

New Lebanon Regular Council Meeting, February 6, 2024, Meeting Minutes

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

Verbal Roll Call of Council Members:

Council Members:	
Timothy L. Back	Present
Gale B. Joy	Present
Lyndon Perkins	Present
Melissa Sexton	Present
Tammy Loch	Present
Nicole Adkins	Present
David Nickerson	Present

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

Approval of the January 16, 2024 regular meeting minutes.

7 I's and 0 no, minutes approved.

Approval of the January 25, 2024 special meeting minutes.

7 I's and 0 no, minutes approved.

Approval of the January 30, 2024 work session meeting minutes.

Council Member Sexton notes that she didn't see where they discussed being a city versus being a village.

Manager Madden stated we can adjust them.

7 I's and 0 no, minutes approved.

Presentation by Christopher Mackey of Big Brothers Big Sisters Miami Valley.

Christopher Mackey presented the Big Brothers Big Sisters program, gave his experience with the program, gave details about the application and training process, and noted that there are two Little Brothers looking to be matched with a Big Brother in the New Lebanon community.

Law Director comments, none.

Appointment to Municipal Boards. Request and Consideration to fill (1) vacancy on Parks and Recreation Board with the term ending 12/31/2026. Two letters of interest have been provided. One from Natasha Farley and one from Brittany Talley.

Council Member Loch asked if the applicants would come up to introduce themselves.

Natasha Farley shared that she's lived in the community for seven years, was on Charter Review Board, and has some ideas for Park Board.

Brittany Talley shared that she does a lot in the community, is involved in NLYA, the Chamber of Commerce, and the school, has lived in the community her whole life, and has a lot of ideas.

Nominations for Parks and Recreation Board.

Nomination for Brittany Talley by Council Member Loch, seconded by Council Member Joy.

Nomination for Natasha Farley by Council Member Sexton, seconded by Council Member Back.

Roll Call:

Council Member Joy	Talley
Council Member Loch	Talley
Council Member Perkins	Talley
Council Member Sexton	Farley
Vice Mayor Adkins	Farley
Mayor Nickerson	Farley
Council Member Back	Farley

4 Farley 3 Talley, Natasha Farley appointed.

Request and Consideration to fill (1) vacancy on Board of Tax Appeals with the term ending 12/31/2026. One letter of interest has been provided by Natasha Farley.

Council Member Joy questioned nominating Natasha Farley based on the comments that she's made about other members of the community and whether or not she could be unbiased.

Council Member Sexton and Back voiced that they would think the same of George Markus.

Motion to appoint Natasha Farley to Board of Tax Appeals by Vice Mayor Adkins, seconded by Council Member Sexton.

Roll Call:

Council Member Loch	No
Council Member Perkins	No
Council Member Sexton	Yes
Vice Mayor Adkins	Yes
Mayor Nickerson	Yes
Council Member Back	Yes
Council Member Joy	No

4 yes 3 no motion carries.

Mayoral Appointment to fill (1) vacancy on Personnel Appeals Board with the term ending 12/31/2026. Two letters of interest have been provided. One from Natasha Farley and one from Douglas Thompson.

Council Member Joy brought the same concern with Natasha, questioning if she could be unbiased based on comments that have been made about employees here.

Council Member Back asked if Mr. Thompson was here to speak?

Manager Madden answered he is not, but he provided his resume and letter of interest.

Mayor Nickerson stated that he does not know Mr. Thompson personally, but does know of him and does know his son. He stated that he's been coming here mostly since 2018 and has never seen Mr. Thompson partaking in a meeting. He noted that he has a great resume but has reservations that all of a sudden, he shows up wanting to do something, whereas Mrs. Farley has been here with positive and negative concerns and believes she wants to take care of the community. So based on the interest and qualifications, I, Mayor David Nickerson, appoint Natasha Farley to Personnel Appeals Board.

Manager Madden added that Doug was on Council from 2018 through 2021.

Mayor Nickerson reports that he never saw him.

Old Business.

