



MUNICIPALITY OF NEW LEBANON

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MEMORANDUM

To: Mayor Nickerson and Village Council Members

From: Bill Draugelis, Village Manager

Re: Council Update

Date: March 28, 2025

Here are some updates on your agenda for Tuesday night's meeting:

- **Ordinance 2025-02 - (Second Reading & Public Hearing) AN ORDINANCE REPEALING SECTIONS 36.20-36.34 OF THE VILLAGE OF NEW LEBANON CODIFIED ORDINANCES, TITLED "MUNICIPAL FINANCE AND TAXATION" AND ADOPTING THE PROPOSED LANGUAGE ATTACHED HERETO TO COMPLY WITH THE CHANGES ENUMERATED IN OHIO HOUSE BILL 33.** The Regional Income Tax Agency (RITA) requires the Village to adopt RITA's model income tax ordinance before they begin to administer the Village's income tax collections. The ordinance presented for the second reading and public hearing at this meeting is RITA's model ordinance adjusted for items unique to New Lebanon.

Municipal income tax codes in Ohio must comply with Ohio Revised Code Chapter 718 and, as such, there is a great deal of uniformity in municipal income tax ordinances throughout the state. A benefit to the process of adopting the RITA model is that the Village can benefit from RITA's expertise and ongoing efforts to ensure that their municipal clients' tax codes comply with current Ohio law.

The adoption of this ordinance would not make any substantive changes to the Village's tax code. For instance, key elements such as the rate, the policy on credits, and the allocation of tax proceeds will not change. Any changes would be relatively minor and only if necessary to comply with current state law.

The Village's law director is currently reviewing the proposed ordinance in detail. If they determine if any changes are necessary, those will be brought forward before the ordinance is presented for adoption.

- **Resolution 2025-13 – A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE REQUIRED LIQUOR LICENSE TO ALLOW BEER SALES AT A DAY AT THE PARK.**

- **Resolution 2025-14 - A RESOLUTION AUTHORIZING THE TEMPORARY WAIVER OF BUSINESS PERMIT FEES FOR AUGUST 9, 2025, AT A DAY AT THE PARK.**

Other items of interest

- We have multiple vacancies on multiple boards and commissions. We only received one letter of interest from Shannon Bemis for the Planning Commission and the Board of Zoning Appeals. Mrs. Bemis resigned from the Board of Tax Appeals and Personnel Appeals Board since becoming an employee. We will still have a vacancy on the Board of Tax Appeals, Personnel Appeals Board, and two positions on the Parks and Recreation Board. The posting for these vacant positions will remain on our website.
- The N.L.Y.A. contract has been negotiated and signed.
- We welcomed Vicki Shuler as a part-time tax clerk. Vicki will be working in the tax department as a local presence and helping in the payroll and utility department as well.

Have a great weekend!

**MUNICIPALITY OF NEW LEBANON,
REGULAR COUNCIL MEETING
April 1, 2025, 7:30 PM**

- I. Call to Order
- II. Invocation/Pledge of Allegiance
- III. Verbal Roll Call of Council Members Present for the Record
- IV. Approval of Minutes
 - A. March 18, 2025, Regular Council Meeting
- V. Unfinished Business
 - A. **ORDINANCE 2025-02 - (Second Reading & Public Hearing) AN ORDINANCE REPEALING SECTIONS 36.20-36.34 OF THE VILLAGE OF NEW LEBANON CODIFIED ORDINANCES, TITLED “MUNICIPAL FINANCE AND TAXATION” AND ADOPTING THE PROPOSED LANGUAGE ATTACHED HERETO TO COMPLY WITH THE CHANGES ENUMERATED IN OHIO HOUSE BILL 33.**
 - B. Appointment to Boards and Commissions
 - I. Appoint Shannon Bemis to the Planning Commission and the Board of Zoning Appeals.
- VI. New Business
 - A. **RESOLUTION 2025-13 - A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE REQUIRED LIQUOR LICENSE TO ALLOW BEER SALES AT A DAY AT THE PARK.**
 - B. **RESOLUTION 2025-14 - A RESOLUTION AUTHORIZING THE TEMPORARY WAIVER OF BUSINESS PERMIT FEES FOR AUGUST 9, 2025, AT A DAY AT THE PARK.**
- VII. Public Comments or Questions (limit 3 minutes per citizen. No donation of time.)
- VIII. Administrative Staff Comments
- IX. Municipal Manager’s Comments
- X. Council Members’ Comments (limit 5 minutes per Council Member)
- XI. Vice-Mayor’s Comments
- XII. Mayor’s Comments
- XIII. Request to be Added to the Agenda (limit 5 minutes per presentation)
- XIV. Adjournment

