

**New Lebanon Regular Council Meeting, March 21, 2023, Meeting Minutes**

The Meeting was called to order at 7:30pm by Mayor Arriola. The invocation given followed by the Pledge of Allegiance.

Verbal Roll Call of Council Members:

**Council Members:**

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

**Others Present:**

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

Presentation given by Joshua Farley.

Joshua Farley, 136 Bronwood Street, Council members, Chief Hensley, fellow villagers, today I stand before you with a heavy heart. I feel compelled to address a matter of utmost importance. Recently, I've been made aware of that some of my comments may have been misconstrued as an attempt by me to put this community down. Now let me be clear, this was never my intent. As a villager here for now the last 6 years, I couldn't care about the well-being and the overall success of this village. I remain committed to working together to find common sense solutions that will help us all thrive. However, it is my belief that we must be honest with ourselves. We have to acknowledge our areas that we fall short, our shortcomings, and move forward past those. I have shown and will continue to show that some of our elected and appointed officials have not been fulfilling their duties to the best of their ability. This has resulted in significant challenges to the Village that could've been avoided. My goal in bringing these things to light is not to criticize or condemn, but rather to inspire positive change in the community. I truly believe that working together, as a Village, as a community, we can come up with creative solutions for the issues that we're facing in this Village today. It has been brought to light by myself and by others, the dereliction given by Mayor Arriola himself. And that cannot be ignored any longer. The Mayor and other seated officials under the Mayor's direction have blatantly been violating the Freedom of Information Act by refusing to provide crucial information to concerned citizens when asked. This is in direct violation of the trust that has been placed on the Mayor by the Village and his constituents. In addition, the decision of the Mayor to refuse to certify the executive meeting held an open session on record is a violation of not only the law, but the trust bestowed on his office. This is our responsibility as citizens of New Lebanon to demand that the elected and appointed officials act with honesty and integrity in all matters. This behavior cannot be tolerated and must be addressed urgently. Moreover, this behavior and conduct is carried over to the appointed officials as well. There is an overall lack of responsibility in the management of this Village, whether it is direct violations and the Freedom of Information Act or whether it is the lack of published public information on websites. The absence of the 2022 water test results on the website as stated by Municipal Manager Glenna Madden is highly concerning. The citizens of New Lebanon have a right to this information. Furthermore, it is the responsibility of the Municipal Manager to have this information readily available on the website. In fact, by not having it here, by not having it posted, it directly puts the health and safety of New Lebanon citizens at risk. Additionally, the growing amount of

litter on the lots of Main Street and the other streets around New Lebanon and the easements that surround New Lebanon, as a Village, is just alarming. I don't know what else to say. I've lived here for six years, and for six years I share a property with a farm that is behind us. There's an easement of land there, and it has been not my section obviously because I got out there the day that we moved in and cleaned it all up, like a responsible human being because who wants to have trash behind their house? For the six years that I've lived there, the additional trash on that easement that's not my property has been there, including maybe 22 tires. This has been brought up to the city on two or three separate events. I have papers that were sent to my house and one of those events, the farmer was sent papers almost a year ago to date, asking him to remove and still nothing has been done. Another point in which I am deeply concerned is the recent events that have come to light regarding Glenna and Chief Hensley's secretive proposal to dissolve the Perry Township Police Department. You see, they did not have the consent, direction, or the knowledge of this Council in this Village. And this is a blatant disregard to the democratic process and a violation of the trust of not only by the people, but by this Council and all these appointed officials. What is more concerning is the manner in which the situation was handled. The press release on this matter was filled with blatant lies and a demeanor that can only be described as rude and unbecoming of a press release from a New Lebanon official. As New Lebanon villagers, we must demand accountability for those in positions of power. Our Village leaders must understand that they serve us at the pleasure of the people and not the other way around. We will not tolerate any actions that undermine our democratic values in this Village any longer. I am urging the seated Council to open an investigation on these matters and with the findings, hold the responsible parties responsible. The citizens of New Lebanon deserve better than this and you deserve to give them better. If anybody has any questions, I'd be glad to answer. Thank you.

Council Member Perkins, some of that information, where'd you get it from?

Joshua Farley, this information right here? From your websites mostly. I'll print them off for you and hand them to you myself.

Council Member Perkins, thank you.

Joshua Farley, I gladly will.

Council Member Perkins, you still gonna get information from the Attorney General?

Joshua Farley, as to regarding?

Council Member Perkins, what you brought up last time?

Joshua Farley, are you talking about cell phone tower?

Council Member Perkins, yeah.

