

**New Lebanon Regular Council Meeting, September 5, 2023, Meeting Minutes**

The Meeting was called to order at 7:30pm by Vice Mayor Loch. 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	Absent
Tammy Loch	Present
Raymond Arriola	Absent

**Others Present:**

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

Presentation given by Shannon Bemis, 130 Bronwood Street.

Shannon Bemis reviewed her backstory of first coming here in 2018 with concerns over Village employees, budgeting, and the Parks & Recreation Levy that was on the ballot at that time. She further shared her grievances with Council and the recent changes in how council meetings are conducted. She then brought up a list of issues that she believes still needs to be addressed, including the intersection of Bronwood and Yale, the area where the road meets the gutter in front of her house, and time clocks and work orders. She further conveyed her concerns and grievances with the management and budgeting of the Village. She told of a situation where she claims hearing about the Mayor expressing his opinion regarding his competitor in the upcoming Mayoral election and shared her disappointment.

Approval of the August 15, 2023 regular meeting minutes. Any corrections or changes?

5 I's and zero no, minute approved.

Law Directors comments. Law Director, none.

Old Business, none.

New Business.

Resolution 2023-12: a resolution accepting the 2023/2024 amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the Montgomery County Auditor.

Public comments on this Resolution.

Tim Back, 29 E Main St, asked if the resolution could be explained a bit more.

Manager Madden explained that there have been tax rates set and voted on and this is just making sure that Council accepts the rates to be collected for the 2023 taxes payable year in 2024 based on levies. She further explained that the levies cannot generate more money than a levy has been voted on to generate.

Susan Nickerson, 559 Benbow Cir, inquired about what would happen if someone was in dispute over the new property value.

Manager Madden explained that the County will settle and finish any disputes before they must submit abstracts to the state by November and before the election. She demonstrated with her hands that the levy can only generate a fixed amount, so if everybody's property value is low then they will have to pay more to get up to the levy amount and if everyone's property value is high then they will pay less; she explained that the state sets an adjustment factor, so they don't pay more than what's been voted to generate.

Motioned to adopt Resolution 2023-12 by Council Member Macmann, seconded by Council Member Joy.

Roll Call:

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

5 yes 0 no motion carries.

Public Comments.

Jeff Ullery, 311 E Main St, stated he had two concerns tonight. The first concern is an inoperable fire hydrant located at E Main and Hepner that has been in disrepair since an accident happened on June 24<sup>th</sup>.

Manager Madden stated we are in the process of getting the hydrant.

Jeff Ullery moved on to his next concern; he reported that this week there have been two accidents and one near miss because of cars coming west trying to pass on the right and not changing their speed, thinking that cars that are stopped or slowed down on Main Street are turning left onto Bronwood. He requested that there be at least a police presence at that junction and offered his driveway to sit in – stating that it would at least slow people down. He acknowledged that he knows it's not illegal to pass on the right but he suggested potentially making it a no passing zone.

Police Chief stated he would make a note for officers to increase patrol over there and thanked Mr. Ullery for bringing it to their attention.

Vice Mayor Loch asked what time does it usually happen – school times, rush hour, etc.

Jeff Ullery reported that it's all the time – anytime someone breaks around Bronwood – for a police presence maybe 4:30- 5:30pm.

Council Member Joy asked for clarification that someone went around him like he was turning left onto Bronwood and Mr. Ullery was turning right.

Jeff Ullery confirmed and described a situation that happened last week where he was driving West on 35 and slowed down to turn right into his driveway, the car behind him slowed down but there was another car that came flying beside both of them and had to slam on his breaks and nearly hit Mr. Ullery.

Terry Bechtel, 2101 W Main St, brought up a water leak happening adjacent to his property that he described as basically a pond now that has come onto an empty property next to his that he has been maintaining and close to his property line; he reported that the bugs are out of control as a result of the leak. He stated that people have been out to mark the water shut off valves. He referenced photos that he has taken of the situation and showed them to Council.

Manager Madden reported that the goal was to work on it this week but there was another break that happened that needed to be addressed. Adding that it has taken so long because they had to figure out where it's coming from and didn't want to go in and dig up the owners' yard. They reached out to the property owner so they can go onto his property, and the goal was to wait for it to dry up a bit before taking big equipment out there, so it didn't tear up his yard.

Susan Nickerson, 559 Benbow Cir, brought up a list of inquires as follows: she noticed that there's 3 sheds by the sewer plant and asked when they were built and how long we've had them; there's now a building that she had never noticed before at the water plant and asked if Council's aware of that and how much they cost; there's still not a salt farm; she asked how many speed trailers we have and why we would need more than one; she noticed that there was a new position for a service worker and asked if that would be to replace someone or a new position; she asked why we would be using cold patch done instead of another type of patch; she asked if there's going to be asphalt sealer put on all the curbs, meter pits, and manhole covers of Homeway and Waite, if not then why, and asked for the cost on that project; she asked why the marquee sign was moved from Casey's and why it's no longer advertising the Village meetings.