**MUNICIPALITY OF NEW LEBANON
REGULAR COUNCIL MEETING
March 18, 2025, at 7:30 p.m.**

The meeting was called to order at 7:30 p.m. by Mayor Nickerson. The invocation was given by Mayor Nickerson, followed by the Pledge of Allegiance.

Verbal Roll Call of Council Members Present for the Record

Council Members:

Timothy L. Back	Present
Charles Cooper	Present
Gale Joy	Present
Chris Sands	Present
Melissa Sexton	Present
Nicole Adkins	Present
David Nickerson	Present

Others Present:

Temporary Clerk of Council Keyser
Village Attorney Nate Rose
Interim Police Chief Wortman
Fire Chief Keyser
Service Director Dennis Easom

Attorney Nate Rose informed council they would have to appoint someone to be the temporary clerk of council due to the village manager's absence. Mr. Draugelis' mother is in poor health and her time is limited. Mr. Rose suggested appointing Chief Keyser since he has taken this on in the past.

Vice-Mayor Adkins motioned to appoint Chief Keyser as temporary clerk of council for purposes of this meeting. Council Member Back seconded the motion.

7 yes votes, 0 no vote, motion passes.

Citizen Award Presentation

Fire Chief Keyser presented the Citizen Award to Isaac Messenger. On 2/28/25 four-year-old Isaac noticed there was a fire at the South Clayton Apartments, alerted his mother, and she notified 911. Chief Keyser advised the damage could have been a lot worse and there were no injuries. Lori Bailey presented Isaac with a bike, thanking him for alerting his mother, which contributed to the limited damage to her building. Chief

Keyser presented Isaac with a Mickey Mouse fireman statue and a plaque making Isaac an honorary firefighter with the New Lebanon Fire Department. Council thanked Isaac as well.

Approval of Minutes

- Approval of the March 4, 2025, regular council meeting minutes.

Vice-Mayor Adkins made a motion to approve the minutes. Council Member Cooper seconded the motion.

6 yes votes, 1 no vote, minutes approved as presented.

Unfinished Business

Council Member Joy stated that there has been a charter violation for over a year and referenced section 30.01 H2, order of business. He called into question item E which is listed as “old” business stating for the last year our agenda has not been proper. Council Member Joy wanted to make a motion to change that back to “old” business and wanted to know why it was changed in the first place.

Mr. Rose clarified Council Member Joy’s issue being “old” business vs. “unfinished” business and Council Member Joy confirmed stating it changed when Mr. McNamee took over. Mr. Rose suggested he speak with Mr. McNamee. Council Member Joy disagreed and felt it is between council.

Mayor Nickerson asked council if they would like to discuss it, and Council Member Sexton asked Council Member Joy to read the section he was referring to and what the differences were. Council Member Joy stated that item six is “unfinished” business and in section 30.01 H2 it stated the order of business for the agenda lists them in order as call to order, invocation, pledge of allegiance, approval of minutes, old business, new business, public comments or questions, administrative staff comments, and continues. Council Member Joy stated at some point it changed and wanted to know why it changed.

Vice-Mayor Adkins stated when Gena was on, that council changed the order of business by moving public speakers to the end and if he wanted to go back then we needed to go back and let them speak beforehand too. She stated that would be another violation if what he is saying is a violation.

Mrs. Bemis discussed the charter section where it states how the agenda shall be organized and the order it is done. She stated there have been people added to the agenda or presentations made but that isn't listed in the charter section. Mrs. Bemis stated in January of 2024 council had a work session and council rearranged the order the meeting is to be conducted in and doesn't consider the two synonymous words as a violation, when in a work session, it was violated by completely changing the order of the way business should be conducted.

Mr. Rose questioned whether that section prescribes that the agenda has to say verbatim or is it the heart of it. He asked if anyone interpreted unfinished business to not mean old business on this council. Everyone said no except for Council Member Joy.

