

March 6,

2018

The Council of the Municipality of New Lebanon, Ohio, met in regular session on Tuesday, March 6, 2018 at 7:30 p.m. with Mayor Arriola presiding. Present were Municipal Manager/Fire Chief George Markus, Law Director Ronald D. Keener, Police Chief Rick Daulton, Zoning Compliance Officer David Lunsford, Chief Financial Officer Brenda Etter, Service Department Superintendent Scott Brock, Clerk of Council Sandy Wright and several visitors.

### **ROLL CALL**

The following members were present at the Call to Order: Raymond Arriola, Gale Joy, Glenna Madden, Carol Macmann, Hillary McClusky, Christopher Sands, and Douglas Thompson.

### **INVOCATION**

Pastor Stephen Betts from the First Baptist Church gave the invocation.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **APPROVAL OF MINUTES**

Mayor Arriola stated next is the approval of the February 6, 2018 regular meeting minutes. Are there any corrections or changes that need to be made to these minutes? Nothing was heard.

Mayor Arriola stated all in favor of these minutes please signify by saying aye, all opposed same sign.

VOICE VOTE ON ABOVE MOTION. MOTION CARRIED.

Mayor Arriola stated next is the approval of the February 20, 2018 regular meeting minutes. Are there any corrections or changes that need to be made to these minutes? Nothing was heard.

Mayor Arriola stated all in favor of these minutes please signify by saying aye, all opposed same sign.

VOICE VOTE ON ABOVE MOTION. MOTION CARRIED.

### **OLD BUSINESS**

Mayor Arriola stated next is old business. Does anyone have any old business? Nothing was heard.

### **NEW BUSINESS**

Mayor Arriola stated under new business we have **RESOLUTION 2018-04: A RESOLUTION AWARDED THE BID TO C.G.CONSTRUCTION & UTILITIES INC., 6891 GERMANTOWN PIKE, MIAMISBURG, OHIO 45342 FOR THE PERRY STREET WATER MAIN REPLACEMENT PROJECT PHASE 2, OPWC PROJECT LOAN NUMBER CD02U IN THE AMOUNT OF \$199,943 AND AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT.**

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Mayor Arriola stated any questions. Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2018-04.

Motion by Council Member Thompson, second by Council Member Macmann to adopt Resolution 2018-04.

ROLL CALL ON ABOVE MOTION: Council Member Arriola, yes; Council Member Joy, yes; Council Member Macmann, yes; Council Member Madden, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is **RESOLUTION 2018-05: A RESOLUTION AWARDING THE BID TO BAUMANN ENTERPRISES INC., FOR THE MOVING NEW LEBANON FORWARD DEMOLITION GRANT IN THE AMOUNT OF \$48,900.00 AND AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT.**

Mayor Arriola stated any question. Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2018-05.

Motion by Council Member Sands, second by Council Member Madden to adopt Resolution 2018-05.

ROLL CALL ON ABOVE MOTION: Council Member Joy, yes; Council Member Macmann, yes; Council Member Madden, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

**RESOLUTION 2018-06: A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO PURCHASE ALL EQUIPMENT, MATERIALS, AND SUPPLIES FROM UTILITIES SALES AGENCY OF AMERICA, LLC, 4623 CRAWFORDSVILLE-CAMPBELLSTOWN ROAD, EATON, OHIO 45320 TO CONVERT THE CURRENT METER READING SYSTEM OVER TO A RADIO READ METER SYSTEM IN THE AMOUNT OF \$37,236.12.**

Mayor Arriola stated any questions. Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2018-06.

Motion by Council Member Madden, second by Council Member Sands to adopt Resolution 2018-06.

**ROLL CALL ON ABOVE MOTION:** Council Member Macmann, yes; Council Member Madden, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

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Mayor Arriola stated I need a **SIMPLE MOTION TEMPORARILY APPOINTING COUNCIL MEMBER GALE JOY TO THE PLAN BOARD.**

Motion by Council Member Madden, second by Council Member Thompson to temporarily appoint Council Member Gale Joy to the Plan Board.