Council Member Joy brought up the annexation that was discussed at the work session, stated it is not an eminent domain issue and that the owner of the property approached the Municipality to get it annexed in order to sell it to the developer, and believes that this would be in the best interest of the community. He brought up that because of the township and type of annexation that now has to be pursued, the potential residents who buy property in that development will be taxed twice.

Manager Madden added that the water and wastewater plant was brought to question regarding the development and reported that the wastewater plant is designed for 850,000 gallons per day and it usually runs 450,000 gallons per day and that the water plant, according to the EPA, has a threshold of one million gallons per day and it runs usually 490,000 gallons per day.

Council Member Back requested a copy of those numbers. He stated that he brought up eminent domain because the type 2 annexation and taking that from Jackson Township, which causes those potential people to have to pay property taxes to both. He believes that this situation is borderline eminent domain.

Law Director stated that this would not be eminent domain. Eminent domain is when a government agency acquires a title to a property to use for public use. Annexation is when a property owner asks to be annexed into the municipality – the government does not own the title. After it gets annexed, the owner can sell it, and the new owner can develop it and build roads and infrastructure.

Council Member Sexton asked the Law Director if the Village would automatically become a city once a population of 5,000 is reached?

Law Director stated that his understanding is that we would not automatically become a city.

Council Member Sexton stated that the matter of becoming a city would not go to council – it would only be the Manager signing off on the census, and Council does not get to vote on it.

Manager Madden responded that it would have to be petitioned by the census, but she would not do that without Council involvement.

Vice Mayor Adkins asked for the pros and cons of the annexation because she is in the middle.

Manager Madden responded that she thought they addressed it at the work session and asked if she wanted it in writing?

Vice Mayor Adkins answered yes.

Mayor Nickerson stated he drove through the community and noted issues in the community that need to be fixed. He believes that absorbing more houses and it becoming an HOA would mean the Service Department spending a lot of time over there and that the Village should be taking care of our community first. He mentioned issues with street signs being decrepit and issues with the streets.

Council Member Joy mentioned that the new development would have new infrastructure and new roads. He spoke on the community wanting homeowners and businesses to come in and businesses need homes and people to frequent their business, and there's an opportunity to have more homes. He further spoke on the recent businesses coming in and the community reaction around it.

Mayor Nickerson responded that he appreciated his comments but states that we don't know what the housing market will look like in the future. He mentioned that the community members he has talked to are not interested in the development and that he noticed 20 houses for sale. He touched on community members complaining about the roads.

Council Member Joy responded that the roads have been neglected for 50 years and added that the problem won't be solved without income coming in.

Council Member Perkins asked if the Village would get property taxes even if only two houses would get built.

Manager Madden stated correct, the developer would still pay property taxes to us.

Council Member Perkins shared his opinion that it would be good to have those property taxes and more New Lebanon children going to Dixie Schools.

Council Member Loch mentioned the property on Church Street that was going to be developed and asked if the New Lebanon community want no new homes in the area at all.

Mayor Nickerson answered that the people that he talked to, including people on his street – that borders the potential annexed property – notes that they are all against it.

Council Member Loch echoed that the Village still gets taxes on the property even if the developer only builds two homes and once they're sold the homeowners would pay those taxes, and asked if he's confident that he could take this on.

Manager Madden stated correct and that it would be similar to what they did on Clinchfield, and he is confident.

Council Member Sexton voiced that people are making it seem like if we have this new development, everything in town will be fixed. She further stated that the Village will have more

to take care of by adding the development and the income from it will be a small amount. She also mentioned a previous Village meeting and Jackson Township meeting with people speaking out against the development and spoke on people coming to the Village to stay away from busy areas.

Council Member Joy stated our interest is with New Lebanon, not Jackson Township.

Vice Mayor Adkins asked if there are only two houses in the development, would the other land be taxed less?

Manager Madden answered once a house is on the property then it will be higher value.

Council Member Back asked if Council Member Loch was suggesting that the added revenue would help with the road and other things in town.

Council Member Loch answered that it will help. She added that the degradation started a long time ago and should've been done years ago potentially before the previous manager. It will take a while, and we can do things to help.

Council Member Back spoke on there being positives and negatives and brought up concerns for this to be similar to Tarragon's issues. He mentioned that eventually those new roads will deteriorate and not wanting to add more onto the Village's plate.