Mrs. Bemis stated the ordinance is the order of business and not the name. She also said that roll call is not listed in the ordinance, and they do that.

Council Member Joy stated in section 30.01 J1, Mr. McNamee said for rules of parliamentary procedure they follow Roberts Rule of Order where it states "unfinished" business but cannot conflict with this section and it is in conflict.

Council Member Back stated they should have a work session to address it all. Council Member Joy stated they needed to create a Charter Review Committee and Vice-Mayor Adkins agreed.

Council Member Sexton asked if he did not notice this before and he stated he did not.

Mayor Nickerson asked if everyone was good with scheduling a work session.

Council Member Joy brought up the January meeting where Dennis Easom was introduced as the service director, and it was stated he would run the service department. He thought originally it was a title change until the March 5th regular council meeting there were memos that were brought up where Darryl Sorrel was introduced as the newly promoted service department superintendent. He asked when the director's position was created, when was it budgeted, and when was the job posted.

Mr. Rose stated his understanding is that when he interviewed for the position with Mr. Anderson as superintendent, he was able to be a dual role being the operator of record for the water and wastewater plant as well. He said with the unique skill sets even if you had posted the position there would not have been any candidates that would have qualified.

Council Member Joy asked if it was posted, and Mr. Rose stated from his understanding no because it based on the skill set exceptions. Council Member Joy stated that it goes against hiring practices for government employees. Mr. Rose stated in certain instances it does. Council Member Joy stated it was never budgeted as a position. Mr. Rose stated it was budgeted between two positions. Council Member Joy asked how we fix it, and Mr. Rose said it could be amended.

Mrs. Bemis stated she spoke to the finance consultants, and they said we don't need to reappropriate any money because we have already budgeted \$115,000 for Derek Shell to be the operator of record stating Mr. Easom is making a significant amount less than that so it is budgeted for.

Council Member Joy stated that it wasn't posted, and everyone had a cow over the previous administration doing the exact same things, asking where Mrs. Bemis' outrage was.

Mrs. Bemis stated her outrage is put into passion into fixing things and the difference is what we do now is correct things instead of hiding things. She stated everyone needs to agree to move forward and fix these things and agreed with Council Member Joy if there is a problem then it needs to be fixed and addressed. Council Member Joy stated it is a double standard because these folks up here fired people.

Mayor Nickerson stated these folks did not fire anybody. He stated the attorney and acting village manager did that and that Council Member Joy has had this issue since January 3rd blaming council and they went under the guidance of the law director who has forty plus years of municipal law experience and an acting village manager that was selected to do this job. Mayor Nickerson stated the quicker he gets that out of his mind and move forward and get this fixed the better. Mayor Nickerson said Council Member Joy is hung up on what happened with the people that got terminated. Council Member Joy stated he is talking about semantics.

Council Member Back asked Council Member Joy who council disciplined? Council Member Joy referenced the administrative leave and Council Member Back stated it was paid.

Vice-Mayor Adkins stated it was brought to their attention that there needed to be an investigation, and the two choices were paid or unpaid leave. She stated they were on paid leave at home during the time of the investigation and no hardship or discipline taken. Vice-Mayor Adkins stated if there is an investigation, and you say no she thinks you are trying to hide something.

Council Member Cooper addressed Council Member Joy that he stated what the issue is and asked what he proposed is a remedy. Council Member Joy stated we have a position that was never posted or created and what do we do about it.

Mr. Rose said there may be instances where there may be a violation, for instance, say there are two council members that are up for election, they are here at the time, they put their name in the hat, and they are voted on. But someone else is outside of here saying well I would have run for council, but they weren't here to run for council because they didn't know about it. Mr. Rose questioned Council Member Joy if he wanted to post the position, he reapplies and because of his certifications he's going to get the position. Mr. Rose agreed it wasn't posted, but he was the only one qualified to do what this role is. Council Member Joy stated he isn't the only one that is qualified. Mr. Easom stated he is qualified and has twenty-five years at this. He stated he is not special this has just been his career path. Mr. Rose asked if all these operators of record are readily available then why were we paying \$114,000 a year for someone who's here three times a month. Council Member Joy stated he was there every day. Multiple council members stated no he was not. Mr. Rose stated if he could be here one or two days a week for \$9,000.00 a month he would be here, but not everyone has that skill set.