ROLL CALL ON ABOVE MOTION. Council Member Madden, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Macmann, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is public comments or questions. If anybody has any comments or questions please come forward to the podium and state your name and address for the record.

#### **PUBLIC COMMENTS OR QUESTIONS**

Shonna Shaffer, 29 Gloria Avenue stated I would like to know what is happening with 39 Gloria Avenue. I heard some talk about someone going to rehab it.

Municipal Manager Markus stated Dave would you go ahead and take care of this please.

Zoning Compliance Officer David Lunsford stated 39 Gloria was originally on the demo list. The person is attempting to work out something with the County and then plans to rehab it. That is the last I heard about it.

#### **ADMINISTRATIVE STAFF COMMENTS**

Mayor Arriola stated we will go to administrative staff comments.

Mayor Arriola stated Police Chief Daulton.

Police Chief Daulton stated I have nothing tonight sir.

Mayor Arriola stated anyone have anything for the Police Chief. Nothing was heard.

Mayor Arriola stated Fire Chief.

Municipal Manager/Fire Chief Markus stated I have nothing tonight sir.

Mayor Arriola stated anyone have anything for the Fire Chief. Nothing was heard.

Mayor Arriola stated Zoning Compliance Officer David.

Zoning Compliance Officer David Lunsford you will receive plans for the Firehouse on Thursday night. On the Demo Project letters have been sent to the five (5) people to remove any personal property and hopefully sign the contract to demo by March 20<sup>th</sup>. Casey's and Cassano's are open. We are going to have a Daycare center in the old McDonald's Training Center. She is currently in Clayton, Ohio.

Mayor Arriola asked where?

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Zoning Compliance Officer Lunsford stated Clayton. She is in need of a larger facility. That is about all I can tell you right now.

Municipal Manager/Markus asked Dave what do you know about Edward Jones?

Zoning Compliance Officer David Lunsford stated I have not talked to them. Looks like they have some minor stuff to finish.

Mayor Arriola stated anything for the Zoning Compliance Officer.

Council Member Joy stated have you heard anything on O'Reilly's.

Zoning Compliance Officer David Lunsford stated I have not heard a thing. The last time I talked with them it was still a go.

Vice Mayor Madden asked Dave how long do your demo people have to get back with you?

Zoning Compliance Officer David Lunsford stated they have until March 20<sup>th</sup>. They have already received the first request.

Mayor Arriola stated Chief Financial Officer Brenda.

Chief Financial Officer Brenda Etter stated the state auditors need Council to approve by motion the monthly financial statements. Mayor Arriola asked are there any questions for Brenda?

Mayor Arriola stated do I have a motion to approve the January and February Financial Reports.

Motion by Council Member Thompson, second by Council Member Madden to approve the January and February Financial Report.

**ROLL CALL ON ABOVE MOTION:** Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Macmann, yes; Council Member Madden, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated Service Department Superintendent Scott Brock.

Service Department Superintendent Scott Brock stated I have nothing tonight sir.

Mayor Arriola stated anything for Scott.

Council Member Sands stated I appreciate the crew doing South Church Street with the Durapatcher. It is not 100% but it is a lot better than it was.

Mayor Arriola stated speaking of the Durapatcher are there any plans on Marilee and Capri. I was down there the other day and it is pretty rough.

Service Department Superintendent Scott Brock stated we will be working on those next.

Mayor Arriola stated Parks and Rec Alex

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Mayor Arriola stated Parks and Rec. Starr.

