebody else that's their concern, not mine. So yes, I have received all my public records request, but when I come up here to Council, I have brought you a lot of information, a lot of things I've requested financial reports. Payroll information, personnel information, contract information because you guys have a job a fiduciary role because we pay you our tax money. We trust you that you're doing the right thing, and if you remember correctly in 2018 there were some things that were not being done correctly. So because of that, I'm still continuing to be here. You can tell I'm a dedicated person. I'm not paid to be here, right? 2018 to 2023, still, as of last meeting, I don't know. I don't know. We'll get back to you. I don't know. So again, I'm asking council when can I get a deadline for time clocks.

Mayor Arriola, the service department is providing work sheets to the manager of activity.

Shannon Bemis, So, it will say Shannon Bemis from 8 to 10 was at Don Rusk Park mowing.

Manager Madden, no. I am not micromanaging. It is what they have done that week in detail.

Shannon Bemis, A general weekly worksheet on what they've accomplished isn't accounting for 8 hours a day. I did do a public request workers request I got last week is 270 pages of time of the same handwriting for eight employees. And you know what it says Monday through Friday 7 to 3, 7 to 3, 7 to 3, 7 to 3, 7 to 3, for 52 weeks.

Noise, inaudible

Shannon Bemis, Can I just clarify a few things Mr. Keener?

Mayor Arriola, go ahead.

Shannon Bemis, I'm confused. On January 3rd. You brought up that there was a review of the municipal charter, Mr. Keener said. It was decided years ago it was unnecessary to review. Then February 7, Mr. Keener said it is a requirement to review the Charter every year and because of everything going on, he felt a Charter review should be done and brought to Council the topic was typically conduct at a meeting and I get it. My question is in the Charter under Charter review, it says it's to be done every 10 years starting back in 2003. In 2003, 2013, 2023, which this would be a charter review year. Now, what about the Charter review committee? It says 11 members.

Manager Madden, we haven't done that yet.

Shannon Bemis, In January, you said that we weren't going to review the Charter. So I'm a little confused.

Law Director, the review of the Charter would be the review of the existing Charter, not review of how it may need to be amended or modified. The review is if there have been any changes in the Charter and there have been no changes in the Charter in the last two review periods.

Shannon Bemis, So the committee basically goes through it, reviews it, proposes amendments that then go back to Council.

Manager Madden, No, they go to the electorate. We will be doing that.

Law Director, January had nothing to do with amending the Charter just reviewing it. Normally you have one or two new people on Council and the review is so the new people can understand a little bit better and the people that have been on here a little bit can be reviewed a little bit. The Charter review Committee is totally different people get together and review it and come up with only changes. The last time that we had a review the only changes were clerical.

Shannon Bemis, So so my question is, though in January this was supposed to be done.

Law Director, it is suppose to be done in enough time to put it on the ballot.

Shannon Bemis, It says right here section 8.04, charter review or Charter Review Commission, consisting of at least 11 members from the municipality at large, may be appointed at any time and during the month of January. 2003 and every 10th year thereafter shall be appointed by Ordinance of the Council. I'll be on the review, I nominate myself. Mr. Keener, you had a statement to Mr. Farley about if there's any improper charter things that aren't followed, I would encourage people to bring it to Council because it's on record. I know I can go to Ms. Madden. She does answer questions, she does get back to you. I like coming here to get things on record. I have brought up charter issues with you. One being you just passed an ordinance that hasn't been posted in five conspicuous places for the last three readings, that's per your Charter.

Manager Madden, our ordinances have to be posted after they are approved. They have to be available for you to come in and read them with the clerk but they do not have to be posted until after they are approved.