Vice-Mayor Adkins stated it sounds like he has a problem with Dennis and Council Member Joy stated he has a problem with double standards.

Council Member Sexton stated to Council Member Joy it could be Bob sitting there and you have an agenda and part of that is because your daughter got terminated and you have a personal interest in this, and you are going to die on hill. She stated that we are going to move forward so you can either jump ship or be on board with us. She stated this is ridiculous and Council Member Joy agreed with her.

Council Member Back stated he thinks it is silly to try to fix things that have been very clear wrongdoings. He stated he isn't going to blame just the former administration, and it probably goes back further than that and is just trying to move forward. He said "old" business versus "unfinished" business" is still dealing with the same business. He agrees with Council Member Joy about the posting and thought since he was familiar with it that he would have a remedy. He stated everyone should sit down moving forward to figure something out whatever it is. Council Member Back said we are wasting time hinder us on stupid stuff like this "unfinished" business or "old" business when there are more important things that need to be done. He stated he admired Council Member Joy for a long time and talked with him and now he sits up there and nitpicks on stuff and he really wants them to work together as a team to be able to put the village forth. He stated Council Member Joy is nitpicking about the word but doesn't

bring up the fact that they changed the order, and he was present for that. He stated let's move forward and work for the community.

Mayor Nickerson stated he has been taking notes and will make sure we have a discussion with the village manager, and we will move forward.

New Business

RESOLUTION 2025-12 - A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO AWARD AND ENTER INTO A CONTRACT WITH M&T EXCAVATING FOR THE BLOSSER STREET RECONSTRUCTION PHASE 4 PROJECT, IN THE AMOUNT OF \$440,446.00.

Council Member Sands asked if this was the same company that did the other three phases, and they are not.

Chief Keyser stated he was at the bid opening along with ChoiceOne and Dennis and this is a new contractor. He stated we had eight bids for this project and that's more bids than we've had in a very long time.

Mayor Nickerson asked who the last contractor was, and it was stated it was Coate.

Vice-Mayor Adkins' motion to approve was seconded by Council Member Sands.

Roll Call:

Council Member Sexton	Yes
Council Member Joy	Yes
Council Member Sands	Yes
Council Member Back	Yes
Mayor Nickerson	Yes
Vice-Mayor Adkins	Yes
Council Member Cooper	Yes

7 yes votes, 0 no votes, motion carries.

ORDINANCE 2025-02 - AN ORDINANCE REPEALING SECTIONS 36.20-36.34 OF THE VILLAGE OF NEW LEBANON CODIFIED ORDINANCES, TITLED "MUNICIPAL FINANCE AND TAXATION" AND ADOPTING THE PROPOSED LANGUAGE ATTACHED HERETO TO COMPLY WITH THE CHANGES ENUMERATED IN OHIO HOUSE BILL 33 (first reading).

Mayor Nickerson advised the second reading and public hearing for this ordinance will be at the April 1, 2025, regular council meeting.

Public Comments or Questions

Shannon Bemis, 130 Bronwood Street, stated she will back Council Member Joy on the "old" business vs. "unfinished" business but doesn't believe there was any malicious or poor intent on having "unfinished" vs. "old". She addressed Council Member Cooper stating he had the smartest question she'd heard in a decade when he asked for a recommendation or solution. Mrs. Bemis stated everyone is here elected to represent us and help make this community better. She stated if there is an issue with a charter violation that it can be addressed and fixed. Mrs. Bemis stated there is a big difference between "old" business and "unfinished" business and stealing money. She said she doesn't want to go backwards, but you can't even compare. Her recommendation as a taxpayer was for council to figure this out and this is a poor representation of council. She stated she wants council to disagree, debate, and have differing opinions and that is what she loves about democracy. Mrs. Bemis addressed Council Member Joy stating she does appreciate the fight because I will root for the underdog and respect that he has been so adamant in his stance, and feels council will work to correct an issue, but fighting a brick wall every meeting isn't working, and things have to change. Mrs. Bemis added it was great that the little boy was recognized at the meeting and how touching it was.

Tammy Loch, 212 Bronwood Street, she asked that each council member look to themselves since we are going forward, have a new administrator, and new positions have been filled. Referring to the comment about moving forward, we had a special investigation that was answered, and the law director did a few more things and asked that each council member does their own search and let's move forward looking for a new law director as well. She stated no disrespect, but with everything that has changed and is changing all of you, find your own opinion and talk it over and come up with a replacement since that part is over and we're not paying for a special investigation anymore.