Council Member Joy responded that the Manager said that the Village infrastructure is more than capable of handling it and the HOA will help take on responsibility.

Manager Madden asked Council Member Back if he's okay with developing the area off of Church Street but not this one because of the annexation.

Council Member Back answered he was using that property as a reference for the question of why the Village didn't pursue that first, but not saying the Village should've done that.

Vice Mayor Adkins asked if the electric grid would be able to handle it.

Manager Madden answered that would be on the electric company and she would assume they can and that the developer would check with that.

Council Member Perkins commented that if people want things to stay the same, there won't be any progress.

Manager Madden asked if everyone is against the annexation?

Council Member Loch stated that Vice Mayor Adkins wanted pros and cons.

Council Member Back stated that he asked for the paperwork, and he wants more information before they make this big decision.

Vice Mayor Adkins asked the Manager if she got the answer for if the Service Superintendent took the water license test.

Manager Madden stated that he has not.

Vice Mayor Adkins asked who has their CDL on the Service Department and who is supposed to get it within the year.

Manager Madden stated that she'd get it to her and there isn't anyone who is supposed to get it within the year.

Council Member Sexton asked about the Elected Official Training and if it's considered a quorum if they go together.

Manager Madden answered she'd suggest not riding together, not talk business, and sit separate from each other.

Council Member Sexton asked when the website will be updated.

Manager Madden stated that she doesn't know because it's not high on her list.

Vice Mayor Adkins stated that her and Council Member Loch's picture are not on the website, that there are two different dates for the Electric Aggregate Meeting, and asked the agenda be posted sooner when Council gets their agenda.

Manager Madden stated she cannot guarantee when Council gets their agenda, it's usually Saturday or Sunday, and she tries to take off weekends. We don't post the agenda on the website until Council gets their packet in case there are corrections, so that's why it doesn't get posted until Monday.

Council Member Sexton asked for the qualifications of the Oakwood Mayor.

Manager Madden stated she doesn't have the qualifications but she can say that the Oakwood City Manager has sat on the 9-1-1 Program Review Committee for ten years and can advise the Mayor on the program. This seat would be the Municipalities' representation on that board, and this process is going quickly because the committee has a meeting coming up in order to come up with a new plan.

Council Member Sexton brought up the lights on Access Road still being off.

Manager Madden stated that the Village is still working on that. An electric company came out to look at it and they did not want to touch it. The problem is finding where the short is and find a bigger electric company.

Council Member Sexton mentioned that she spoke with the CAS center and hadn't heard anything in a while and were wondering about a timeline.

Manager Madden stated that the Village will be getting a company between now and next week, depending on their schedule.

Council Member Sexton asked about Council taking a walkthrough of the courthouse tonight.

Manager Madden answered she will have to schedule Council on different dates so there's not a quorum.

Council Member Perkins inquired about updates regarding the salt barn.

Manager Madden stated that it is a galvanized steel barn that should last 50 years and will have three concrete bays put in; it will be used for salt and aggregate and may be used for mulch.

Council Member Perkins asked about the concern over junk cars.

Manager Madden answered that those are cars we have gotten free through the DOD and they will be sold.

Vice Mayor Adkins asked about the salt barn openings not being big enough for a truck.

Manager Madden answered the trucks aren't going in it, the Bobcats would be.

Council Member Perkins asked about the Service Department having CDLs.

Manager Madden answered some do, some don't, but if they're driving the big trucks and equipment they do.

Council Member Back asked if the plans for the courthouse would be to put in a BMV, community center, and police station, and there's roughly \$500,000 set aside for that?

Manager Madden answered that is the plan and yes.

Council Member Back suggested that the police station moving should be voted on by the people and asked if the Manager reached out to the YMCA.

Manager Madden stated that the Village reached out to the YMCA before and they wanted \$80,000 just to do a feasibility study.

Council Member Back voiced concerns over upkeep costs for the Village.

Manager Madden stated she can see what else we can do with the building.

Council Member Loch mentioned that a fitness center and other things would be going in.

Manager Madden answered that's what is being looked into.