Shannon Bemis, I'm going to end with the last meeting. I'm frustrated. I'm frustrated because, like I said, I've been coming up here since 2018 religiously. You can all attest to that. I do not want to come up here to be mean I don't want to come up here and try to jam anybody up. I'm coming up here because I work hard for my money and I'm trusting you guys who are elected officials to be smart with my money. Be ethical. It's very discouraging because I feel a lot of times that maybe some people aren't here for the right reasons. So, Mr. Farley, he went, and he read back all the meeting minutes and watch all the live videos. I'm closing, sir. And he was frustrated because he's like all these people have been coming up here, and they stopped coming because they got the same thing. We don't know. I'll let you know. We'll get back to. I'm stubborn and persistent. So I will still continue to come. And yes, there is an election this November where multiple seats are up and I already know there are several people that are running for your positions. This is not a threat. This is part of the electoral process. But the way that Mr. Farley was treated last week, and let me say he was annoying, he was right behind me in my ear and he was annoying. Every Amen. Yeah, I agree. And this is nothing personal. He's eccentric. I come up here, I try to be a little bit more diplomatic. And he came up and this is why people don't come. There were no warnings given by any of you at all. You may have said hey, sit down be quiet. You already had your turn to the podium. This and that there were no warnings given by any of you at all. If you did give him a warning, then you should have said the Sergeant At Arms, which is the Chief of Police, please escort him out or Mr. Farley, please leave. And you never gave him that opportunity. It looks set up. So, I understand you don't like his personality, but we come up here and it's frustrating you give us 3 minutes to try to talk about stuff I've been talking about for five years, it's. Frustrating. You have to. Know how much I'm holding myself inside to not act out like that because it is frustrating. I want to bang my head against the wall sometimes talking to you guys. Still bringing up time

cards at work orders? That's a basic that's a basic, fundamental thing to do for a business. So, no reply, no answer, just OK, thank you. This is what I get. For five years. All right. There you go next.

Melissa Sexton, 180 Parkview Dr. I have a few questions. What is the time frame on getting public records?

Manager Madden, In a timely manner. Is what the Sunshine Law says.

Melissa Sexton, Is 18 days a timely manner?

Manager Madden, depends on what you're asking for yes. Could be longer than that. Could be shorter than that. It just depends on what you're asking for.

Melissa Sexton, so it's pretty much whenever you feel like it basically.

Audible noise

Manager Madden, it's how long it takes us to pull the information if there's redaction that has to happen, just depends on how long it takes.

Mayor Arriola, she is here to run the village and there's things that she's been working on like grants and public records takes away from her applying for grants, which have certain dates.

Manager Madden, if you ask for a public record we have to pull the public record. So, we do it as quickly as we can but it takes time for some but it takes time for some of this stuff. If you are asking for three years worth of stuff it takes time and if there are redaction that have to happen that takes time also.

Audible noise.

Melissa Sexton, as of last night at 10:45 the agenda was supposed to be made public on the website other locations and it was not. What is the timely manner that that is supposed to be posted?

Manager Madden, Well, according to what I read the agendas should be available here at the meeting for public comment, "at each Council meeting the agenda shall provide an opportunity for citizens to address." I don't have anywhere that it says what time the agenda has to be posted. The agenda has to go to council members with 48 hours notice, so they get the agenda. Normally, I post it the day before but yesterday happened to be a holiday and I also had an issue and was not able to get online. Otherwise, I try to post it the day before. I feel like the Council should get their packets and their agenda prior to posting it online.

Melissa Sexton, The agenda now has a section for law director comments. Why was this added and who decided this?

Law Director, requested to be put on the agenda. I wanted to try to arrange our meetings so that everybody has a chance to talk at the meeting. Your discussions about particularly ordinances and resolutions so that was all put to the end. Thought that you should be able to put some input into the resolution or an ordinance before it was voted on rather than presented, have it presented to the Council and the Council vote on it. And then the public make comments after. It was a matter of trying to organize the meeting a little bit more. It was just getting out of whack and everybody was talking about everything at different times and all at the same time and we can't have a record. We can't produce records of a meeting and have it anywhere near accurate without some organization during the meeting itself, we've had pretty good organization tonight and if everybody kind of abided by that method and it worked well. That was why I asked for a place to talk. And I thought that was the best way to address it.

Melissa Sexton, The three minutes how is that decided on a time frame to give the speakers 3 minutes decided?

Mayor Arriola, from talking to other communities, I came up with 3 minutes. Other communities are doing the same thing.