Council Member Sexton stated she doesn't believe we are paying for a special investigation anymore but does agree with her.

Administrative Staff Comments

Service Director Easom stated they had a power outage at the wastewater plant where the basement flooded, and they were able to get that back under control. He stated it was all hands-on deck and that is what they spent most of the day Sunday working on. He stated they do have some issues with the electric down there and are moving forward with that. He stated they worked on water shut offs that day. Vice-Mayor Adkins asked if there was a generator. Mr. Easom stated there is a part on the generator that's not working, and he needs to get it approved by the village manager. Vice-Mayor Adkins asked how long it has been broken. Mr. Easom said from what he is told over a year. He stated if she wanted an exact time frame, he would have to contact Buckeye Electric because they are the ones that service all of that and there have been multiple quotes for that. Vice-Mayor Adkins asked how much the quote was, and Mr. Easom stated just over \$15,000.00. Council Member Joy stated he thought that was requested six or 8 months ago. Mayor Nickerson stated this is the first time he has heard about the generator. Vice-Mayor Adkins stated she was always told the generator worked fine. Mr. Easom said the generator works fine if you manually start it, it is the automatic PLC controller that didn't kick in and they are having issues with the alarm for it and why it did not call. Mayor Nickerson stated that is a concern and the generator at the water plant runs the pumps to keep the tower provided if we need water for a fire and if we can't have a generator failure. Mr. Easom said the one at the water plant is fine and appears to be newer. Mr. Easom said what happened at the sewer plant is random and not something that happens a lot, but it is good to have it there working when it is needed. Council Member Joy asked if the basement flooded with water or waste. Mr. Easom stated with influent which is wastewater and was a lot of rainwater from a lot of infiltration that we have. Council Member Joy clarified it is biowaste mixed with rainwater and that it was all cleaned up. Mr. Easom stated yes, and they got it all hosed down and pumped out. Council Member Joy asked if anyone wears masks. Mr. Easom said some do, but they do wear gloves and are safe. He said most if it is watered but they do have wading boots, gloves, and face protection if people want it.

Council Member Sexton asked about the roads that got brought up at the last meeting stating they were patched. Council Member Adkins said Rosetta was

one of them and has pictures. Council Member Sexton said none of them were patched and asked if any were done today. Mr. Easom stated they did water shut offs today and maintenance. Council Member Back questioned if they were told something was getting patched and wasn't. Vice-Mayor Adkins said at the last meeting she asked about Rosetta. Council Member Sands added Holderman. Vice-Mayor Adkins stated that Darryl and Kyle were in the audience, and they said they just did that day and the next day she got in touch with the client that reached out to her about the holes on Rosetta and he sent her back pictures that show it was not done. She apologized and told him she would bring it back up. Council Member Sands stated he kind of understands if they are short-handed anyway and have a lot of things to do in the village. Vice-Mayor Adkins stated we have the same amount. Council Member Back said his thing is they were actually told one thing and suggested work orders and time clocks. Vice-Mayor Adkins said they stated they couldn't get cold patch in the middle of winter, but they bought some in the winter and they are not closed in the winter months. Council Member Back stated he is friends with someone that owns a blacktop company, and they advised it is a waste of money to cold patch in the winter. Council Member Sexton stated she doesn't think she was talking about cold patch in the winter she's saying that it was stated in the last meeting that they couldn't get cold patch because they were closed, and they are not closed.

Fire Chief Keyser stated the sales rep on behalf of Alexis called him that day asking to borrow the new tanker to display it at the international show in Indianapolis at the beginning of April. He said it is a big honor and huge status symbol for a vendor to request a piece of equipment from a fire department to be on display to represent their company. He said it would not impact services, and we have another tanker, and this would be out of service for a week with the company moving it. He said they offered passes to any of the department members that wanted to attend the conference as part of their offer. Mayor Nickerson thinks it is great to show off one of our newest pieces of Frontline equipment with there being no impact on our services here. Council asked questions and Chief Keyser stated if there was any damage that the company would be responsible, they would pick it up on April 5th, and he would ask Bill for approval.

