

October 5,

2021

The regular meeting of the Municipality of New Lebanon, Ohio was called to order on Tuesday, October 5, 2021 at 7:30 p.m. with Vice Mayor Susan Nickerson presiding. Present were Municipal Manager Madden, Law Director Ronald Keener, Police Captain James Chambers, Fire Chief J.C. Keyser and Clerk of Council Sandy Wright. Chief Financial Officer Brenda Etter, Code Enforcement Administrator Melody Davis and Service Department Superintendent Scott Brock were absent.

INVOCATION/PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was lead by Vice Mayor Nickerson.

ROLL CALL

A verbal roll call of Council Members present at meeting for the record. The following members present were Gale Joy, Susan Nickerson, Lyndon Perkins, and Christopher Sands. Ray Arriola, Carol Macmann, and Douglas Thompson were absent.

SPECIAL PRESENTATION BY AARON PRIMM ABOUT THE HOMELESSNESS PREVENTION PROGRAM.

PROCLAMATION NATIONAL BREST CANCER AWARENESS MONTH BY SUSAN NICKERSON.

APPROVAL OF MINUTES

Vice Mayor Nickerson stated next is the approval of the September 21, 2021 regular meeting minutes.

Vice Mayor Nickerson asked are there any corrections or changes that need to be made to these minutes? None voiced.

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

VOICE VOTE. ALL IN FAVOR. MOTION CARRIED

OLD BUSINESS

Vice Mayor Nickerson stated under old business we have the **SECOND READING OF ORDINANCE 2021-04. AN ORDINANCE CERTIFYING THE MUNICIPALITY OF NEW LEBANON DISTRIBUTION YEAR 2022 STREET LIGHT ASSESSMENT TO MONTGOMERY COUNTY, OHIO, IN THE AMOUNT OF \$57,750.00.**

Vice Mayor Nickerson stated any questions. This is the second reading. Nothing voiced.

Vice Mayor Nickerson stated next is the **SECOND READING OF ORDINANCE 2021-05. AN ORDINANCE AUTHORIZING MONTGOMERY COUNTY AUDITOR'S OFFICE, LIENS & ASSESSMENTS DIVISION TO PLACE LIENS ON THE ATTACHED LIST OF PARCELS IN THE AMOUNT OF \$11,478.60 WHICH INCLUDES THE AUDITOR FEE OF 5% FOR CURB AND GUTTER REPAIR INCURRED WITH THE CAPRI STREET PROJECT IN 2020.**

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Vice Mayor Nickerson stated any questions. This is the second reading. Nothing voiced.

NEW BUSINESS

Vice Mayor Nickerson stated under new business we have **RESOLUTION 2021-11. RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE AUDITOR.**

Vice Mayor Nickerson stated does anyone have any questions. Nothing voiced.

Vice Mayor Nickerson stated do I have a motion to adopt Resolution 2021-11.

Motion by Council Member Sands, second by Council Member Joy to adopt Resolution 2021-11.

ROLL CALL ON ABOVE MOTION. Council Member Joy, yes; Council Member Nickerson, yes; Council Member Perkins, yes; Council Member Sands, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Vice Mayor Nickerson stated next is **RESOLUTION 2021-12. A RESOLUTION PROVIDING FOR THE ADVERTISEMENT TO LEASE FOR FARMING APPROXIMATELY FORTY-SIX (46) ACRES LOCATED ON THE NORTH PART OF THE WELLHEAD PROTECTION PROPERTY LOCATED AT 10525 EATON PIKE AND ACCESS ROAD PER OHIO REVISED CODE 721.03.**

Vice Mayor Nickerson stated does anyone have any questions.

Council Member Sands asked is this going to be advertised in more than just the paper. Will it be posted in our usual places?

Municipal Manager Madden stated according to the Ohio Revised Code it has to be advertised in the paper for five (5) consecutive weeks. It will be on our website.

Council Member Joy asked can this only be agriculture.

Municipal Manager Madden stated yes. It can only be farmed.

Council Member Joy asked can other people lease it?

Municipal Manager Madden stated if they want to buy it they can. I think it is part of what we were trying to sale. Right now it is just set for farmland.

Council Member Joy stated if some else wants to lease it they can, not just for farming.

Law Director Ronald Keener stated it is zoned for agricultural only.

Vice Mayor Nickerson stated can I get a motion to adopt Resolution 2021-12.

Motion by Council Member Sands, second by Council Member Nickerson to adopt Resolution 2021-12.