Melissa Sexton, So does the 3 minutes start when we come up and address new issues or when we come up and address old issues that we've been coming up here for years and asking does it start after that? How's that? How's that fair though? I mean, if we're coming up here continuously for years on end, meeting after meeting, asking about the same things, why does the 3 minutes start? It should be like old business it shouldn't start until we come up with new or get an answer?

Mayor Arriola, it starts when you come up. I'll take that under advisement.

Law Director, One thing I might mention and this is kind of self-serving for the council. Chapter 8, paragraph 3, the Ohio Open Meetings Act specifically says the Open Meetings Act does not provide or prohibit attendees the right to be heard at meetings. Note that other laws may apply to limit the restrictions of the public body can be placed on a public's ability to speak during the meeting. Further, the destructive disruptive person waives his right or her right to attend the meetings and the body may remove that person from the meeting. This Council has not in any way tried to prohibit you guys from coming in fact, we for years, we've encouraged people to come, and I appreciate Shannon and everybody else that comes. Because your ideas can be very helpful for this Council. They were very helpful in the ordinance that just went down. By the same token, you have to realize that there's only so much time that these people have to consider everything that needs to be considered. There's only so much time that this lady has to try to run a village. We welcome it, but the more you can be specific, defined and instructive the better everybody is. That is in the Ohio law.

Melissa Sexton, So you're saying that you're not required to hear the public at all.

Law Director, That's what the Ohio Sunshine Law says.

Audible noise

Melissa Sexton, also when you become a Council member, you take that to hear the public by taking a seat up there. That's not our problem, because people only have so much time. That's not what's the use of having meetings, did you? I mean, did you hear? What you just said, right?

Mayor Arriola, we have email now.

Melissa Sexton, So you basically you don't want to hear from the public. You guys don't want to hear from these people, these people show up and you guys get mad.

Council Member Adkins, OK. What she was talking about the minutes. I've actually did some research with other City Councils, Kettering does five minutes. Huber Heights does 5 minutes. And Centerville, they have not got back with me yet, but they've been giving them 5 minutes to speak. then if somebody decides to sign in, but he doesn't want to talk he could give his minutes to Melissa. And she could speak that extra 5 minutes that he would get. That's how they was doing it at these other city council's meetings. So that might be something that we could consider. It gives them a little bit more.

Audible noise

Melissa Sexton, Who ordered Joshua 's arrest?

Mayor Arriola, I did.

Melissa Sexton, You did, and that's all I have. Thank you.

Joshua Farley, 136 Bronwood Street. Grateful to Almighty God for our civil and religious freedom. These are the beginnings of your Charter, the preamble to your Charter. Speak so much about the benefits of the freedoms and how much we strive to make sure that our children here in this Community have those same freedoms forever. While we stand here, and we again talk about breaches of my First Amendment right where we would rather not hear from a civilian and a City Council member meeting. Again, I really don't have much here. On record, Mrs. Bemis for five years has been asking for financial records. I'm sorry that I misstated, she's asking for time cards, all kinds of financials. Don't look at me like you're confused with what I'm saying. But you've known what Shannon Bemis has been asking for the last five years. These things are not things that are being fulfilled by this Council and the reason that you're not doing it is because Shannon hasn't gone about it in the proper channel, putting it down on public record request. So you're using words against you, just like you do in your Charter. You leave certain things out of the Ohio revised code, right? You write it up to where it's just got that little part of the sentence missing to where we can make it whatever it need to say. If you're just looking at one of them, I got about 6 of them that I put together, right now. That you just left out little

corners, little segments of sentence, the end of the sentence, really important parts of sentences. Move to period over about 6 words now it says something completely different. It's crazy how it's like copy and pasted directly from the Ohio State Ordinance, right, minus the last sentence of it specifies that it should be between this time or this time where it should be. Measured in a certain way, we don't do that here because we need to be able to change and benefit to the Council's benefit. Our benefit Chapter 8? Ohh, just the Council. But not over here. On this side. On record, again. Like I said, Mrs. Bemis has asked for the financial records of time clocks. I'll go ahead and go into and we're not going to talk about the sunshine law. We are going to talk about the freedom of Information Act this time. And I'm sure that you know what that one says too. And it gives a clear definition of what you are responsible in your public office to keep as public records. Are we aware of those? Are we? Are we aware of those things containing all financial records such as time clocks? So then we can say that in Open Council we have denied a request five years for that very same thing. She's just asked you for it since 2018. That's five years. She's been asking for time clocks on record. Apparently, I didn't know that I was denied my financial records. But when I go home I'll go through these minute records and I'll pull the earliest one, 2022 that. I can find Shannon Bemis asking for that on record. I'll highlight that and send that over to the Attorney general too. OK. Thank you guys for your time. I do appreciate you again violations of my First Amendment, my 4th amendment, all amendments all around, but it's kind of crazy. In here love you guys.