Joshua Farley, I have tons and tons of stuff, if you just want to look through it. It's actually just in this information packet. I didn't really want to bring this stuff up tonight, but we can. This feature was about the dereliction and duty of Mayor Arriola and the Municipal Manager. But if you'd like to, we can go through the international environmental health trust. It's about 400 studies I have printed here from international groups across the world that state that the classification at which we have our cell phone towers rated at right now should be rated at a much higher level.

Council Member Perkins, sir, I don't need to go through that.

Joshua Farley, well, you were asking for data. I got tons of it. Thank you, guys.

Approval of the March 7, 2023 regular meeting minutes. Any corrections or changes?

Council Member Adkins, on page six, it has when Chief Hensley – somebody from the audience basically thanked him with his sign that he was putting out – that was myself. And then I asked him the question about the sign that's why he gave the follow up about the sign. I would like that to be added into that please.

Manager Madden, you're wanting your exact words in here? Is that what you're saying?

Council Member Adkins, it has that somebody thanked him, and we had comments for him so when I did the comments, it was my comment to him to thank him for putting the sign out on Sunday, and it wasn't addressed that I did it, that I asked him about the sign.

Manager Madden, I understand that, but the idea is that they're not verbatim, they're just the idea of what was happening. Are you wanting exactly what you said in there?

Council Member Adkins, I just want them to note that I'm the one who asked the questions. I want it noted of why he even responded to the question.

Council Member Joy, I have a question about that as well because the minutes should be verbatim. And it's public record, everybody is here, everybody has heard it, and if we're going to vote on it that it's accurate then it needs to be accurate.

Manager Madden, and that's fine. But our Charter says they don't have to be verbatim and open meeting and Sunshine Law says they don't have to be verbatim. They just have to maintain the notion of what was covered at that meeting.

Council Member Joy, then I don't see the point that we have to accept them as directed or even that we have to have them reviewed. We can just post them.

Manager Madden, but they still need to make sure that what the integrity of the meeting is what is in there. Whether it's verbatim or not, the integrity or what was meant, what was covered is covered. So, the votes and what is in there are accurate.

Mayor Arriola, I actually have a correction on page 3. Ms. Bemis' comment, "the Mayor at one point referenced that he's got a reverse osmosis through his house." I actually don't have it in my house, it's just in the kitchen. The rest of the water is Village water.

All in favor of these changes, say "I." All opposed?

7 I's and zero no, minutes with changes approved.

Law Directors comments, none at this time.

#### Old Business

Vice-Mayor Loch, I know this isn't legislative, but it has been brought up several times, so since that has been brought up several times, especially last meeting, we talked a little bit about it. I'd like to request the Village Manager look into feasibility study on the time cards. I'd like to give her at least six to eight months because we are coming up on stuff next. She's working on grants. She does have other responsibilities, festivals coming up. I'm not sure how Council's supposed to go about that.

Mayor Arriola, all in favor of giving the Manager six months or eight months, which one?

Vice-Mayor Loch, six months, I'll go with.

Mayor Arriola, do we have a motion to give the Manager six months?

Motion by Council Member Macmann, seconded by Council Member Adkins

Roll Call:

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

7 yes 0 no motion carries.

**New Business**

Resolution 2023-02 requesting that the Montgomery County auditor certify to the taxing authority of New Lebanon, Ohio the total current tax valuation of the Municipality of New Lebanon, Ohio entirely located in Montgomery County and the dollar amount of revenue to be generated by a 5.0 mill, 5 year renewal levy for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges within the Municipality of New Lebanon, Ohio per ORC § 5705.19 (G) and for constructing, rehabilitating, repairing, or maintaining sidewalks, walkways, trails, bicycle pathways or similar improvements, or acquiring ownership interests in land necessary for the foregoing improvements within the Municipality of New Lebanon, Ohio per ORC § 5705.19 (pp).

Any council questions, regarding Resolution 2023-01?

Council Member Adkins, now this isn't to raise the taxes?

Manager Madden, no, this is the renewal.

Council Member Adkins, okay, and do you know about what items if this gets approved what we would be working on first?

Manager Madden, no.

Council Member Joy, how much do we generate from this?

Manager Madden, around \$200,000, which does one street.

Public comments about resolution.

Shannon Bemis, 130 Bronwood Street, I know previously, Glenna, you brought up – I was reading the meeting minutes – that you have a map of what were OPWC projects and what were street levy projects. I don't know if that would help to maybe put a picture of that online to see what's been done from each.

Manager Madden, that'll be out there, along with a list of all the streets.

Shannon Bemis, and I know that the engineer kind of decided what roads are fixed or funded for our OPWC grants so they also determine the ones that aren't quite at that level. So, can you overrule then?

Manager Madden, we usually recommend which streets we want them to look at, and we have to do a cost analysis on it and see.

Motion to adopt resolution 2023-02 by Councilmember Sands, seconded by Council Member Macmann.