Starr Joy stated we have four mini flyers for you, an overview of our events for this year and info on our 3 on 3 tournament, yoga, and camp. We are having 3 on 3 basketball tournament at the United Methodist Church at 11 a.m. on Saturday the 10<sup>th</sup>. The Rotary Chili Supper will also be taking place on Saturday from 5:30 – 7:30 at the Legion. Tickets are \$6.00 each or 2 for \$10.00. There will also be a raffle for a 55” flat screen. Our Self Defense Community Workshop is next Tuesday the 13<sup>th</sup> from 7:00 p.m. to 9:00 p.m. We are currently maxed out at 40 and have a waiting list. Sping schedule for yoga will stay the same as it has been: Wednesday nights from 7-8 and Friday afternoons from 12-1; Will span from March to May. The Dayton Food Bank for the Senior Box Distribution last month served 44 families. This month it will be on the 16<sup>th</sup> from 10-11 a.m.

Alex stated they will be partnering with the school this year. Dixie is no longer running the Freedom School. Our Camp will be Monday to Thursday. Morning Session – 9:00 a.m-12:30 p.m.; Afternoon Session 12–3:30 p.m., we will be eating at the Elementary School through their summer lunch program. We will also have access to their Multi-purpose room so that when it rains we can have our activities in there. We will have access to buses and be able to use the high school for celebration. This year we will be moving to Don Rusk Park for better access to the school and limit of walking for the kids. And if it does not work then we’ll move back to Stanley Jones for next year.

Mayor Arriola stated Municipal Manager comments.

#### **MUNICIPAL MANAGER’S COMMENTS**

Municipal Manager Markus stated a reminder for Council if you are interested the MVRPC Spring Event be sure to let Sandy know by March 20<sup>th</sup>.

I have a request for an Executive Session pursuant to the Ohio Revised Code Section (G) (3) conference with the Law Director involving litigation.

Mayor Arriola stated Dave I forgot to ask you if we had been writing up zoning issues on 1002 Columbus Hines.

Zoning Compliance Officer Lunsford stated yes we have.

Mayor Arriola asked about the one located on East Main Street.

Zoning Compliance Officer Lunsford stated they have been keeping their nose clean during the day.

Mayor Arriola stated any questions for the Manager. Nothing was heard.

#### **COUNCIL MEMBER COMMENTS**

Mayor Arriola stated Gale.

Council Member Joy stated I have nothing this evening.

Mayor Arriola stated Doug.

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Council Member Thompson stated I have nothing this evening.

Mayor Arriola stated Carol.

Council Member Macmann stated I have nothing this evening.

Mayor Arriola stated Chris.

Council Member Sands stated I have nothing.

Mayor Arriola stated Hillary.

Council Member McClusky stated I have nothing.

Mayor Arriola stated Glenna.

#### **VICE MAYOR'S COMMENTS**

Vice Mayor Madden stated I have nothing.

#### **MAYOR'S COMMENTS**

Mayor Arriola stated I have nothing myself.

#### **EXECUTIVE SESSION**

Mayor Arriola thanked everyone for coming to the meeting. He then stated that Council had a request for an Executive Session and there would be no action taken following the Executive Session.

Mayor Arriola stated I have a request for an Executive Session pursuant to the Ohio Revised Code Section (G) (3) conference with the Law Director involving litigation.

Mayor Arriola stated do I have a motion to adjourn to Executive Session.

Motion by Council Member Thompson, second by Council Member Macmann to adjourn to Executive Session.

ROLL CALL ON ABOVE MOTION: Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Macmann, yes; Council Member Madden, yes; Council Member McClesky, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Council retired to Executive Session at 7:48 p.m.

Motion by Council Member Thompson, second by Council Member Madden to return to Regular Session.

ROLL CALL ON ABOVE MOTION: Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Macmann, yes; Council Member Madden, yes; Council Member McClesky, yes; Council Member Sands, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

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Council Returned to Regular Session at 8:08 p.m.

**ADJOURNMENT**

Mayor Arriola stated do I have a motion to adjourn.

Motion by Council Member Thompson, second by Council Member Macmann to adjourn the meeting.

**ROLL CALL ON ABOVE MOTION.** Council Member Arriola, yes; Council Member Joy, yes; Council Member Macmann, yes; Council Member Madden, yes; Council Member McClesky, yes; Council Member Sands, yes; Council Member Thompson, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Meeting was adjourned at 8:10 p.m.

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date