James Atkins 1651 W Main St. I made a phone call to the speak with the village manager on the 8th of this month. I've yet to receive a phone call back.

Manager Madden, I called you back . . .and left a message

James Adkins, don't interrupt me. I don't interrupt you. I have never received a phone call from her, ever. The problem was you and the Chief was the next day. It's probably a good thing that I didn't get to talk to somebody. I was a little mad at the time. I've never heard you say arrest him. If you listen to that thing, it's got really good audio. You don't say that. I just heard you say you did. You don't say that he's standing up and says he's under arrest. You said remove him. That's what was said public record. You know, it gets wrote down. I'm sure we can listen public record. Inaudible Charter thing is there 11 people sitting here. I'm sure if you ask to raise your hand. You don't have to go looking here in front of you. You elected officials, we put you there. I've only been here for three years now. But it bothers me. I drive through this town, the trees that. Got pulled up. I got paperwork still says some were going to be left none of those trees is left. No, the spots where the ground is dead and you can see every one of them and you guys said anything to the City manager or to the employees? In front of the fire hydrants used to be painted yellow. You can still see it hasn't been painted in years, who's responsibility? Fire Department or village. You know, it's like having a flag in somebody's house and somebody didn't like whatever came of that.

It's gone well. I enjoy coming here just to listen to what comes out of the mouth. Then I'll get back with you on that. I'll get back with you, we'll look at that. It's crazy.

Theresa Cooper 443 Hazelhurst, I am in total complete shock that they don't have time cards that they don't have a time clock. Everyday, I clock into a time clock every night I clock out. And they know exactly where I am, and if I'm a minute late. I cannot believe that our city employees do not have a time clock. *Audible noise* I'm sorry that just doesn't get it. My water's gone up. The pond over here is ridiculous. In the summer, it's green algae junk in it. We can't clean that up. I go by and look at all these other ponds and they're all real nice, but ours looks like crap as I Said we have nothing for the children in this town.

Shannon Bemis 130 Bronwood Street, OK, I just have a couple questions. Mr. Keener, you said before about the you made reference and I just want to clarify, you made reference to a provision in the Charter to meet one time a time 1/4. What is that for?

Law Director, To be honest, that was long ago. I can't remember exactly what it was for. But I believe that it was for an opportunity for the municipality and the department heads to meet with the public and discuss the affairs of the municipality. I don't recall that being done ever, but by the same token, we had most of the department heads here or representative of them here, and that's kind of been done during the end of the Council meeting when the department has asked if they had anything to contribute to the meeting.

Shannon Bemis, So the zoning inspector and the Superintendent have not been here forever. If you can just look into that and let me know. Ms. Davis and Mr. Brock have not been here for years.

Mayor Arriola, If I recall was because the money that was being spent and you, you were particularly looking at all the money that we spend money on the employees when they come to a meeting, they get paid. They get paid overtime.

Shannon Bemis, Well, I mean, there's a few different ways to do this. I mean if you guys think I will give my counsel. I mean, really, so you'll come in at 10, then instead of eight. It's called adjusting your hours.

Mayor Arriola, That may not allow it because of their work.

Shannon Bemis, We need to do a charter review then because in the Charter it states that the director needs to be here. That's not being done. So, you want to know what these violations of the Charters are or the state of Ohio Constitution and stuff. And I'm not saying you're intentionally or deliberately violating the Charter. But it's like none of you have ever read it or none of you understand it. So let's review it then. Let's put in layman's terms, will terms where people can understand because you guys are not following the Charter. I took it as kind of like a threat that hey, if we have to we'll go to quarterly meetings. That's the way I took it. That's why I wanted to clarify with you. Those are separate because there's regular meetings, there's special meetings, there's emergency meetings, and then

there's this weird meeting that's kind of thrown in here about quarterly meeting with director heads. Admin account, but it's just to. Talk about basically a public meeting about ethics.