Roll Call:

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

7 yes 0 no motion carries.

First Reading of Ordinance 2023-04, Rezoning parcels from split zoning of Neighborhood Business District B-2 and Industrial District I-1 to B-2, community business district and amending the official zoning map of the Municipality of New Lebanon for parcels L52 00322 0007, 0008 and L52 00322 0014 on the Montgomery County Auditor’s tax records also known as 501-519 E. Main Street, New Lebanon, Ohio 45345 and accepting the approval of the planning board (pc case 23-02).

Questions from Council.

Council Member Joy, are they going to combine these properties?

Manager Madden, they’re actually splitting some off. Some of them are combined. I think that’s already done.

Council Member Adkins, and then the Dollar General, what are they gonna do with that? Is there gonna be an empty building.

Manager Madden, no it’s not leaving.

Mayor Arriola, there’s going to be two.

Public comments on this ordinance, none.

Public Comments:

Chief Littleton, 325 Johnsville-Brookville Rd, I just have some things I need to address things that Perry Township’s been accused of. The Perry Township Police Department’s been accused of not staying in our area and patrolling the Village of New Lebanon. There have been zero evidence that’s been provided to me, other than in conversation, that was stated that somebody has seen my officers patrolling in the plats in the Village of New Lebanon. I could tell you with our cruisers, I can confirm to you that there has been zero activity that my officers in any of the plats here in the Village of New Lebanon from what I am able to tell based upon our cruisers. It’s been stated on more than one occasion that Perry Township Police Department is running radar on 35 within the Village limits of New Lebanon. I can tell you that that is not accurate as well. And I have a percentage for you over the last 18 months of our total number of traffic stops. Over the last 18 months, Perry Township Police Department has made 2,137 traffic stops, 5.6% of those traffic stops were made within the Village limits. Out of that 5.6%, 2.8% were made at Johnsville-Brookville Road and Main Street. So, that’s an intersecting road between Perry Township and the Village

of New Lebanon. Out of that 5.6%, 1.4% were actually made on West Main Street. So, we're going to look at the total number of traffic stops that the Perry Township Police Department has made within the Village limits of New Lebanon, you're talking about 1.4% of 2,137 traffic stops. Out of those 5.6% that was made here in New Lebanon, according to our dispatch record, 0.1% were made off of West Main St. So, we're talking a very miniscule amount that were made right off of West Main Street. Out of that 5.6%, 0.8% of the traffic stops were made on Clayton Road near West Main Street. Again, that's another jointing roadway that connects Perry Township to those in New Lebanon. I can assure you that none of my officers sit within the Village limits and run radar. US 35 and the jointing roadway for Perry Township and Village of New Lebanon. We can take enforcement action on that road. I've spoken with the prosecutor's office. Chief Hensley and I had a conversation on or about December 8th, referenced some of these issues. We had a conversation regarding the appearance of the officer sitting in our jurisdiction on West Main Street, outside of the village limits. We understood the appearance of that, and that it may appear that the Township is running radar within the Village. But according to these statistics, that debunks that accusation. During that conversation with Chief Hensley, we spoke about US 35 being a jointing roadway and that enforcement action can be taken. During the conversation, we had talked about my officers do not take enforcement actions down here because we have enough area to take enforcement actions on. But during our conversation, we talked about the active school zone and if for some notorious reason, somebody commits a traffic offense in front of us, that puts the general public at risk that we would conduct a traffic stop on that vehicle. Only if that would not upset anybody here in the Village of New Lebanon. Chief Hensley stated that he didn't have any issue with that and in fact encouraged the school zone enforcement, if my officers were passing through the area and somebody was coming through doing twice the posted speed for the school zone. Perry Township Police Department has been accused of overstepping their bounds on New Lebanon calls that's being managed by New Lebanon. During that conversation with Chief Hensley, on or about December 8<sup>th</sup>, we talked about my officers driving by the traffic stops that they've had here on West Main Street.

Mayor Arriola, time's up Chief.

Audience noise.

Linda Lewis, I live at 213 Lawson Ave. I've lived in the Village almost 14 years. I'm from this general area, and I just want to express my thanks and my support for those of you on the Council, for Chief Hensley, for the Municipal workers that we have. You all have a thankless job. I understand that, but we appreciate what you do and the opinions that have been expressed of late are not my opinions, and they don't represent how I feel. That's all I wanted to say.

Joshua Farley, 136 Bronwood Street, so the only thing that I actually had is, when I came up this evening, I had everything kind of prepared, and I'm not really good at making sure that I say everything that I need to say most nights. My emotions get the best of me. I did wonder why this information tonight on this press release differ so great from the initial press release?

Manager Madden, it's not different. We added a couple things on here, that was it.