Council Member Back brought up concerns about costs adding up, like insurance, maintenance, blacktopping, roofing, and reiterates having the YMCA have the building.

Council Member Joy stated that having the YMCA would cost more than the Village owning it.

Council Member Back reiterated insurance and upkeep costs.

Council Member Joy brought up the YMCA membership costs.

Vice Mayor Adkins talked on YMCA income assistance membership costs and the Village having membership costs.

Council Member Loch brought up having to travel to other communities to do things and the potential to have things for the community within the Village.

Council Member Perkins asked about where the police press release was posted.

Manager Madden answered it went out on the Police's Facebook page.

Council Member Joy brought up the last council meeting about the Council having not read the Manager's contract; he stated that Council did go through the contract, negotiated, and approved it in executive session. He shared that he thinks the Manager is doing a good job.

Vice Mayor Adkins added that it was read and negotiated the night the resolution was voted on.

Council Member Joy stated that the resolution was to negotiate the contract.

Vice Mayor Loch stated that the resolution was to extend the contract.

Manager Madden stated the resolution was to negotiate and sign the contract.

Council Member Joy brought up that at a previous meeting someone mentioned dropping the charges on Josh Farley and he stated that it is public record that he has five offenses and we cannot drop them. He brought up having order at the meeting, shared that the Mayor has done a good job, and some members of the gallery are making it difficult for some members of the community to hear the meetings. He also brought up that the Ohio Revised Code addresses whistleblowers, and if someone knows of a safety, legal, or ethical issue, and they don't address it, he reported that they are themselves unethical. He brought up someone mentioning the Village police department being too large; he noted that he understands, but Council gets monthly reports from police and fire and remarked that people might be surprised at how much work they do.

New Business.

Resolution 2024-02 – a resolution appointing Mayor William D. Duncan to the Montgomery County 9-1-1 Program Review Committee pursuant to Ohio Revised Code Section 128.06(A)(5).

Public Comments regarding this resolution.

Shannon Bemis asked Council Member Loch what the resolution is for.

Council Member Loch answered that it's for the 9-1-1 Program discussed earlier.

Shannon Bemis asked why our Mayor isn't on there.

Council Member Loch responded other municipalities have already voted to appoint him.

Shannon Bemis asked who was on the committee before.

Council Member Loch answered she couldn't remember his position but he had been on the committee for a long time from Oakwood. She added they changed how the committee is set up and they wanted a mayor instead.

Shannon Bemis asked what that Mayor is going to do for us.

Council Member Loch answered the Manager would know more about it.

Shannon Bemis stated that Council didn't have any questions about it.

Council Member Loch stated that Council discussed it in the work session and under old business.

Shannon Bemis asked what we know about this guy and who was the last person.

Manager Madden answered the pending appointed person is the Oakwood Mayor, and the previous committee member was Norbert Klopsch, the Oakwood City Manager, who sat on the committee for ten years. The legislation changed so the representative has to be a legislator now; Bill Duncan was willing to sit on the committee, and his manager can readily give him the information that he needs. The appointing process needs to move quickly because the 9-1-1 plan expires April 2nd and the meeting for it will be in the next coming weeks. Municipalities would need representation; there's two township representatives, two county representatives, and a city representative.

Motioned to adopt Resolution 2024-02 by Vice Mayor Adkins, seconded by Council Member Sexton.

Roll Call:

Council Member Perkins	yes
Council Member Sexton	yes
Vice Mayor Adkins	yes
Mayor Nickerson	yes
Council Member Back	yes
Council Member Joy	yes
Council Member Loch	yes

7 yes 0 no, motion carries.

Public Comments.

Robert Dunigan, 164 South Johnsville Road, explained the issue he's having with his basement flooding and the background of the flooding starting in 2018 due to broken tile. He explained that the last manager replaced the tile in his and the neighboring property and a dry well was put in, but when the water fills up, it goes downhill causing flooding at his house. He requested a sewer drain be put in to help the problem. He voiced that he has tried to call Soil and Water and the Village with no response. He reported that he has called the Service Superintendent, and the Service Department has provided an electric pump to pump out the water when there's heavy rain.