Manager Madden, In normal regular meeting where they all attend. It would just be part of a regular meeting where they all attend. They used to and they would do it sporadically at different times but and not every meeting. But yes, I mean we can start doing that. So once a quarter Melody and Scott.

Shannon Bemis, Or just or take that part out. There's a lot of stuff that's conflicting.

Manager Madden, So I'm not going to disagree. I was on the Charter review 10 years ago. I'm definitely not disagreeing with you with that. I'm looking to get together hopefully next month and have the Charter review. There's a lot of stuff in there, but then again, it has to go to the electorate to be voted on.

Shannon Bemis, I would be more than willing to help. One last thing that I did forget to say, though the one thing under miscellaneous for conduct, so this is a problem. What it says in the Charter. So the presiding officer, which is you, mayor? Shall provide for the orderly transaction of business at meetings of the Council Roberts Rules of Order may be used as a guide provided they are not in conflict with the session or the ordinances of the municipality. The presiding officer, you mayor, will interpret and apply the rules of practice and the presiding officers interpretation and application shall be final. Subject to appeal is less overruled by the law director. So if you want to go by Roberts rules of order, because I do think that you need to clarify the rule for something for disruptions of meetings, In situations when a meeting is structured, it just is disrupted, Roberts rule says. The presiding officer should first call for general order. If this fails, the present presiding officer should call the disruptive member or attendee to order asking him to refrain from the disruptive action in the rare instance, the disruptive behavior continues. The presiding officer you mayor may call for the removal of the offending member or attendee from the meeting. I'm familiar with it just from previous meetings. There is no reason why disruption should be an arrest. I mean, I just. I can't shake this off aside from being illegal, just unethical I know you're telling me to stop me, but I mean, we want to come in. This is why people don't come but they're tired of seeing what's going on. Do we need to riot? Do we need to protest down in front of your homes. I don't want to do that. I don't have time for that. If I have to, I will. I'll have a peaceful protest. I want to have Council, have a good working. Council, you know what the kids like I said before, have absolutely nothing to do if they're not in sports. You don't know what they're doing. I'll tell you the ones what they're doing is. They're spots, I told. I told you guys about spots where things are happening. This Community Center that you guys are doing is amazing. I think it's great that this is getting turned. Into a Community Center. Have you talked to? The YMCA to see. If they would do a small. Mini site YMCA here. I'm just I don't need an answer, just a suggestion. I really do think out of anything you bring in here. I know you said a Senior Center. You said a

community room maybe. Possibly some workout equipment. And at the very least, knock some walls down, put 1/2 court basketball for the for the winter for these kids because they sit at McDonald's, they get bored. They're walking down the street. They've got nothing to do at the very least I would appreciate you guys coming to the public with a survey like you did when we all voted for a sprinkler pad. We got a freaking frisbee golf. thank you.

Timothy Williams 194 Gloria, Sir, can I ask just one question? Literally 30 seconds. So are the city employees issued cellphones?

Manager Madden, some are.

Timothy William, are the maintenance workers issued those? OK, I would suggest to the Council that since those are government issued cell phones, there are apps that can track where they are 24/7 where that phone is. If they want to turn it off when they get off work good, but if they're on, call 24/7. We need to know where they're at. If we give them those apps like live 360. It's free for a certain number of people. Also, there are time card applications.

3 For a certain speaker.

But there are apps that will save the city money with requests like this to where you can pull it up at any time. Of any day. Also, there are there are time card applications.

Tim Back 29 E Main Street, so I just wanted to bring up about Time cards again. Work orders. Every job I've ever worked that has been made that. And it tells people exactly what it is. Tells you what you did for the day. As for piggyback in off Ms. Bemis and if somebody else is clocking your time clock that's a federal thing. That's illegal. now I'm concerned about that because it's being brought up as a possibility. My next question is, are you able to disclose to me who if any of our village workers are on salary?