Joshua Farley, the other one said that there were no officers that were gonna be hired, this one says that there's four.

Manager Madden, I never said there were officers that were going be hired.

Joshua Farley, So, here's what we'll do, I guess next week, rather than hold up, I don't want to hold up the entire meeting, that's rude of me to do so. I don't even wanna waste my 3 minutes. What I'm gonna go

ahead and do is this press release that I have right here is I'm gonna go print this one out and we'll talk about it next time.

James Adkins, 1651 W Main Street, if you can hold your questions, hold your answers until I get done, I'll be real short. I still don't see a three-minute clock. I asked about it the last time.

Mayor Arriola, it's five minutes now.

James Adkins, we still need to have a clock. I don't know what time – please don't interrupt me. You can sit back there and you can look at it. She can tell you I can sit down, but I can't tell that. I want to know what I'm doing and what time. It's not much to ask for. Sit it up there in front of us. It can't be that hard. I'll get one off Amazon and have it delivered tomorrow. It's not hard to do. Second question, there's a portable sign on West Main Street. I've lived here for two and a half years, actually three years. It's a portable LED sign, well it was moved the other day for tax time. It was grandfathered in and they move it, it can't be grandfathered in, right?

Mayor Arriola, the Zoning person can find out about that.

James Adkins, talking about Zoning, this is the last meeting of this quarter. Where is our Zoning person and where is Scott?

Manager Madden, our Zoning person has a family emergency, and Scott is ill.

James Adkins, why not wait for the last meeting to have them here? It's in the charter. Our streets are a mess. I asked this, what probably 5 months ago, off record, what's going on? Why are our sewer drains full of debris and trees growing out of them? I'll look into it. Not looked into it. I don't know where to start, don't know where to stop. Again, I'm the same way, I love this town, but it goes on deaf ears whenever we come up here and talk about. Again, the clock. It's not even here; I was hoping the clock would be here.

Council Member Adkins, I got a question. Do we have a Bobcat?

Manager Madden, do we have a Bobcat? I believe so, yeah.

Council Member Adkins, do we have a broom that goes onto the Bobcat?

Manager Madden, no.

Council Member Adkins, can we look at being able to get one, so we can attach that to be able to clean the streets right there in order to get the debris because the sewers on Main Street is full.

Manager Madden, they've been cleaning catch basins throughout town.

Council Member Adkins, well they need to hit Main Street because it hasn't been cleared out in a year.

Manager Madden, they were cleaning Route 2. They had continued cleaning Route 2 this last time. This looks like Route 2 down toward Speedway. You're probably Route 9.

Theresa Cooper, 443 Hazelhurst, I just have a question. I understand that contracts are negotiated by you all and agreed by you all, but the police wanted a very, very large pill for us to swallow, and I believe that it would be a great recommendation that it would go on the ballot in November for the whole Village of New Lebanon to decide. You're asking us to share our Police Department with Perry Township. I appreciate you, Perry Township. You know why, they stopped me. Down Little Richmond Road and I appreciated that officer. He was kind, courteous, did a great job, did not give me a ticket. I was very

appreciative of that. But I think that for us to take over Perry Township as patrol and this amount of money. If they can't make it on the \$677,000, how are we going to be able to do it? I understand that there's different things, but you're talking about hiring four officers and no, that was not in the original press release that we have. I read that. And now we want to hire four, which means there is another four that we will be incurring unemployment costs for, which is an expense. We are also, I noticed and one of those is that Perry Township, they were talking about building a new building if they didn't have a Police Department. So, if they can build a new – it's in there somewhere. If they can build a new building, then I'm sorry, they can take care of their Police Department. They can take care of their services, and we're just fine. I'm just so totally not sold on the Village of New Lebanon taking over Perry Township patrol and know that we probably could. But I also know if something really bad happened in this town, and all of our officers were needed and something happened in Perry Township, one of them is going to get lost. And I'm hoping it wouldn't be New Lebanon. I appreciate this town – been here for six years now. I chose to live here because – I came from California – and I chose to live here because of the work that was being done and paying off; the fire department, this building, and a courthouse because you all were paid off early. And that's one of the reasons. Oh, and how do we get a copy of the financial. I noticed that it's in here for approval. How do I get a copy of that report?

Manager Madden, I'll put that down as a public request.

Theresa Cooper, Thank you very much. I appreciate it. I think that's all I have for right now.

Bill Johnston, 222 2<sup>nd</sup> Avenue, Nashville, TN, I'm here for the Dollar General. That was approved?

Mayor Arriola, yes, sir.