Interim Police Chief Wortman stated he got stats done that day and in February they had 996 dispatches which brings the total dispatches for the year to 1,488 and total reports for the year to 38. He is working on upfitting the new cruiser and getting the

cruiser cams installed in the old cruisers. He said there was money in the budget for it last year that was supposed to be carried over into the budget this year and that was not done. He said he had been talking with Tom about a solution and there is a question because the capital budget was not showing on his budget either and he is looking into that, but he did verify the money is there. He said he wants to start working on new projects for this year, but they only gave them operating expenses and no money to do any improvements. He said he has quotes and projects he wants to sit down with Bill and discuss doing this year.

Municipal Manager's Comments

JC Keyser stated he was going to reach out to the Ethics Commission to make sure department members receiving passes would not be an Ethics violation. He stated on Bill's first day he and Lieutenant Wortman met with him and took him to the court building and then to every piece of Municipal property in the village to show him around. He said they saw a veteran trying to load something into his car, so they stopped and helped. The sprinkler system and domestic water line at the court building has been fixed and is back online and a contractor is fixing the drywall inside the building that needs replaced.

Council Member Sands asked if anyone knew when the website would be up and running. Mrs. Bemis stated the migration should take about a week and when it is done, she was going to try to get each slide like a PowerPoint presentation or get a demo link to send to council to review any suggestions. Council Member Sands asked when the website would be live and if it could be added to our website about the new site coming. Mrs. Bemis said she would add it to the site, and they were hoping they could be up in April. Council Member Sands said he did find the video on YouTube and that it wasn't very difficult to find. Mrs. Bemis said she changed it on the website where now you just have to click the meeting video tab, and it will take you straight to the YouTube channel where the videos are posted. Tammy Loch asked if the last meeting was on YouTube. JC stated that by law they do not have to record meetings, that was not the intention, he said there were issues setting it up and Shannon was there with him. He said nobody was ever trained, just given instructions. He said he doesn't think the meeting he was acting manager in December is on YouTube either and doesn't know if there is something in the instructions that is incorrect or if it is operator error. He said if for some reason the meeting does record, they do have security cameras in this room record the meetings as well so there is a secondary means. Mayor Nickerson stated they had a problem with Microsoft this month and there was a problem with their emails and not receiving them.

Mayor Nickerson asked Gary Long if he had anything and about the home on Cain being demolished. (Gary was in audience and hard to hear) Believe he said trying to get the house on Cain and three others along with the car wash.

Council Members' Comments

Council Member Sexton said he saw Officer Townsend get out and help an elderly couple and was great to see hands on help and it isn't just about driving in a cruiser. He said the N.L.Y.A. is firing back up and you see kids and just showing presence.

Council Member Joy stated at the last meeting there were some memos that were mentioned that he requested and finds it odd in the 11th hour Mr. Anderson put forth wage increases for several people and finds it odd he promoted Darryl Sorrel to superintendent and passed over Lieutenant Wortman for chief of police when he applied for the position and has been working that position for over a year and plans to take that up with the new manager because they posted a chief position job on Friday and finds it hard to understand when you can't say he doesn't have the experience or have the loyalty to stay with it and keep the pd running. He said he wasn't happy that he was not able to interview or speak to any of the new manager candidates and the one that came in with a salary of \$105,000.00 and has no municipal manager experience. He said every time he brings items to the attention of council most of them are dismissed and he gets tired of doing the right thing and getting berated and bullied in the eyes of the public. He said there are violations and wrongdoings, and council looks at the charter to determine why we have charter violations.

Council Member Back thanked Chief Keyser and Wortman for their response with the fire and their duties that you have to take care of serving the community and put on the award for the young man.

Vice-Mayor's Comments

None

MAYOR'S COMMENTS

Thanked Wortman, JC, Shannon, and Lori for what you did for little Isaac and thinks it is amazing. He said who knows he could fight for his own community one day and that is how people start off doing things. Mayor Nickerson said it is great having Townsend back in the community and is nothing but a plus and he is just straight up. He said to Wortman his officers are present everywhere and he sees the blue lights and means they are enforcing the speed limit and that is real important. He said Tim called him yesterday upset about someone running a school bus stop sign when he was putting his young ones on, and the officers are out there doing their job. He thinks they are pretty much at full strength or close to it. Wortman said we're at five full-time and six part-timers and there were ten and five so we're working on it. He thanked the police for being out and keeping cars from speeding because it would be terrible for someone to get hit by a car.