Mayor Arriola, that would be the manager.

Tim Back, Can you disclose to? Me, who those are?

Mayor Arriola, there are human resource rules that have to be abided by.

Manager Madden, I said he would be here quarterly.

Tim Back, no reason we shouldn't have time clocks. Saves us money. Manual write in clock in sheet, still a time card. So, to have someone else fill that out is illegal. People have stopped coming to these meetings as this being said, because they come up here and they ask questions and whether you guys know this or not or feel like that they don't feel like they're taking it seriously and they. To hear some of the answers that we get. And hopefully we get them and I swear the question of what's a reasonable time in order to get somebody's paperwork I believe if you go through your stuff, you'll find it somewhere

roughly and there's probably about 2 weeks. How bad does that make the Council look, when somebody's asking for a simple trash can. Know in 3 minutes, no offense. I know 5 minutes here I'm sitting there listening to people. I have a mile long list of stuff that I wanted to ask. I need to start bringing a notebook so I can start writing this stuff down. You hate these people coming up here. Honestly, very kindly and sincerely from the deepest on the bottom of my heart step down from your job and let somebody else who's gonna be passionate about it. Who's gonna really get answers to these people. For Mr. Farley, who isn't here. you knew exactly what that man was asking because he told you that it was the stuff that Shannon Bemis had been asking for. Instead, you give him a bunch of paperwork that he didn't ask for. You gave him minutes instead of the request that Bemis had been asking that's exactly what he said last time when he was up here. That is so unprofessional.

Manager Madden, What I gave him is what he asked for. He wrote down what he asked for. I gave him what he asked for.

Tim Back, but he also asked you up here at this booth, like Mrs. Bemis has done thousands of times. I believe you knew what. He was talking about because he came up here and he directed it to you. So you're your way around it like he was talking your way around things is saying, well, he didn't write it down right? Because I asked some several questions. My father says that has asked several questions. And you knew what we were asking, but because we didn't word it correctly, you decided to waste another day or two of our time so that we can come in there and correct the a little bit of a word.

Manager Madden, we have to follow the Sunshine Law just like you do. And if something you ask for is ambiguous. We can't fulfill it the way it's written. It has to be clear enough for us to understand what to exactly pull. And I understand Mr. Farley is saying he wants what Shannon wants, which was time cards and work orders. Those aren't things we have that we can produce. Therefore, they're not a public record request. She is asking for a process not a record. I can guarantee that Mrs. Bemis has gotten every public access request she has asked for—I can guarantee that.

Tim Back, but some of the stuff it just seems drawn out on the time to get back to it. That's all I'm saying, so I. Hope you guys have a good night. For any confusion. And you guys have great one.

Ronald Fohl 361 Shock Dr., And this has to do with the clocking in and out. There's a lot of legal aspects from what I understand, just from my experience with my works and stuff. If you go to lunch. If you get a lunch break, if you go out and you're not clocked out and you have no way of proving. If you were on the Clock or off the clock And you get an accident or you run over somebody. The ability to be responsible for every minute that that person is on lunch, there's no way of proving you know what time they were off on the clock and off the phone. And at my work, I'm not allowed to touch any equipment, so I clock in because it would be on. If I go over there. I drive a forklift. If I would go over without

clocking in and go my forklift and move it and I cut my hand off I would be responsible for that? So you know, so there's a lot of legal things, you know, with that, let's make sure we have our money for the taxpayer. So, I really can't believe that. You know, everybody should clock in and out, not just the road workers.

Mayor Arriola, I worked at Wright Patt for years and never clocked in and out.

Amanda Isaacs, 400 S Clayton Rd. Gave a background history and information about the American Legion Auxiliary. I want it on public record that it is very, very disheartening and that everyone who is a member of our Legion should be asking questions. They should be asking questions about who's in charge down there and where all the income down there has went and why, we have no legion for our veterans anymore because for years, we have been on a downward slope and that has not been a post for veterans. Conflicts of interest and some positions down there. When my grandma and I were voted out as Legion auxiliary officers it was due to members that had never been to a Legion auxiliary meeting before. And that's how that Legion has been ran over the past few years. So I just want it to be known that when people wonder why we have no legion for our veterans ask who that commander is.