Shannon Bemis, 130 Bronwood Street, well, I wanted to go one way with my talk tonight, but I'm gonna go another way, I guess. I appreciate you extending our time to five minutes. That's great; gives us a little more time. So, I submitted my letter of interest for the Charter Review Board. I would appreciate your consideration. I had a nice two hour sit down with Hensley and Glenna this week, and they can see that I'm able to behave and can have a normal conversation, so I'd appreciate your consideration for that. And then I really don't have much to say about Perry Township because there's just so much that's just been kind of floating around there, so I don't have a lot to say. The only thing that I can suggest is that whether this goes forward or not, it was recommended by Perry Township residents. And I said I would recommend it on my side, would be if the Perry Township stay how they are having some type of a committee on both sides, just a few people on each side, maybe even a Council member, and to maybe mediate any issues – because we know that there's issues between the two departments – so maybe that would alleviate, because you can't have angst between police officers, especially when they're, you know, mutual aid departments. So that's just something that was brought there. As far as, appreciating you guys. I've been coming here since 2018, and we've had really good times and we've had some bad times. Carol, you have not liked me on days and then you come up and thank me for things that I've said after a meeting. Glenna, we hugged after the last Perry Township meeting. So, this isn't a personal thing about you guys, I hope you understand that, and I want to explain to some of the new faces that I've never seen at the meeting since I've been coming here since 2018. That the reason I started coming here was there was a Parks & Rec levy that was proposed to go through and at that time, it was gonna cost us hundreds of thousands of dollars a year. Well, then I have police officers, firefighters, service department workers – that, yes, still work here – sending me pictures of conditions where they had to sleep at the firehouse, on the couch. Service workers who said we're tired doing Parks and Rec little projects, we can't do road department things. George Rickett. He was here for how long? 15 years I think it was 20 years, and he left here as a part-time Fire Captain making \$15.00 an hour. We had firefighters getting starting wage at



\$10.00 an hour. We had police coming in at \$15.00 an hour. The officers and the community, I mean, speaking from who I speak with had a problem with that. Council had a problem with that and we worked and spoke to rectify that. It was more important to have public safety come before Parks and Rec.

Mayor Arriola, and we put that on a ballot. We put the fire, and we put the police.

Shannon Bemis, if you would let me finish. I'm explaining why we started here. Because there was a Facebook post that people aren't being appreciated and we're not advocating for people. And what got me here and still standing here today was there's officers, firefighters, police officers, and service workers that were not happy with the way that things were being done in town. And we had a Fire Chief that was making two full time salaries. You guys got rid of your volunteer firefighter stipend, but then the ex-fire chief was getting paid the volunteer firefighter stipend still. So, the reason why we came here was to advocate for these people. I have written letters of praise for officers. You can check Jenkins, Goad, I've gone to you about Chris Eds. He came to my house on a medic call. So, thanks have been given. I've given shout outs on Facebook for potholes, leaves – that still are not done – but I still give credit where credit is due. But there's a lot of dysfunctions in this Council. When I started coming here, every one of you council members at some point had said I had no idea. And you guys all agreed that we would have more communication and more accountability and more transparency, and for a while we were getting there. And I don't know what this latest is, how you know people are being attacked or whatever I don't know about that. But when we have a fund accounting system for the village and you're allocating funds, like I said, you have to allocate wages. We know fire goes to fire. I don't think fire is going to work out in the parks.

#### Administrative staff comments

Police Chief, Officer Weir and I, along the Fire Department, participated with the 4th grade and Nurse Chelsea over the last two weeks, teaching CPR to the 4th graders. Really positive experience, and we probably have some paramedics in training over there at Dixie. The other incident I wanted to bring up, so that everyone is aware – and I've already contacted Doctor Williams and he's kept the building Principals aware of this as well – but today, southwest Ohio experienced a large number of swatting incidents in which active shooters were reported at several schools. In fact, one of our officers was driving through Dayton, as one was called in, and she assisted the Dayton Police Department on what ended up being a hoax. But I wanted to be aware and in case anyone reads about it somewhere out there on the news, whether it's on social media, swatting has taken place. The suspect has been identified. So, at this point I just, like I said, want everyone to be aware of this.

Council Member Adkins, I've got a couple questions, but it is about the Perry Township Police. These are some of the questions that's been asked of me and some of them that I have personally. How is this going to effect when we're with Jackson – we help Jackson Township too. And then with Perry township – we work with two square miles, a population of 400 residents and Perry Township is 36 square miles. Roughly 6,000 residents. We are looking for a major significant increase up to 12. So, you're saying that you're going to have four now cop cars that's going to be at Perry Township at all times and not coming to New Lebanon for parts?