Council Member Joy asked if the Service Department's pump is getting put in the dry well and what side of the street he lives on.

Robert Dunigan answered yes, and he lives on the East side of the street.

Council Member Joy stated that his house has two sump pumps and when it rains, they're constantly running.

Robert Dunigan shared that his house is deteriorating due to this issue.

Council Member Sexton asked what the last interaction he's had with the Service Superintendent was.

Robert Dunigan reported that he doesn't think he makes the final judgement calls, the Service Superintendent is trying to keep his basement from deteriorating, and all of the Service Department has been to his house regarding this issue. He reiterated the deterioration of the house.

Council Member Joy asked the Manager if the Village could look into putting a full-time sump pump in the dry well and potentially tie it into the sewer by the church.

Manager Madden responded she can look into it, and the church is a little far.

Robert Dunigan voiced his grievance with the Village not updating and calling him back.

Vice Mayor Adkins asked how many times he has contacted the Village since 2018.

Robert Dunigan responded plenty of times. He explained that he's only talked to the previous manager and the Service Superintendent. He explained that he calls the Service Superintendent and the Service Department comes out to pump it.

Mayor Nickerson asked if his house is the last house with the gravel driveway.

Robert Dunigan answered it's the brick house.

Mayor Nickerson referenced the sewer lift station behind his property and asked if the groundwater is from the corn field behind.

Robert Dunigan answered the water is coming from the front of his property.

Mayor Nickerson asked him if he could stay after the meeting so the law director could talk to him.

Robert Dunigan answered yes, stated that he wishes he had more communication about the issue, and shared his grievances with the situation.

Council Member Back asked how many houses are being affected and have they been affected for the same amount of time.

Robert Dunigan answered yes, and at least 5 houses being affected.

Tim Back, Sr., 31 East Main St, approached the dais to give Council paperwork and pictures regarding the Service Department's new salt barn. He spoke about salt barns in other places and about his records request for the bid packet for the salt barn being denied because the salt barn did not need to go to bid. He voiced his thoughts on the salt barn at the Service Department.

Vice Mayor Adkins asked if the salt barn is going to have concrete and shared that concrete should have gone first.

Manager Madden stated that there will be concrete.

Tim Back, Sr. mentioned that he has contacted the County to look into the salt barn, spoke on council members and a recent police incident, briefly mentioned boxes on industrial buildings

that the Fire Department has a key for, and suggested putting in a lift station for the flooding issue.

Fire Chief addressed the Knox Box that was mentioned, stating that that program was started pre-Covid but was put on hold, and now as places are getting inspections, they are getting letters that the boxes are mandated now.

Tina Bell, 301 Blosser St, asked if the overflow parking lot could stay open, shared her thoughts on patching the roads and on the salt barn, and asked about an official Village social media.

Manager Madden stated the Village has a website.

Tina Bell asked about the newsletter in the Village lobby.

Manager Madden answered we don't know who does that newsletter.

Vice Mayor Adkins asked if the Village still does a newsletter.

Manager Madden answered yes, the goal is to do them quarterly.

Tina Bell mentioned having CERT or survival training for the community, mentioned the community garage sale, and asked where the Council work sessions are posted.

Manager Madden answered that they're posted on the website and are posted at the library, grocery store, and the Village Office.

Vice Mayor Adkins asked when the Charter will be updated online?

Manager Madden responded American Legal does that.

Tina Bell suggested advertising people having events in the parks and shared her thoughts on having an HOA and wanting the roads to be done.

Tammy Joy, 35 Comer Court, shared her discontent with audience conversations and her thoughts on remarks made at council meetings. She asked the Manager her level of education, how long she was on the Council, how long she's lived here, and if she has a vested interest in the community.

Manager Madden answered that she has a master's degree in communications and a master's and bachelor's degree in English, 32 years in government, she was on Council for about 10 years, and she's lived in New Lebanon her whole life. She remarked that her grandparents had built part of the community. She has a very vested interest in the community.

Tammy Joy questioned why the Council would scrutinize her contract. She also shared her thoughts on the Manager's qualifications and work as the manager, on Council questioning the past council's decision, and on behavior at the meetings. She brought up a Facebook post, reported that a police officer was called a liar by a council member and someone else, and shared her thoughts that the officer deserves an apology.