Law Director, I don't know for sure. I understood that the legion is moving move down to where the restaurant used to be moving from one facility to another facility, for whatever reasons that's the understanding that I have.

Susan Nickerson 559 Benbow Circle, When you said you would have Scott here, I asked for that when I was on council and it never happened. You said you never clocked in at Wright Patt but every time you use your cat card to enter the building and your computer, it clocked you.

Audible noise

Mayor Arriola, yes, but I had a time sheet on my computer.

Audible noise

Administrative Staff Comments:

Captain Chambers, nothing.

Chief Keyser, nothing.

Zoning Compliance Officer, Melody since the beginning of the year 27 violations have been cited from the beginning of the year until 2/21/23. 15 different properties were involved with majority being cited for junk and improper parking on an unapproved surface.

Chief Financial Officer

Motion to adopt January 2023 Financial Report Council Member Sands Seconded by Council Member Adkins.

Roll Call

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

Five yes, zero no, motion adopted.

Service Department, Yes, who have a different report this time and it's a shorter one for two weeks. And there was 2 tons of cold patch done last week. 22 holes were filled on Heater, 16 on Gregory. We needed some more there. There was a car in the way, and 16 on Emerson. And part of the Hepner. Additionally, there was an e-mail sent regarding 333 Alta Place and they just wanted to say a huge thank you for getting the crew to clean up the asphalt from their parents yard and driveway. Daddy was very pleased they got it done so quickly and they did a nice job.

Municipal Manager comments, I have one. We do have a public meeting scheduled for the Blosser St. project on February 28th at 7:30 in this room. All the people on Blosser Street or down the little side streets there have been notified that will be affected by the project, but it's open to the residents. And the rest of the public.

Council Member Sands, A couple of questions. The fee ordinance for each of the fees. Is it possible to have the list of fees on the website and the ordinance?

Manager Madden, I can do that.

Council Member Sands, second question, the board members list has that been updated yet?

Manager Madden, part of it has.

Council Member Sands, then I guess third question I have is I'm assuming that everyone has to sign their time sheets to say this is correct?

Manager Madden, correct.

Council member comments.

Council Member Adkins, I have a few. I don't know if this is going to go to the clerk of courts, but could you guys let us know what the five locations is that we are posting. We supposed to have five locations that we're advertising in our Charter for our meetings.

Manager Madden, That's actually not what it says. There is no five locations for these meetings. It just says suitable notice will be given by posting of notices at the regular meeting location and other locations through the municipality. So, we've got that post office we've got at the library and we put it on the water bill. Which literally went to everybody. That would that be like posting at everybody's house for these meetings? The meetings that they post for the five locations are usually planning board and zoning.

Council Member Adkins, And ordinances when we do.

Manager Madden, once the ordinance has passed, we post a notice saying that the ordinance can be found up here at the village.

Council Member Adkins, Well, it says 5 locations.

Manager Madden, correct, and that would be the Post office, grocery, the library, here counts as one, and then one of the banks.

Council Member Adkins, Well, can you? Give us a list of so our Community knows where that's going to be at.

Manager Madden, All of those are online as opposed to the notice that would be posted in just the blurb like you see on the agenda. But online you would see the whole ordinance.

Council Member Adkins, OK. And then? Who wrote the minutes the last time? Who types them up?

Manager Madden, So, I typed them up. And then several people reviewed them, that watched the video too.

Council Member Adkins, isn't the clerk of courts supposed to be the one?

Manager Madden, So, together we tagged team on that, we are trying to change them on how they look.

Council Member Adkins, OK. The biggest thing is about the agenda when we're getting the agenda out. Our people in our community needs to know what's on that agenda. And when we're putting it out, the day of which it has been many times, it's not just this time. Believe me, I check because I'm the one that's got it even on the website, so this has been a pet peeve of mine since I've been on city Council for a year about transparency and to be able to get the people in our community know what's on the agenda because sometimes they don't want to be here. If it's not something that's going to affect them. So could we get it out there within the 48 hours like we get it?