Police Chief, no, that's not at all what it says. And by the way, the press release that you have right here explains all that. But in summary, though, no, we would have one dedicated car for Perry Township. We would have one dedicated car for New Lebanon. And it's ideal and what we hope to be able to do and it appears certainly doable within the budget constraints. Generally, there would be a second officer out for at least 20 hours of the day, which would act as a coverall, so that if the Perry Township car had an

emergency or something that was urgent, that car would be able to respond. And again, we do have mutual aid agreements with other agencies. So, if you have a Perry Township car that's up near Westbrook and they need help – certainly if we have a coverall or a New Lebanon officer down here – they're not going to be able to make it as quickly as Clay Township or as quickly as Brookville. So, we do still have mutual aid agreements with every agency here in Montgomery County. But additionally, I should also point out that there is really no change with Jackson Township. Jackson Township operates on mutual aid with us and routinely assists us with calls.

Council Member Adkins, okay, and do you have the number of how many times that New Lebanon had helped Perry Township out on the call and vice versa? Just like estimation, it doesn't have to be exact and how many times Perry Township actually had to help New Lebanon and vice versa.

Police Chief, I don't have those numbers and I don't even know how easy it would be to find them, but if you give me a time frame that you're looking for.

Council Member Adkins, like in the last 90 days.

Police Chief, so, you want in the last 90 days, how many times we have been required to assist Perry County and vice versa? I can check on it and see if that information can be pulled through either the regional dispatch center or the Englewood Dispatch Center.

Council Member Adkins, now in the budget that you guys looked at, if you did not hire Perry Township employees, the police officers, we're then going to have to pay that unemployment. Has that been a consideration, even say, how many officers does Perry Council have?

Police Chief, OK, so unemployment is a consideration. It is something that has been discussed and looked at. However, there are a lot of factors there. And honestly, I'm not an expert in unemployment, but I can tell you there's a calculation for how it would be applied, how long someone was employed, how much money they made during that time frame but we have looked at what the maximum could be and to answer your question, they have 5 full-time officers, according to the information we have, they have 3 part-time officers. We took the maximum that it could be if everyone were to get unemployment and if everyone were to get unemployment for the maximum amount of time and that's one year, according to the research I've done.

Council Member Adkins, and then does New Lebanon plan of doing any tax increases like in the next 10 years if we took on Perry Township? I know they have the Police Levy, is it an ongoing levy or is it a levy that is going to max out at a certain amount of time?

Police Chief, the information that I have all levies overtime draw less money is the understanding I have of it, but I am not an expert on that. I am told that these are continuing levies. And with regard to whether or not there would be any planned tax increases, I don't make those decisions. But I can tell you that I looked at it, and I don't see a need for any additional taxes on either side for quite some time. I mean, I don't know if it would be 10 years or if it would be 8 years or 15 years. I mean, it really just depends on how responsible we are with the money that we're given. And quite frankly, based upon the numbers that I have from Perry Township, because of our existing staff because of our existing infrastructure, we are able to do it at a more economical rate than they are and pay better wages.

Council Member Adkins, and so we will get, if we took over Perry Township Police Department, we will get their cars and everything. So, you don't look at that, we're going to have to buy new vehicles or anything?

Police Chief, well I can't say what a final contract would be because it hasn't been negotiated. They have their proposal from us telling what we believe what we'll be able to offer. From there, a proposed contract was sent over, but that's certainly not by any means a finalized document. It's a living document. They would want to have their legal counsel go over it. Then they would probably want to send it back and have our legal counsel go over. I mean, contracts really go on like this for quite some time. And again, at this point, and we addressed this I think in one of the press releases, but I don't know that they don't have other options, that they're not looking at other options. This is merely a proposal and a proposed contract sent to them. It could go through and it may not – that is really up to Perry Township. They know that, at this point, to take the next step. However, to allay any fears that the public might have is that no one can make a decision on this contract to sign it without the consent and vote of the Council. The Council must be presented the final information on this and have all of the information and then be able to make an informed decision on what they wish to do.

Council Member Adkins, and then, this is another thing actually – it was all over Facebook too – have you heard of anything that New Lebanon is planning to annex Perry Township because the residents, there was about 6,000 residents and then they would end up getting the one percent that they would have to pay to New Lebanon if we annex them.

Manager Madden, no one's talking about annexations. Annexations have to be agreed upon by all parties and by everyone involved. We can't just come in and annex an area without consent and without everybody being a part of it.

Police Chief, I have no plans, I have not asked anyone to annex Perry Township. Additionally, I'm not in any attempt to take over Perry Township. This is simply a proposal because they're having financial difficulties. So again, this may have been addressed with other departments too, including the Sheriff's office. I don't know. You know it's not as if we've decided we want to go out and we want to take people's jobs and we want to take their funds. This is simply a response to a question.

Council Member Adkins, now are there pros or cons that we can see about taking, if we over Perry Township Police Department, something that you see that might be not as good and something that would be good for New Lebanon?