Council Member Back responded that he told an officer that something wasn't true because of something he witnessed and commented on the officer commenting on posts with his personal Facebook.

Administrative staff comments.

Police Chief reported that the state did an inventory audit for police equipment and they were in compliance and had a favorable audit, stating that the State noted it was quick and organized well. He referenced that at the last meeting Mr. Back stated 5 police agencies were in New Lebanon; he noted that he contacted each of those agencies and while they can patrol New Lebanon, they do not expect their officers to patrol or respond to routine calls but will respond to mutual aid calls.

Vice Mayor Adkins asked about Verizon Connect that was talked about at a previous meeting.

Police Chief reported that the cameras have been recently delivered; he does not believe they have that capability of GPS but still has to meet with the representative. He noted that he does want GPS ability.

Vice Mayor Adkins asked about a price for it.

Police Chief reported that the past quote they got is around \$1,100 a year for the fleet.

Vice Mayor Adkins asked how many full-time and part-time police officers we have and if we're still looking for new police officers because it's still posted on the website.

Police Chief reported we have 10 full-time and 5 part-time, and we are not currently hiring but applications are always welcome due to if there is a potential unexpected opening.

Fire Chief reported that the medic is anticipated to be done within the next couple months and the tanker is still in progress.

Council Member Perkins asked if the tanker would be completed next year.

Fire Chief answered that it is expected to be delivered October of this year.

Zoning Compliance Officer, nothing.

Vice Mayor Adkins asked if she could check on that sidewalk going out of town.

Chief Financial Officer, nothing.

Service Department.

Manager Madden reported that they filled two tons of potholes throughout town.

Vice Mayor Adkins requested how many water main breaks have happened in the Village since December 2023 and if any of them required a boil advisory.

Council Member Sexton brought up the curb repair on Waite and Homeway and concerns with the estimated versus actual feet that they repaired.

Manager Madden explained that they get an estimated footage of repair initially by the measurement of what is visually damaged on the surface, the homeowner has the opportunity to repair their own curb, and then when the company cuts into the curb, sometimes the integrity of the curb is damaged and the concrete disintegrates so they need to cut and repair more; therefore, the homeowner gets billed for what was repaired.

Council Member Sexton voiced that she thinks the homeowners should be notified if more needs to be done.

Manager Madden asked for clarification that she wants the company to stop work to come tell her that more needs to be done and then notify the homeowner and then continue work if the homeowner is okay with it?

Council Member Sexton answered yes, if the cost is going to go up.

Vice Mayor Adkins asked if they could pay it right out.

Manager Madden answered they can – they get a letter and give them almost a year to pay it to the Village before it goes on their property taxes for five years that way the money comes in faster and there's no auditors fee.

Council Member Sexton commented that one of the properties had said she hadn't heard from the Manager in a couple weeks.

Manager Madden addressed that she had talked to her a couple times and she was looking at different projects to see if it's happened before and she found that it happens on every project. She added that she doesn't know if she can stop a project once they start cutting in order to send a letter.

Council Member Loch asked to clarify that the homeowner has the option to fix it themselves.

Manager Madden stated that is correct.

Council Member Sexton asked about Mr. Denlinger.

Manager Madden answered that we are working on that and are in conversations with Spectrum at this point.

Council Member Sexton brought up roads that are concerns.

Manager Madden explained that since it's winter none of them are being worked on but they're on a list for levy projects and they will look at them to assess them in the spring.

Council Member Perkins brought up that they filled the potholes of Emerson and Heeter that day.

Council Member Sexton voiced her thoughts on people readdressing concerns and the reported lack of follow-up and follow through.

Manager Madden stated that she does not get calls, but she has talked to people about their concerns with the curbs and lights; she notes that most of the time if there's a message they give the message to the Service Department Superintendent.

Council Member Sexton commented that Service Superintendent should be at the meetings.

Council Member Back asked when the post was about Heeter.

Council Member Sexton answered yesterday.