Council Member Back added he was putting his youngest on the bus and a truck with a dump bed didn't even stop. He called David and called the police and Clarkston came out. He followed up with the school and got all the information. He said his son's bus had been hit before and thanked the officers

Request to be Added to the Agenda

None

Adjournment

Council Member Sexton motioned to adjourn, Council Member Back seconded.

Roll Call:

Mayor Nickerson	Yes
Council Member Joy	Yes
Vice-Mayor Adkins	Yes
Council Member Back	Yes
Council Member Cooper	Yes
Council Member Sands	Yes
Council Member Sexton	Yes

7 yes votes, 0 no votes, the motion passes and the meeting is adjourned.

Meeting adjourned at 8:55 p.m. by Mayor Nickerson.

Approved:

Mayor Nickerson

Date

Clerk of Council

Date

**VILLAGE OF NEW LEBANON
MONTGOMERY COUNTY, OHIO**

ORDINANCE NO: 2025-02

BY

MAYOR DAVID NICKERSON

AN ORDINANCE: AN ORDINANCE REPEALING SECTIONS 36.20-36.34 OF THE VILLAGE OF NEW LEBANON CODIFIED ORDINANCES, TITLED “MUNICIPAL FINANCE AND TAXATION” AND ADOPTING THE PROPOSED LANGUAGE ATTACHED HERETO TO COMPLY WITH THE CHANGES ENUMERATED IN OHIO HOUSE BILL 33.

WHEREAS, the Village has enacted portions of Chapter 36 of the Codified Ordinances of the Village of New Lebanon, which is titled “Income Tax,” which delineates the responsibility, authority, and imposition of the Village income tax; and

WHEREAS, the Village must repeal the relevant income tax portions of Chapter 36 to remain compliant with applicable Ohio laws and legislation, namely, House Bill 33; and

WHEREAS, the revisions must also be made in order to move forward with the Village’s contract with RITA in a timely manner; and

WHEREAS, the Village is authorized as a charter municipality to exercise all powers of local self-government; and

WHEREAS, the Village recommends repealing Sections 36.20-36.34 of Chapter 36 and replacing it with the language attached to this Ordinance.¹

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NEW LEBANON, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:

SECTION I Sections 36.20-36.34 of Chapter 36 are hereby repealed.

SECTION II The language attached hereto is hereby adopted to replace Sections 36.20-36.34 of Chapter 36 with the section numbers to be modified at a later date.

SECTION III All provisions of Chapter 36 not specifically amended herein shall remain the same.

SECTION IV It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in

¹ Due to the time sensitive nature of this Ordinance and to comply with RITA’s requirements, the section numbers will be modified at a later date.

an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION V That this Ordinance shall be in full force at the earliest date allowed by law.

READING 1: 3/18/25 READING 2: 4/1/25 READING 3: 4/15/25

PASSED this 15th day of April, 2025.

David Nickerson, Mayor

Attest:

Bill Draugelis Date
Acting Clerk of Council

CERTIFICATION

I, Bill Draugelis, Acting Clerk of Council for the Municipality of New Lebanon, Ohio do hereby certify that the foregoing is a true and correct copy of the Ordinance 2025-02 as passed by Council and approved by the Mayor and that the same has been published as required by Section 2.17 of the Charter of the Municipality of New Lebanon.

Bill Draugelis, Date: April 15, 2025
Village Manager/Acting Clerk of Council

2025 COUNCIL AND BOARDS

MAYOR

David Nickerson	MAYOR	(12-31-27)
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COUNCIL MEMBERS

Gale B. Joy	COUNCIL MEMBER	(12-31-27)
Melissa Sexton	COUNCIL MEMBER	(12-31-27)
Nicole L. Adkins	COUNCIL MEMBER	(12-31-25)
Charles Cooper	COUNCIL MEMBER	(12-31-25)
Christopher Sands	COUNCIL MEMBER	(12-31-25)
Timothy L. Back	COUNCIL MEMBER	(12-31-27)

PLANNING COMMISSION (Non-council serves 6 yr. Term)

David Nickerson	MAYOR	(12-31-27)
Gale B. Joy	COUNCIL MEMBER	(12-31-27)
VACANT	APPOINTED	(12-31-25)
George A. Markus	APPOINTED	(12-31-29)
George Rickett	APPOINTED	(12-31-27)