Police Chief, that's every situation that you encounter in life. In my estimation, however, the only reason I entertained even doing the proposal for them is because I found things that were mutually beneficial and those greatly outweigh any of the negatives on that.

Council Member Adkins, and so you don't think this will affect any service of the police in New Lebanon if we took over Perry Township Police Department?

Police Chief, I do not.

Mayor Arriola, one other thing, you mentioned taxes going up possibly in New Lebanon – the only way taxes would go up in New Lebanon is if the people vote for a police levy, that's the only way and the last time they voted again. And there's no way we can give the police more money without the public voting.

Council Member Adkins, a lot of people in the community, a lot of them, might vote that. I'm just looking at long term. Is there going to be a levy that we might be looking at.

Fire Chief, just a couple things. First, tomorrow is a statewide severe weather test for the whole state and usually that's conducted on the first Monday of the month, so it's a little odd for it to occur in the middle of the week, but the sirens will go off tomorrow for statewide testing. The second thing I have is just

everyone keep in mind that every spring and every fall for three months in the spring and two months in the fall, there's a statewide open burn ban that is in effect through the OD&R and through the state Fire Markets Office. And that's March, April, and May in the spring. And in the unincorporated areas, you cannot open burn from 6:00 AM to 6:00 PM. And we have already responded in the last couple weeks on several fires that have been the direct result of the spring, empty fields with no crops in them and the wind. One of them was even the result of someone just dumping their fire ashes in their yards, and the wind was enough to carry them and burn a corn stubble field. So, I would encourage, even though it's only for unincorporated areas, the ban is, I would encourage everyone to keep in mind that part of that is because of the weather conditions in the spring. And if you're going to have rec fires that fall within the guidelines that are on the website and come straight from the Fire Marshall's office within the Village that you'd be mindful of the weather conditions, of the wind. Because there's just as big of a risk in town of maybe not necessarily catching someone's empty field or their corn field on fire or their barn on fire, but a neighbor's property or your own yard. or we do have some fields that that butt up to the incorporated areas. So, I would just encourage people to keep the weather conditions in mind if you are having fires right now.

Council Member Joy, what time is that test?

Fire Chief, usually it's at noon. They didn't give us the time when dispatch sent it out to remind everybody, but typically it's at noon.

Zoning and Compliance Officer, nothing tonight.

Chief Financial Officer, I have the report.

Motion to adopt the February 2023 financial report, by Council Member Sands, seconded by Council Member Macmann

Roll Call:

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

7 yes 0 no motion carries.

Service department Superintendent, just a follow up, the water report – I think Mr. Farley addressed it earlier – the '22 water report isn't due until June of this year. So, it will go out at that point. So, the '22 water report hasn't been done yet. All of our water sampling is within EPA guidelines. And our water treatment plant does have a generator; it goes off every Wednesday at 10:00 AM, and it is serviced biannually by Buckeye Power System.

Questions for Manager

Council Member Adkins, the school light that's on 35, the red light, it needs to be fixed. It looks like the wind hit it. And then the walking path, have you got an estimate on the section that we've got that you forgot to include in last year when we done the walking path?

Manager Madden, I have an estimate from last year, but I'll have to check to see if it's still good.

Council Member Adkins, and do you have a time frame for when you plan to have that done?

Manager Madden, I do not. I think we talked about this a while back too. Mr. Stupp has not gotten back to me.

Council Member Adkins, and then the dog waste stations, I see those in the back, do you know when we're going to put them in the parks?

Manager Madden, I imagine once the weather gets better, they'll put them in.

Council Member Adkins, And I've actually had a couple people requested about the trash cans. They said that the ones you've been putting in the parks is blowing and they've been requesting if we could get permanent stable trash cans like what we have at the other parks.

Manager Madden, and that was brought up at the last meeting, and the suggestion was that it would be brought up at Park Board for them to discuss.

Council Member Adkins, and I know I've made a comment about this before, the water meters, we were supposed to be getting a company to help.

Manager Madden, yeah, we don't have a company that is doing it. I believe that it's on your report how many are going in each time.

Council Member Adkins, are we still looking for another company to install the water meters?

Manager Madden, we're still looking, but nothing is out there right now.