Manager Madden commented that they went to get aggregate yesterday so they were already planning on doing it.

Council Member Back also commented that Service Superintendent should be at the meetings and asked if he is salary.

Manager Madden answered no he is not.

Council Member Loch asked if the Service Department Superintendent was here the first quarter.

Manager Madden answered yes.

Municipal Manager's comments.

Manager Madden reported that the upcoming aggregate will show up on bills in May and she has scheduled a couple information meetings about the aggregate.

Council Member Sexton asked to clarify that bids don't have to go out if it's under \$50,000.

Manager Madden answered yes, and it's \$75,000 in 2024.

Council Member Sexton asked about the company American Legal that put the Charter on their website and asked if the Village pays them.

Manager Madden answered yes and reports that the Charter's on our website, but it hasn't been updated on American Legal's website. She reported it takes them a while to do them – they do a lot of Municipalities and they only update it once a year.

Council Member Sexton suggested using another company.

Manager Madden stated there's only two.

Vice Mayor Adkins requested a copy of the updated Charter and to put a copy of the Charter in the Municipal Building and the Library.

Council Member Sexton referenced the Manager saying that the sewer plant was under Homeland Security and asked where that was stated.

Manager Madden answered it's a safety issue and it's stated in the Sunshine Law that we cannot give out any information regarding our sewer or infrastructure.

Council Member Sexton asked that Council cannot go in there.

Manager Madden clarified Council cannot without an escort because Council is not authorized personnel.

Law Director echoed that Council are elected officials and not personnel.

Vice Mayor Adkins asked for a copy of where that is in the Sunshine Law.

Manager Madden asked what they would want to be down there for.

Council Member Sexton commented that they still don't have keys.

Manager Madden stated that she has to get the key fobs from Captain Chambers and he works weird hours; the key fobs will open the door to the Village Office building.

Council Member Sexton requested that they should be able to open all the buildings.

Vice Mayor Adkins shared that she never received a fob.

Manager Madden admitted that was an oversight on her part.

Council Member Loch voiced that her understanding was that Council is not supposed to have access to everything because they're not employees, and if they need something, they would contact Glenna.

Council Member Back passed out pictures and raised the concern that the gate to the Service Department has been open in many instances.

Manager Madden responded that she agrees that it's an issue and will take care of it.

Council Member Joy referenced the key fobs, commented that just because he works in IT and has admin clearance doesn't mean he should have access to HR records, and shared his thoughts on that Council are not supposed to have access to everywhere.

Vice Mayor Adkins asked who on Council has a fob to the building door.

Council Member Joy and Loch stated they do.

Council Member Perkins stated he didn't want one.

Vice Mayor Adkins stated that she talked to Huber Heights and they told her that Council only has to let the Manager know that they would be going in to places but cannot stop them.

Council Member Sexton asked the Manager what her plans were for next 5 months and if she shares her work calendar with anyone.

Manager Madden answered a meeting would be shared with whoever is included in a meeting.

Council Member Sexton stated she asked because she wants to be involved in what's going on in the community like what issues have been going on.

Manager Madden responded that the Manager runs the day-to-day operations and Council is the legislation; if there's something big going on that gets brought to Council or addressed in executive session.

Council Member Sexton asked what employees get education incentives and has the Village paid out anyone's previous education, like if someone went to college before they worked at the Village.

Manager Madden stated that they have to be working for the Village before they can get tuition reimbursement and will not get tuition reimbursement for previous schooling, and she'll get with her about it later to better understand the question.

Vice Mayor Comments.

Vice Mayor Adkins brought up Charter section 2.07 which references the Council Rules and Journal and asked the Clerk if he has that.

Manager Madden answered that the rules are what was gone over at the work session and the journal should be the minutes.

Vice Mayor Adkins requested a copy of the rules and asked about Charter section 2.16 getting changed and what locations the notice is being posted.

Manager Madden answered the Library, Groceryland, and the Village Offices.

Vice Mayor Adkins asked about Charter section 2.17 getting changed and asked if it was the same 3 locations.

Manager Madden answered yes.

Council Member Comments.

Council Member Perkins commended the Manager on doing a fine job on the Council Packet.