Manager Madden reported that Council does know about the buildings because they were in the budget but asked Mrs. Nickerson if she could email the answers since it's a lot.

Susan Nickerson confirmed and thanked her.

Melissa Sexton, 180 Parkview Dr, inquired about the Court Building and asked what we're putting in there and what equipment would be in there.

Manager Madden reported it would be a community center, comprised of a fitness center, a teen space, senior center, multi-purpose area, and some office space in the back area.

Melissa Sexton asked what percentage the Village contributes to the manager's retirement.

Manager Madden reported 10 percent.

Tim Back, 29 E Main St, asked for a follow up to his question from last meeting regarding Village workers taking EPA or OSHA classes.

Manager Madden stated she had it to hand to him.

Joshua Farley, 138 Bronwood St, asked if the list of candidates that will be on the upcoming ballot will be available and asked if it could be on the Village website.

Manager Madden reported that's on the Board of Elections website or the League of Women Voters, and we could link the Board of Election website but you'd still have to seek it out through their website.

Joshua Farley moved on to inquire about the water meter reading brought up in the last meeting.

Manager Madden explained we have 3 types of meters and that the meter they were discussing rounds down to the nearest thousands so if it's 1,050, you would only pay for 1,000 gallons until it ticks past the next even thousand gallons.

Joshua Farley asked for a copy of the pictures of the leak Mr. Bechtel showed and inquired if that was reported to the EPA.

Manager Madden answered not that she's aware of.

Joshua Farley questioned about the funds that Ms. Bemis was taking about and asked if the misappropriation was disclosed by Council.

Manager Madden stated there was no misappropriation.

Joshua Farley stated he'll be back with more information.

Shannon Bemis, 130 Bronwood Street, addressed the Chief Financial Officer and asked him if he's the one who puts together the information when she puts in financial requests.

Chief Financial Officer confirmed this.

Shannon Bemis brought up the service department new position and asked if this would be a new employee or new position.

Manager Madden answered it's a new position that was added to the budget and just hadn't been posted until now.

Shannon Bemis brought up that she emailed the Manager about a Meet the Candidates Night.

Manager Madden responded that Shannon asked if they could use the old Court House building and they can't use it because it's not open and viable for the public. She offered that they could use the Council Room for that event.

Shannon Bemis shared grievances with Council and addressed that there has been a lot of money spent; she asked if Council knew that the Service Department spent 521,000 dollars on vehicles in the last two years.

Council Member Sands reported that it was in the budget.

Shannon Bemis further shared grievances with Council.

Administrative staff comments.

Police Chief addressed the questions that he can answer. He reported that we have two speed trailers – the first one he bought with his own money and the second one they just got it using the money they received from selling items on GovDeals. He and another officer went to pick it up and paid about 650 dollars in gasoline to go there. He answered that the police do not absolutely need them but relayed that in his prior employment they proved to be beneficial, especially when police cars cannot be there to run radar. He addressed the marquee sign and divulged that he was on vacation, so he was not able to change it or tell another officer to change it. The goal is to move it back to its place by Casey's but we do not own that land – Casey's has been kind enough to allow us to use it for the sign. We could look into moving it to the other side of road, but that area is very congested.

Fire Chief updated Council on the BWC grant and they have acquired the stair chairs and are anticipating training from the vendor in the next couple weeks. He added the vendor that was working on the grant for the vehicle exhaust system was finished up today so that's complete.

Zoning and Compliance, nothing.

Chief Financial Officer, nothing.

Service department reported that Blosser Street paving starts next week and they've been working on driveways. Homeway and Waite have been paved.

Municipal Managers comments, she has a request for executive session.

Council Member Comments.

Council Member Perkins brought up that Ms. Bemis had brought up the chemicals for weeds that were approved by the EPA and if it's been looked into and if it could be for individuals to use.

Manager Madden reported that she has looked into the company that Ms. Bemis had sent about it and that it looked like it was only for commercial use.

Council Member Perkins thanked Fire Chief for helping to install a new fire alarm at his house.

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 Council Member Sands seconded by Council Member Joy.

Roll Call:

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

5 yes 0 no motion carries.

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

Motion to return from executive session by Council Member Macmann, seconded by Council Member Sands.

Roll Call:

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

5 yes 0 no motion carries.

Motion to adjourn by Council Member Sands, seconded by Council Member Joy.

Roll Call:

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

5 yes 0 no motion carries.

Meeting adjourned at 9:43pm by Vice Mayor Loch.

Approved:

  
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Mayor

9/19/23  
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Date

  
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CFO/Clerk of Council

9/19/23  
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Date