Council Member comments:

Council Member Joy, I appreciate you all coming. I mean, you know, some of the things that you guys are saying is obviously a concern. And I recognize that you're concerned. I also recognize that this is an important part of living in this country is that we do have the right to address your grievance, and I appreciate you guys coming and doing that. There was a couple things that was stated in some of the past meetings. I've been on travel for work, and I haven't been able to be here. But there's a couple comments that was made, one was about the 5G towers, and I have also read some of those reports. I'm not an engineer. I'm not a scientist. I do work with engineers and scientists, and I can tell you that – I haven't talked to them about 5G – I have talked to them about 2G, 3G, 4G, microwave, things like that, because they are microwave engineers. And I do know people who don't have microwaves in their house and won't use the microwave. And the comments that they made to me is that if you are carrying one of these and you're putting it up to your ear, you are getting the same as being near the tower. And the same with a microwave. If you have a microwave in your home, you're getting radiated or you're radiating your food. And if you don't have one in your house, if you go out to eat, there's a good chance that they're microwaving that food as well. So, I appreciate your concern, I feel the same way about some of the things, and I'm not sure that the 5G on the water tower is a concern, based on the research or the people that I spoke with. And for the water, I also appreciate your concerns. I also have issues with water. Very sensitive skin. I travel a lot in my work. I've traveled all over the world and I can tell you water is a resource that we are not respecting as a civilization. When I first came to this town, we tested our water, and we had about 350 to 400 parts per billion coming out of our tap. At that point, we went out and we got a whole house filter. And we took that 350 to 400 and we got it down to 30. And since then, we put in an RO system and we got it down to like 10. I will tell you that on the conversations that I've had with

everybody, the infrastructure really needs to be upgraded. And we can put as much filtration as we want, but I think that, coming through the pipes, could still have particulates in the water here. And I don't think anybody here is going to pay the price to make it come out zero.

Council Member Macmann, I have nothing.

Council Member Perkins, was it Perry Township that came to us or did we go to Perry Township?

Police Chief, that is also addressed in the press release. I can summarize that fairly easily. The answer is neither. So, I did address some of the concerns that I and some area Chiefs have had with some of the actions taken by the Perry Township Police Department. I shared those with the Municipal Manager, and I was told that I could reach out to the Trustees of Perry Township. I did that through an intermediary, and I said if they have any questions about the problems we're having, please have them give us a call. I did receive a call from one of them. That's what that call was about. During that call though, I was informed of some of the problems that they're having with their own police department. And that's how the question was asked, you know, do I believe that they can do it with the funding that they've received. I said, I really don't know at this time, I would need the numbers to give you that. At that time, I was told to go ahead and reach out to their fiscal officer to get those numbers. Spoke with their fiscal officer, I got those numbers and then I ran the numbers. From there, I made contact with the Trustees, said after having reviewed this, I don't think it can be done the way you want it. I was asked if we could, I said I believe we could. Then provide us a proposal. I spoke with the Municipal Manager and said should I do a proposal for them? So, I was given consent to do that and did that.

Council member Adkins, I would just like to thank everybody for coming out here tonight.

Council Member Sands, I want to thank everyone for coming out too. I've been in this Village since 2002, and does this Village have issues? Yes, but we are moving forward slowly. I hear your concerns, but I don't think the issues are as bad as you all are saying.

Vice-Mayor Loch, thank you for everybody coming out. We do like to hear your concerns. I like to see that there's new faces out here as well. Thank you for coming.

Mayor Arriola, I'd like to thank everybody for coming. Thank you for your concerns. There are so many things that we do – that we would like to do – that takes a lot of money. And I was talking to a friend of mine over in Miamisburg. And they put in a whole citywide water softener system, and it cost them millions of dollars. And he was telling me his water bills sky-high. We either do that or try to raise taxes, and that has to be passed by the citizens. I don't think you all would want to do that, but we can always put it on the ballot and see if we can raise that kind of money from everyone here in this small community. And then the infrastructure for each home, the older homes, they would have to replace all your pipes because I'm sure a lot of homes have a lot of old limescale in their home. My parents' old home, my brother is taking over, he's completely redoing all the plumbing in it because I had to get my mom a filter because she couldn't drink that water anymore. But it's a lot of money for it.

Motion to go into an execution session, pursuant to the Ohio Revised Code §121.22 (G) (1), (2), (3), (5) to discuss personnel matters and legal matters, by Vice Mayor Loch, seconded by Council Member Joy.

Roll Call:

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

7 yes 0 no motion carries.

Reminder given by Mayor; no additional business will take place when we return from executive session.

Motion to return from executive session by Council Member Perkins seconded by Council Member Adkins.

Roll Call:

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

7 yes 0 no motion carries.

Motion to adjourn by Council Member Macmann. Seconded by Council Member Perkins.


Roll Call:

Council Member Sands	yes
Council Member Joy	yes
Mayor Arriola	yes
Council Member <u>Manmann</u>	yes
Council Member Perkins	yes
Council Member Adkins	yes
Vice-Mayor Loch	yes

7 yes 0 no motion carries.

Meeting adjourned at 9:15pm by Mayor Arriola.

Approved:

  
 \_\_\_\_\_  
 Mayor 4/4/2023  
Date

  
 \_\_\_\_\_  
 CFO/Clerk of Council 4/4/23  
Date