Shannon Bemis Requested to be added to the agenda.

Shannon Bemis, 130 Bronwood St, asked Council Member Joy what five days or instances Josh Farley was arrested.

Council Member Joy stated he said he had five offenses, not five instances.

Shannon Bemis asked how Council Member Loch and Adkins came in at the same time but only Loch got a key.

Manager Madden stated she does not know how that happened.

Shannon Bemis shared her grievances with the Manager not calling or emailing back, with past circumstances with personnel coming to her, with time clocks, and with the Manager's contract. She asked the Law Director about when she asked him about whistleblowers in the past.

Law Director stated he gave her the Ohio Revised Code and common law regarding whistleblowers and he told her that the Village does not have a whistleblower policy.

Shannon Bemis requested that council members have keys and the Village have an official Facebook page. She spoke on the annexation, infrastructure, and roads. She asked if we would have to call Homeland Security if we had a breach.

Police Chief answered Homeland Security does not monitor every infrastructure point – they offer that local government can make this off limits to people so that if they enter on the property for any reason, they can be removed. Homeland Security would be involved if someone does more than trespass on the property like taint the water supply. If someone is working on the property, like building a building, they are authorized to be there and someone is there to monitor their progress. The Village has cameras in many locations to monitor and test the water daily.

Shannon Bemis asked about purchase orders and super purchase orders and asked how much can the Manager spend without it being approved.

Manager Madden answered everything that gets spent gets approved.

Chief Financial Officer explained that Council approves the Capital budget, and when a capital item is planned to be purchased, a purchase order request is made and signed by Glenna and then the purchase is made.

Manager Madden added that there isn't anything outside of budget.

Shannon Bemis asked about the two SUVs that were bought.

Manager Madden answered the one was out of the police capital budget and then the other was from GovDeals money. Whatever the police sell on GovDeals is their money to spend.

Shannon Bemis asked if the Chief Financial Officer can let her know how much the police is getting from the General Fund. She also asked about the storage building that was discussed at the budget meeting.

Manager Madden answered she believes it's still in the budget but is not going to be spent unless Council approves.

Shannon Bemis spoke about the potential community center and asked where the project is at.

Manager Madden answered it's still with the architect – the architect admitted they got behind but they're working on the electric, fire, and all that. She stated she has a layout draft but the working draft is still with the architect.

Shannon Bemis asked if the Village has done a cost analysis on it.

Manager Madden answered that's part of what they're working on.

Shannon Bemis asked why the process wasn't done sooner when the Courts said they were leaving.

Manager Madden answered they didn't leave until recently, they kept changing when they said they were leaving, and that doing a cost analysis on it in 2019 wouldn't have helped for a building that we need in 2024.

Shannon Bemis shared her thoughts on Council, roads, and Village employees.

Vice Mayor Adkins asked how the car purchased from GovDeals was purchased without Council knowing about it.

Police Chief answered the money going back to the Police Department from auctioning surplus was voted on by Council last year and explained that he tries to buy any needs of the department from Capital. The car purchased with GovDeals money was approved but pushed back to 2025 in the Capital budget, but he was able to obtain it without using taxpayer funds.

Vice Mayor Adkins requested the amount that is received from GovDeals.

Manager Madden added that the money that was budgeted in Capital for the car will be used for something else in next year's budget.

Vice Mayor Adkins asked if Chief can buy what he thinks the department needs with GovDeals money.

Manager Madden answered as long as it's not ridiculous.

Police Chief added that it has to be approved by the Manager and that the things that are auctioned are things the department no longer needs and has gotten their use out of it.

Shannon Bemis brought up and spoke about the curbs.


Motion to adjourn by Vice Mayor Adkins, seconded by Council Member Sexton.

Roll Call:


Council Member Sexton	yes
Vice Mayor Adkins	yes
Mayor Nickerson	yes
Council Member Back	yes
Council Member Joy	yes
Council Member Loch	yes
Council Member Perkins	yes

7 yes 0 no motion carries.

Meeting adjourned at 11:23pm by Mayor Nickerson.

Approved: 


 Mayor



 Date



 CFO/Clerk of Council



 Date