

**VILLAGE OF NEW LEBANON  
COUNCIL MEETING  
August 20, 2024, at 7:30 p.m.  
Council Chambers**

The meeting was called to order at 7:30 p.m. by Mayor Nickerson. The invocation was given by Council Member Cooper, 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
Charles Cooper	Present
Nicole Adkins	Absent
David Nickerson	Present

**Others Present:**

Acting Police Chief Wortman
Acting Law Director McNamee
Acting Village Manager Anderson

**APPROVAL OF MINUTES**

- Approval of the August 6, 2024, regular meeting minutes. Council Member Cooper made a motion to approve the August 6, 2024, regular meeting minutes. Council Member Sexton seconded.

5 yes votes and 1 no vote, minutes were approved.

- Approval of the August 6, 2024, executive session meeting minutes. Council Member Back made a motion to approve the August 6, 2024, executive session minutes. Council Member Sexton seconded.

5 yes votes and 1 no vote, minutes were approved.

**NEW LEBANON, OHIO  
RECORD COPY  
DO NOT REMOVE FROM FILE**

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**RESOLUTION 2024-17 - A resolution Allowing the Municipal Manager to List and Sell Surplus Police Items or Vehicles on GovDeals, 100 Capitol Commerce Blvd, Suite 110, Montgomery, Alabama 36117.**

Council member Sexton inquired into what was being sold. Acting Manager Anderson stated that he would forward the list of items being sold to all Council Members.

Council member Back made a motion to approve Resolution 2024-17 as read. Council member Cooper seconded.

Roll Call:

Council member Sexton	Yes
Council member Back	Yes
Council member Perkins	No
Council member Joy	Yes
Mayor Nickerson	Yes
Council member Cooper	Yes

5 yes votes and 1 no vote, the motion passes.

**RESOLUTION 2024-18 – A Resolution Authorizing the Acting Village Manager to Enter into an Agreement to Participate in the Kroger Settlement Regarding the National Opioids Litigation by Executing the National Opioids Settlement Participation Form.**

Council member Joy inquired into what this was regarding. Acting Manager Anderson explained it is a settlement from Kroger as part of the class action lawsuit settlement for the national opioid lawsuit. The village will be eligible to receive money as part of our participation in the One Ohio program that is managed by the State of Ohio. There is no cost to the Village and any money received will be distributed by the State of Ohio.

There was some general discussion among the Council members and the Acting Law Director to clarify and answer questions regarding the Kroger settlement.

Council member Sexton made a motion to approve Resolution 2024-18 as read. Council member Cooper seconded the motion.

**Roll Call:**

Council member Perkins	Yes
Council member Sexton	Yes
Council member Joy	No
Council member Cooper	Yes
Mayor Nickerson	Yes
Council member Back	Yes

5 yes votes and 1 no vote, the motion passes.

**PUBLIC COMMENTS**

Al Dennis, 407 Rosetta, stated he is a resident and a member of the Professional Storm Responder Storm Team. Mr. Dennis wanted to give his thanks to those that put together the event, A Day at the Park. He shuttled people to their cars all day and relayed all the positive feedback he received. Mr. Dennis also noted he would like to be on the committee for next year.

Tina Bell, 301 Blosser, shared what a great event and success A Day at the Park was. She spoke to vendors at the event who stated they want to come back next year and she would also like to be on the committee. She informed the council that there was a Facebook page for the community garden, thanked Vice-Mayor Adkins for her community garden donation, and asked if there was an update on Rite Aid and a fall community garage sale.

Joshua Farley, 136 Bronwood, gave thanks for A Day at the Park and said his son asked him to pass along that the fireworks were tremendous.

Natasha Farley, 136 Bronwood, asked what the status is with the salt barn, asked Council member Joy why he continues to vote no on meeting minutes without reason and not conversing at meetings. She also told Interim Police Chief Wortman she is still waiting for an apology.

Shannon Bemis, 130 Bronwood, suggested to Council member Joy that maybe it would be received better if he gave the changes that he would like to the meeting minutes instead of just voting no. Mrs. Bemis stated she is still waiting on an email reply months later from Council member Joy. She questioned why Council member Perkins voted no to sell the disabled vehicles from the police department and didn't understand why Council member Joy voted no for the village to receive their portion of the Kroger settlement money. Mrs. Bemis addressed Mr. McNamee stated she understood that council is not obligated to speak, but feels it is nonfeasance and wasteful by him not participating. She also read multiple Facebook comments from residents raving how great the event, A Day at the Park was, and felt it was a really great day for the community and loved being a part of it.

### **ADMINISTRATIVE STAFF COMMENTS**

Interim Police Chief Wortman stated he is working on getting P.D. statistics to council and wanted to remind everyone that school is starting and use caution with buses and the school zone.

### **MUNICIPAL MANAGER'S COMMENTS**

Interim Municipal Manager Anderson thanked staff for helping with A Day at the Park and couldn't believe the size of the crowd that day.

Council member Joy asked what fund A Day at the Park came out of and if there were any funds remaining in the account. Acting Manager Anderson informed him it was the festival line item out of the general fund and approximately \$3,500 was left in the budget.

Council member Sexton asked about the upcoming budget. Mr. Anderson said he is currently working on the Capital budget and the regular budget would be done with the new municipal manager when hired. She also asked about the road project and who determines what road is done. Mr. Anderson stated it is a combination of the engineer, service department, and municipal manager.

Council member Perkins asked about the status of former Police Chief Hensley's lawsuit and Mr. McNamee stated the Village insurance company would assign representation for the Village. He asked about municipal manager interviews coming up and the committee conducting the initial interview process to narrow down to the top two

or three. Mr. Perkins discussed Mr. McNamee's fees as law director and Mr. Anderson said the fees are capped at what the previous law director was making. Council member Perkins asked about Mr. Farley's charges and asked if the law director had anything to do with it and Mr. Anderson stated he did not, and the judge dismissed the charges. Mr. Perkins asked about the people that applied for the municipal manager position and Mr. Anderson's contract is expiring. Mr. Anderson informed him that his contract allows him to go month to month until a new manager is hired and in place.

### **COUNCIL MEMBERS' COMMENTS**

Council member Back said A Day at the Park was a great day and thanked staff and volunteers that helped make it a success. He also thanked the citizens for coming out and showing their support and they are headed in the right direction.

Council member Sexton read an email she received regarding the Pee-Wee Football Club not being allowed to practice at Don Rusk Park anymore due to an issue with the N.L.Y.A. Mr. Anderson recommended there be more specificity added to the N.L.Y.A. contract that is coming up for renewal shortly. Council member Sexton stated she put a lot of hard work into A Day at the Park, along with others, and couldn't believe the outcome of the event. She read a message she received from a resident thanking everyone for having a festival for their kids that resembled the ones they remembered growing up. Mrs. Sexton said the community has been through a lot this year, but putting this event together in a few months with volunteers says a lot and more can be done if we all work together.

Council member Cooper stated A Day at the Park was one of the most enjoyable days he and his wife have had since they moved to New Lebanon. He gave thanks to everyone involved and said our biggest asset is the people and this was a great investment into the future of our community. He said he saw nothing but smiling faces and happy kids that day.

### **VICE-MAYOR'S COMMENTS**

None

### **MAYOR'S COMMENTS**

None

### **ADDED TO AGENDA**

None

**ADJOURNMENT**

Council member Sexton made a motion to adjourn. Council member Cooper seconded the motion.

Roll Call:

Council member Cooper	Yes
Council member Perkins	Yes
Mayor Nickerson	Yes
Council member Sexton	Yes
Council member Back	Yes
Council member Joy	Yes

6 yes votes and 0 no votes, motion passes.

The meeting was adjourned at 8:17 p.m. by Mayor Nickerson.

Approved:

  
\_\_\_\_\_  
Mayor

9/3/24  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Acting Clerk of Council

9/3/24  
\_\_\_\_\_  
Date