

New Lebanon Regular Council Meeting, December 15, 2023, Meeting Minutes

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

Verbal Roll Call of Council Members:

Council Members:

Carol Macmann	Present
Gale B. Joy	Absent
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

Approval of the November 21, 2023 regular meeting minutes.

5 I's and 0 no, minutes approved.

Law Directors comments, none.

Public comments on any Resolution or Ordinance under discussion.

Shannon Bemis, 130 Bronwood St, asked about information on the gas and electric aggregates and if we know the supplier.

Manager Madden answered Palmer Energy will be the supplier, the Village is going through the Miami Valley Communications Council. They're going out for the gas, and we won't get into it until spring as far as the electric rates will actually be. They will send a letter once they go shopping for the numbers. We do not know rates at this point.

Old Business.

Second Reading: Ordinance 2023-09 – an ordinance changing Comer Court from a two-way street to a one-way street going east between Blosser Street and Church Street and changing Sunset Street from a two-way street to a one-way street going west between Blosser Street and Church Street.

Council Member Comments on this Ordinance.

Council Member Perkins asked if the residence on those streets are okay with it.

Manager Madden answered they received a letter, and there was a public meeting on it, so they are aware.

New Business.

Resolution 2023-20 – a resolution approving the plan of operation and governance for the Miami Valley Communications Council Electric and Natural Gas Aggregation Program, for the purpose of jointly establishing and implementing an electric and natural gas program.

Manager Madden explained that this would put the Village with sixteen other jurisdictions by joining in with the MVCC.

Council Member Adkins added that in the long run this would give us better rates.

Motioned to adopt Resolution 2023-20 by Council Member Adkins, seconded by Council Member Macmann.

Roll Call:

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

5 yes 0 no, motion carries.

Requested to be added to Agenda: Shannon Bemis.

Shannon Bemis, 130 Bronwood St, asked about the resolution that was initially on the agenda about the annexation – if we’re still interested in annexing and if we would have to pay Jackson Township for any lost revenue. She also mentioned the comments voiced at the planning board meeting about the development and shared that she opposed the Village paying for the paving of South Fuls Road for the new development.

Manager Madden explained it was pulled because we need to look at it differently. We’re still interested in the annexation and the development, and with a Type 2 annexation, we would not have to pay them.

Shannon Bemis brought up the recent legalization of marijuana and asked if we’ll have any zoning requirements for planting and dispensaries.

Manager Madden responded that Council has been given information and has to decide if the Village will do a moratorium like other cities have done. It can be discussed at this meeting or the next, whenever Council would like to.

Shannon Bemis brought up a concern about speeding on Blosser Street.

Manager Madden responded that she’ll look into it.

Shannon Bemis brought up that the Village hired a service worker.

Manager Madden explained it was in the budget to bring on another worker to the service department. A service worker left recently so we had to fill that position, and then we hired another.

Shannon Bemis asked about the lost revenue with the courts leaving.

Chief Financial Officer stated \$55,000 is what we brought in from the courts each year.

Shannon Bemis brought up a records request that she had requested in October and just received it that day.

Manager Madden responded that the request was for five years of zoning letter and permits, and a couple of those years were under a different Zoning Officer and different zoning code.

Shannon Bemis asked how the time clocks and work orders are working.

Manager Madden responded that they're working fine.

Shannon Bemis shared that she thinks that the zoning ordinance around signs should be readdressed by Council because she believes it is too restrictive, referencing the First Amendment.

Manager Madden responded that it can be reviewed.

Shannon Bemis asked if the police have a bomb robot and why and if we plan on using it.

Manager Madden responded yes, and it was obtained for free.

Police Chief explained that it was not obtained for bombs. It's purpose is for if the police need to enter a residence that is unknown to be occupied or not, or doing a search warrant, they can approach the door with the robot and not put an officer in harm's way. SWAT will not come out for many things. If an explosive or incendiary device needs to be moved, we could approve it to do that.

Shannon Bemis asked if the police would need to be trained on that.

Police Chief responded they do train with it; they do not go to trainings because they are not planning on moving anything unless there's an emergency that requires it. We do not have a bomb squad or an Explosive Ordnance Disposable unit. In the event there is a suspected device or threat, the proper people will be called to handle it. But currently there are officers that regularly train and practice with it. If there was a device that needed to be moved in the interest of saving lives, Chief would authorize it to do that.

Shannon Bemis asked if the Village keeps a running inventory of all the equipment, vehicles, trailers, supplies, and everything.

Manager Madden answered yes.

Shannon Bemis brought up the trailer park on South Clayton Road and their interest in being annexed into the Village for the water system.

Manager Madden corrected that they wanted to be annexed to be connected into the sewer system, and the Village wasn't interested in that annexation.

Shannon Bemis brought up the building that was talked about in the budget workshop.

Manager Madden stated that it will stay in the budget, and it will be looked at for Council going forward.

Shannon Bemis asked about the street fund and the street levy.

Manager Madden stated that no additional money will be allocated into the street fund, and streets are getting patched using the street fund.

Shannon Bemis shared her thoughts on the Manager's contract and meetings recently and over the years.

Public Comments, none.

Administrative staff comments.

Police Chief stated that there will be a parade on Saturday at 6pm, from Fuls Road to Maple Street.

Fire Chief announced that their EMS was awarded the Brain Saver award, and we are the first EMS department to receive that award.

Municipal Manager's comments.

Manager Madden brought up the aggregate and explained that when residents receive the letters, everyone will be entered in and have the option to opt out. If a resident has already done something with apples to apples and found a different carrier, they will have to do something with that first before they can be a part of the aggregate. The Village will probably hold a public meeting once the opt out letters are ready. Furthermore, Council has been given information on marijuana. The state is looking at the situation from the idea of the dispensaries, and they are trying to lump together medical and recreational for dispensaries. Our current ordinance only mentions medical marijuana, so it is up to Council whether it be changed to include recreational marijuana. It was mentioned that people can grow it in their yards – up to six plants. It is an ongoing change and that's why a lot of communities have been doing moratoriums to put a hold on it until we find out what the state is doing – places around us have done nine- or twelve-month moratoriums.

Many council members voiced that they would like to do a moratorium.

Manager Madden asked if Council would be interested in nine or twelve months.

Council Member Adkins suggested just doing a year.

Other council members agreed.

Manager Madden stated the moratorium will be on the next meeting agenda.

Council Member Comments.

Council Member Adkins stated that she will not be able to attend some of the meetings at the beginning of the year, and she asked if the Service and Zoning Department heads will be at the next meeting.

Manager Madden answered yes.

Council Member Perkins thanked the Fire Department for coming out to his house on a 911 call due to complications from his recent surgery.

Vice Mayor Loch congratulated the Fire Department on their award.

Mayor Arriola also congratulated the Fire Department on their award.

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 Vice Mayor Loch, seconded by Council Member Macmann.

Roll Call:

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

5 yes 0 no, motion carries.

Council, Manager, and Law Director retired to executive session at 6:32pm.

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

Roll Call:

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

5 yes 0 no motion carries.

Council, Manager, and Law Director returned from executive session at 6:47pm.

Motion to adjourn by Council Member Adkins, seconded by Council Member Macmann.

Roll Call:

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

5 yes 0 no motion carries.

Meeting adjourned at 6:49pm by Mayor Arriola.

Approved:



Mayor

12/19/2023
Date



CFO/Clerk of Council

12/19/23
Date