BOARD OF ZONING APPEALS (Non-Council serves 4 yr. Term)

Charles Cooper	COUNCIL MEMBER	(12-31-25)
Timothy L. Back	COUNCIL MEMBER	(12-31-27)
Melissa Sexton	COUNCIL MEMBER	(12-31-27)
Nicole Adkins	COUNCIL MEMBER	(12-31-25)
Christopher Sands	COUNCIL MEMBER	(12-31-25)
VACANT	APPOINTED	(12-31-25)
George A. Markus	APPOINTED	(12-31-26)

BOARD OF TAX APPEALS (3 yr. Term)

George A. Markus	APPOINTED	(12-31-27)
Natasha Farley	APPOINTED	(12-31-26)
VACANT	APPOINTED	(12-31-27)

PERSONNEL APPEALS BOARD (3 yr. Term)

George A. Markus	APPOINTED	(12-31-27)
Natasha Farley	APPOINTED	(12-31-26)
VACANT	APPOINTED	(12-31-27)

PARKS AND RECREATION BOARD (Non-Council serves 3 yr. Term)

Melissa Sexton	CHAIRMAN	(12-31-27)
Charles Cooper	COUNCIL MEMBER	(12-31-25)
Tina Caldwell	APPOINTED	(12-31-25)
Chris Landis	APPOINTED	(12-31-25)
VACANT	APPOINTED	(12-31-27)
Natasha Farley	APPOINTED	(12-31-25)
VACANT	APPOINTED	(12-31-25)

Boards

From SHANNON BEMIS [REDACTED]
Date Mon 12/30/2024 9:46 PM
To Rob Anderson <randerson@newlebanonoh.org>

Mr. Anderson,

I would appreciate consideration for a position on the Planning Commission and the Board of Zoning Appeals. Thank you!

Shannon

Sent from my iPhone

**VILLAGE OF NEW LEBANON
MONTGOMERY COUNTY, OHIO**

**RESOLUTION NO: 2025-13
BY
VICE-MAYOR ADKINS**

**A RESOLUTION: AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE
REQUIRED LIQUOR LICENSE TO ALLOW BEER SALES AT A DAY AT THE PARK.**

WHEREAS, as part of A Day at the Park, Council desires to allow for the sale of beer during the event; and

WHEREAS, the sale of alcohol at Don Rusk Park requires that the Village Manager submit and execute the required liquor license application; and

WHEREAS, Council seeks to authorize and direct the Village Manager to submit the required documentation to obtain the liquor license for A Day at the Park.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF
NEW LEBANON, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:**

SECTION I The Village Council hereby authorizes and directs the Village Manager to submit all required documentation to obtain the liquor license for A Day at the Park.

SECTION II It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION III That this Resolution shall take effect immediately upon adoption.

PASSED this 1st day of April 2025.

Nicole Adkins, Vice-Mayor

Attest:

Bill Draugelis
Acting Clerk of Council

Date:

**VILLAGE OF NEW LEBANON
MONTGOMERY COUNTY, OHIO**

**RESOLUTION NO: 2025-14
BY
VICE-MAYOR ADKINS**

A RESOLUTION: AUTHORIZING THE TEMPORARY WAIVER OF BUSINESS PERMIT FEES FOR AUGUST 9, 2025, AT A DAY AT THE PARK.

WHEREAS, encouraging the participation of businesses is proposed as a means of furthering the success of A Day at the Park; and

WHEREAS, Section 110.02 of the Code of General Ordinances of the Municipality of New Lebanon presently requires a permit to be obtained and a fee to be paid each time a business is operating; and

WHEREAS, the Municipality of New Lebanon Council is interested in helping to further the success of A Day at the Park.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEW LEBANON, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:

SECTION I That the Council of the Municipality of New Lebanon hereby waives the business permit fees for August 9, 2025, at A Day at the Park, encouraging business participation and furthering the success of this event.

SECTION II The effective date of this Resolution shall be from and after the earliest period allowed by law.

SECTION III That this Resolution shall take effect immediately upon adoption.

PASSED this 1st day of April 2025.

Nicole Adkins, Vice-Mayor

Attest:

Bill Draugelis
Acting Clerk of Council

Date: