

New Lebanon Regular Council Meeting, November 7, 2023, Meeting Minutes

The Meeting was called to order at 7:38pm by Mayor Arriola. The invocation was given followed by the Pledge of Allegiance.

Verbal Roll Call of Council Members:

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

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

Police Presentation of Promotions.

Police Chief Hensley presented Sergeant Oney with his promotion and swore in Officer Kaczmarek and Officer Morgan.

Review of Findings.

Law Director mentioned several requests brought up at and after the last meeting to do investigations. Council Member Joy was requested by a member of the public to be suspended or removed and no evidence or reason was provided. Council Member Sands was requested by a member of the public to be suspended or removed and no reason specifically was provided. Council Member Sands has resigned, so no further action needs to be taken. An investigation was requested into why a member of council could sit on the Charter Review Board, as a conflict of interest was postulated. However, it was found that he could not have benefited in any way; therefore no conflict of interest was found. An investigation was also requested to look into a conflict of interest for Council Member Joy by the Ethics Commission and by the Law Director. The contact for the Ethics commission reported there was not enough there to do an investigation based on the allegations made. The Ethics Commission did furnish the Village with citations from opinions and orders that were made by the Ohio Ethics Commission and indicated there was nothing there to do, so the press release was released that stated there were no violations of ethics. The Ohio Ethics Commission does not render an opinion to the public unless there's something to render. An investigation was conducted by the Law Director into the reported conflict of interest of Council Member Joy and his daughter being employed by the Village, and after speaking to both of them and the former and current manager, no conflict of interest was found.

Council Member Adkins brought up the situation that happened at the last meeting with Council Member Sands making claims about her and shared her grievance to Council and requested for

the minutes from the last meeting minutes to be changed to reflect the apology Council Member Sands made to her in the meeting.

Acceptance or non-acceptance of resignation(s).

Christopher Sands has tendered his resignation as a New Lebanon Council Member.

Acceptance of Christopher Sands' letter of resignation as a New Lebanon Council Member.

5 I's and 0 no, resignation accepted.

In consideration of the findings regarding Council Member Joy, his statement of resigning/stepping down is under consideration.

Rejection of Gale Joy's statement of resignation as a New Lebanon Council Member.

5 I's and 0 no, resignation not accepted.

Council Member Joy was asked to return to the dais and be counted as present. He took his seat on the dais.

Approval of the October 17, 2023 regular meeting minutes.

Council Member Adkins requested that the minutes better reflect the situation between her and Council Member Sands and include the apology Council Member Sands gave her at the end of the meeting.

Approval of minutes with changes.

6 I's and 0 no, minutes approved.

Law Directors comments.

Request for an executive session.

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

Roll Call:

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

6 yes 0 no, motion carries.

Motion to return from executive session by Vice Mayor Loch, seconded by Council Member Adkins.

Roll Call:

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

6 yes 0 no motion carries.

Upon return from executive session, Police Chief Hensley swore in Officer Nelson.

Public comments on any Resolution or Ordinance under discussion.

Shannon Bemis, 130 Bronwood St, asked for information about the Resolution 2023-17 and shared grievances on Ordinance 2023-08.

Manager Madden explained Resolution 2023-17 – that it is for Phase 20 of the Sanitary Sewer Rehabilitation Project; it will cover the area of Swanson, Bell Ln, and West Main; and it is an OPWC project.

Old Business.

Third Reading of Ordinance 2023-07: an ordinance certifying the Municipality of New Lebanon distribution year 2024 and tax year 2023 Street Light Assessment to Montgomery County, Ohio, in the amount of \$60,000.00.

Council Member Comments on this Ordinance, none.

Motioned to adopt Ordinance 2023-07 by Council Member Macmann, seconded by Council Member Perkins.

Roll Call:

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

6 yes 0 no, motion carries.

New Business.

Resolution 2023-16: a resolution authorizing the Municipal Manager to enter into an agreement with the office of the Public Defender, Montgomery County, Ohio, 117 South Main Street, Fourth Floor, Dayton, Ohio 45422 to provide legal services in 2024 to indigent municipal residents charged by Village officials with violations of Village and/or State of Ohio laws.

Council Member Comments on this Resolution.

Council Member Adkins asked the clarification that this would just be for legal aid to help citizens in our community.

Manager Madden answered yes.

Motioned to adopt Resolution 2023-16 by Council Member Joy, seconded by Vice Mayor Loch.

Roll Call:

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

6 yes 0 no motion carries.

Resolution 2023-17: a resolution awarding the bid to Miller Pipeline LLC, 8850 Crawfordsville Road, Indianapolis, IN 46234 for Sanitary Sewer Rehabilitation Project Phase 20 in the Municipality of New Lebanon from the Ohio Public Works Commission in the amount of \$225,570.10 and authorizing the Municipal Manager to enter into an agreement.

Council Member Comments on this Resolution.

Council Member Perkins inquired if that was the lowest bid.

Manager Madden answered yes.

Council Member Adkins asked for a reminder on what streets this would cover.

Manager Madden answered Bell Ln, West Main St, and Swanson.

Motioned to adopt Resolution 2023-17 by Council Member Perkins, seconded by Vice Mayor Loch.

Roll Call:

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

6 yes 0 no, motion carries.

First Reading: ordinance 2023-08 – an ordinance to make appropriations for the current budget expenses and other expenditures of the Village of New Lebanon, State of Ohio, during the fiscal year ending December 31, 2024.

Public Comments.

Natasha Farley, 136 Bronwood St, gave Council a variety of quotes on respect and notified Council that she contacted the Ethics Board and opened an investigation into all of Council.

Joshua Farley, 136 Bronwood St, addressed the investigation into Council Member Joy and gave his opinions on the investigation.

Melissa Sexton, 180 Parkview Dr, requested the budget meeting be lengthened.

Council Member Adkins asked if there was a time the public could speak on the budget and if the public could get a draft.

Mayor Arriola answered that the public would have time during the time given to address resolutions and ordinances.

Manager Madden responded that she told Mrs. Bemis that she would get her a draft.

Shannon Bemis, 130 Bronwood St, shared her grievances with the budget hearing meeting and the first reading of the appropriation ordinance, shared her thoughts about the investigations and Council meetings.

Administrative staff comments.

Police Chief reported the end of last month was First Responder Month and thanked the Ministerial Association for bringing meals for the First Responders and thanked the school for making a video and bringing notes written by the students for the First Responders.

Council Member Joy congratulated the officers that got sworn in and asked if the Police are at full strength.

Police Chief answered yes, explained that he's on a police department that's at full strength for the first time in years, and reported we have 5 part time officers and 10 full time officers.

Council Member Perkins asked if the officers have handed out any citations for phone use while driving.

Police Chief answered not yet, but they are watching out for it.

Fire Chief cautioned everyone to field fires that have increased recently, reported that there is a statewide burn ban through November and that white-tailed deer population have been up so use caution while driving.

Zoning and Compliance Department, nothing.

Chief Financial Officer, nothing.

Service Department reports that leaf pick up will be going on until December 1st weather permitting.

Municipal Manager's comments.

Manager Madden reported that there's a Park Board meeting at 7:30pm on November 16th, a public meeting discussing one-way street change for Comer Ct and Sunset St on November 18th at 10:30am, and Cookies with Cops on December 2nd.

Council Member Comments.

Council Member Joy thanked everyone for their support.

Council Member Perkins asked if the Village Voice was the Village's doing, remarked that he appreciated it, and asked where else it's posted besides the Library.

Manager Madden responded no and said she's seen it at the Grocery.

Vice Mayor Loch congratulated the Officers that got sworn in.

Mayor Arriola congratulated the Officers that got sworn in.

Law Director addressed Mr. Boggs and requested to speak to him after the meeting.

Motion to adjourn by Vice Mayor Loch, seconded by Council Member Macmann.


Roll Call:

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

6 yes 0 no motion carries.

Meeting adjourned at 8:45pm by Mayor Arriola.

Approved:



 Mayor

21 Nov 2023

 Date



 CFO/Clerk of Council

11/21/2023

 Date