Manager Madden, I feel like Council should get it before I post it to the public. I just feel that that's important.

Council Member Adkins, I usually get it. I got mine on Saturday night, so then could we just post it that Sunday? Just so, it's out there for everybody else to be able to get so they know and they could go and check.

Manager Madden, Please remember that according to our Charter, it says it has to be available at this meeting. I understand what you're saying, that we want it out there sooner, but according to the Charter, it has to be here in this building and at this meeting.

Council Member Adkins, Well, could motion for a charter review?

Manager Madden, We could do an Ordinance to change that. You could do an ordinance to say that. Because it wouldn't be in the Charter, it would be a separate ordinance. If we are going to do a charter review this year, then I think that would be one of the things you changed during the Charter review.

Vice-Mayor Loch, Nicole, you're asking it to be posted Sunday.

Council Member Adkins, yes.

Manager Madden, I work everyday.

Council Member Adkins, And then, has anybody that is on Council did one of the Sunshine Law training classes?

Manager Madden, Carol's done it. I've done it. Phil's done it, the Mayor. Anyone that wants to do it can go there and do it.

Council Member Adkins, because I know it's required by Council.

Manager Madden, Right. But either the Council member does it or representative does it, and your clerk would be your representative. And Sandy had done it prior.

Council Member Adkins, and then that when are we posting the minutes after it's been approved onto the website.

Manager Madden, Tomorrow would be the soonest, but it's within 3 days is what it says. And actually, it doesn't say it has to be posted on to the website, it just says they have to be ready for inspection, if somebody comes in.

Council Member Adkins, Well, and I know you've been putting it on the website, so and then. I'm going to go on to the time clocks. Is there a reason why we don't have time clocks?

Manager Madden, Well, we have time sheets, and we just never felt the necessity for time clocks because we do it for one, we have to do it for all, which includes police, fire everyone and that's a little consuming for the fire; if they're on their way to a fire, to have to stop and go to the Firehouse first clock in and then go to the fire.

Council Member Adkins states, You don't have to do it for all you don't have to do it for all of them. I know there is other city, villages and that does just have time clocks. I know the police a lot of the police departments and the fire departments stuff. But is there a way that we could basically do the time clocks?

Manager Madden, I can look into them, again.

Council Member Adkins, and can you get back with us if we're going to do the time clocks please. I think that's it.

Vice Mayor Loch states, Just like to thank everybody who came out tonight. I see a lot of new faces. I see some that didn't come up to the podium. I wished you would at least introduce yourself. We welcome you and thank you for coming. We do want to hear what you have to say that helps us with our decision making, especially on these ordinances. Thank you.

Mayor Arriola states, I have a few comments I'd like to make tonight. Some things to think about, the questions we should be asking ourselves, are we better off today than we were three years ago, \$60,000 was saved for employee insurance which saved the village. As taxpayers, our manager did that, streets are getting paved. We have a new fast-food place to eat, Taco Bell. A record shop, the business Guided by Mushrooms. These will all bring in taxes. Plus, the plans have been recently approved, for 2 new dollar stores, which creates jobs for our citizens, a new car lot, and a new Mexican restaurant, not sure when it will be opening, but we will have a restaurant. All these great businesses that bring in needed tax dollars. But for some reason and I'm wanting to make sure people understand there are good things going on in this town. How good things going on in this town? They're not just bad things happening. A few can only focus on a couple of departments and some of these people and who are call 24/7. These employees, one way or another, have skin in the game. They either live within the village, the school district, or within 10 minutes of the village plus have children who attend our schools. Allegations have been made about a few employees work, with no proof being brought forward to substantiate these claims. I sometimes wonder why these employees would want to continue to work in such a hostile environment. I do not think I do not think anyone in this room would want to work in an environment where they constantly have someone watching every move they make.

Audible noise

Motion to adjourn made by Council Member Sands, seconded by Vice-Mayor Loch.

Roll Call:

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

Five yes, zero no, meeting adjourned by Mayor Arriola at 9:52pm.

Approved:

Sammy Loch, vice mayor 3/7/23
Mayor Date

[Signature] 3/7/23
CFO/Clerk of Council Date