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ROLL CALL ON ABOVE MOTION. Council Member Nickerson, yes; Council Member Perkins, yes; Council Member Sands, yes; Council Member Joy, yes; 4 yes
0 no

ALL IN FAVOR. MOTION CARRIED.

Vice Mayor Nickerson stated next is the **FIRST READING ORDINANCE 2021-06. AN ORDINANCE AMENDING §35.601 OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF NEW LEBANON.**

Vice Mayor Nickerson stated any questions. Nothing voiced.

Vice Mayor Nickerson stated next is public comments.

PUBLIC COMMENTS OR QUESTIONS

None

ADMINISTRATIVE STAFF COMMENTS

Vice Mayor Nickerson stated Police Captain Chambers.

Police Captain Chambers stated I have nothing this evening.

Vice Mayor Nickerson stated any questions for Captain Chambers.

Council Member Sands asked is the school zone still being monitored?
People are going through there much faster than they should. I think the blinking light going west needs to be down like the one going east. Some people can't see it if the wind is blowing just right.

Police Captain Chambers stated that is something the State does.

Municipal Manager Madden stated the State sets those. We have had a conversation about putting a sign so that when you turn off Fuls Road headed west you are reminded of the school zone. I am going to contact them about putting a reminder sign there.

Vice Mayor Nickerson stated Fire Chief Keyser.

Fire Chief Keyser stated I have nothing this evening.

Vice Mayor Nickerson stated any questions for Fire Chief Keyser. Nothing voiced.

Vice Mayor Nickerson stated Code Enforcement Administrator is not with us. Does she have anything for us?

Municipal Manager Madden stated she does not have anything tonight.

Vice Mayor Nickerson stated any questions for Melody. Nothing was heard.

Vice Mayor Nickerson stated Chief Financial Officer Brenda.

Municipal Manager Madden stated she has nothing.

Vice Mayor Nickerson stated Service Department Superintendent Scott Brock.

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Municipal Manager Madden stated he has nothing this evening.

Vice Mayor Nickerson stated anything to pass on to Scott. Nothing was heard.

Vice Mayor Nickerson stated Municipal Managers comments.

MANAGER'S COMMENTS

Municipal Manager Madden stated I have a request for an executive session pursuant to the Ohio Revised Code §121.22 (G) (1) and (G) (3) to discuss personnel matters and legal matters.

COUNCIL MEMBER COMMENTS

Vice Mayor Nickerson stated Gale.

Council Member Joy stated I have nothing this evening.

Vice Mayor Nickerson stated Chris.

Council Member Sands stated I have nothing this evening.

Vice Mayor Nickerson stated Lyndon.

Council Member Perkins comments *not audible*.

VICE MAYOR'S COMMENTS

Vice Mayor Nickerson stated I have nothing this evening.

MAYOR'S COMMENTS

Mayor Arriola absent

EXECUTIVE SESSION

Vice Mayor Nickerson stated I have a Manager's request for an Executive Session pursuant to the Ohio Revised Code § 121.22 (G) (1) and (G) (3) to discuss personnel matters and legal matters.

Vice Mayor Nickerson then thanked everyone for coming to the meeting. She stated Council has a request for an Executive Session and no action will be taken following the Executive Session.

Vice Mayor Nickerson stated do I have a motion to adjourn to executive session.

Motion by Council Member Joy, second by Council Member Sands to adjourn to executive session.

ROLL CALL ON ABOVE MOTION: Council Member Perkins, yes; Council Member Sands, yes; Council Member Joy, yes; Council Member Nickerson, yes; 4 yes
0 no

ALL IN FAVOR. MOTION CARRIED.

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Council retired to executive session at 7:48 p.m.

Vice Mayor Nickerson stated do I have a motion to return to regular session.

Motion by Council Member Sands, second by Council Member Perkins to return to regular session.

ROLL CALL ON ABOVE MOTION: Council Member Sands, yes; Council Member Joy, yes; Council Member Nickerson, yes; Member Perkins, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Council returned to regular session at 8:19 p.m.

ADJOURNMENT

Vice Mayor Nickerson stated do I have a motion to adjourn the meeting.

Motion by Council Member Sands, second by Council Member Perkins to adjourn the meeting.

ROLL CALL OF ABOVE MOTION: Council Member Joy, yes; Council Member Nickerson, yes; Council Member Perkins, yes; Council Member Sands, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Meeting was adjourned 8:20 p.m.

Approved:

 10-19-2021

Mayor Date

 10-19-2021

Clerk of Council Date