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MUNICIPALITY OF NEW LEBANON
REGULAR COUNCIL MEETING
APRIL 2, 2019
7:30 P.M.

1 MR. ARRIOLA: Like to call to order
2 the April 2nd, 2019 regular council meeting.
3 First item on the agenda is the invocation, which
4 will be given by Pastor Warlaw, from the New
5 Lebanon Brethren Church. And then please remain
6 standing for the Pledge of Allegiance.

7 PASTOR WARLAW: Let us pray, Dear
8 Gracious and Heavenly Father, we come before you
9 today asking you and inviting you to be part of
10 this meeting. Dear Lord, we ask that you just
11 give us the mindset like you do, Lord, the mindset
12 of patience, of kindness and also forgiveness as
13 we discuss the matters at hand. Dear Lord, we
14 pray and lift up everyone that stands before me,
15 the ones that help to guide this community to make
16 it better, a position that many of us would not
17 want to have. We come to you to ask for
18 protection over them and wisdom for them and for
19 the decisions that they'll be making. Be with
20 this meeting, Dear Lord, and may it all come
21 according to your plan. In this we ask, Amen.

22 (Pledge of Allegiance was recited.)

23 MR. ARRIOLA: Okay. No minutes, no
24 old business. We have mayoral appointments to
25 boards, which will be the park board, which will

1 be Rob Loch. Thank you. Zoning compliance board
2 will be George Marcus and planning board will be
3 George Marcus. All right.

4 New business. New business. First
5 reading of Ordinance 2019-01, an ordinance
6 amending 51.05 waterworks and sanitary sewer
7 system of the code of ordinances of the
8 Municipality of New Lebanon. Any questions?

9 Next, public comments. Who do we
10 have?

11 MS. MADDEN: I didn't grab the sheet.
12 I don't think anybody signed in. Nobody signed
13 in?

14 MR. ARRIOLA: Okay. Thank you. All
15 right. Administrative staff comments, police
16 chief.

17 POLICE CHIEF: I have nothing
18 tonight, sir.

19 MR. ARRIOLA: Anything for the police
20 chief? No questions. Okay. Nice showing over at
21 the school with you and Gretchen the other day.

22 POLICE CHIEF: Thank you.

23 MR. ARRIOLA: Okay. Fire chief.

24 FIRE CHIEF: I have nothing tonight.

25 MR. ARRIOLA: Anything for the fire

1 chief? No. Okay.

2 Zoning compliance officer, David.

3 MR. LUNSFORD: Yes, I do. The motor
4 home on Johnsville was moved into the back behind
5 the fence.

6 MR. SANDS: It's been moved behind
7 the fence now?

8 MR. LUNSFORD: Yes.

9 MR. SANDS: That's not really what I
10 wanted.

11 MR. LUNSFORD: Well, yeah. He was
12 supposed to be in court on Wednesday, but he
13 didn't show up for his initial appearance. And
14 One Gloria was scheduled for court on Monday last
15 week but we had no judge so we got continued.
16 That's it.

17 MR. ARRIOLA: All right. Any
18 questions for David? Okay.

19 Chief financial officer, anything
20 from Brenda?

21 MS. MADDEN: She doesn't have
22 anything tonight.

23 MR. ARRIOLA: Okay. Service
24 department superintendent, Scott.

25 MR. BROCK: One thing, we'll be

1 conducting hydrant flushing, April 7th through the
2 11th. We'll start at 9:30 at night and end at 6
3 in the morning. That's all I got.

4 UNIDENTIFIED SPEAKER: Long night.
5 Long night.

6 MR. BROCK: Uh-hum.

7 MR. ARRIOLA: Any questions for
8 Scott? I imagine that --

9 UNIDENTIFIED SPEAKER: What should we
10 expect on that, dirty water?

11 MR. BROCK: It will be discolored
12 first thing in the morning. You'll want to let it
13 run for a little bit. Please don't do any laundry
14 during the night.

15 MS. MADDEN: Or run your dishwasher.

16 MR. BROCK: Or run the dishwasher.

17 MS. MADDEN: There's a handout back
18 there. If you didn't grab one, it will be on our
19 website and hanging around town. Make sure people
20 know.

21 MR. ARRIOLA: Imagine if this gets
22 below freezing again, you won't be doing it.

23 MR. BROCK: Right.

24 UNIDENTIFIED SPEAKER:
25 (Indiscernible.)

1 MR. ARRIOLA: All right. Park and
2 rec, Star. Hello.

3 MS. STAR: I just wanted to make a
4 reminder that our Earth Day cleanup is Saturday,
5 April 20th. It starts at 12 p.m. and we'll start
6 at the Stanley Jones Park gazebo and we'll go from
7 there. We're also getting things together for
8 Camp Connect this year. So far we've passed out
9 our intern applications and our junior leader
10 applications but we haven't started our young
11 leader applications yet.

12 There's also going to be a fee for
13 junior and young leaders this year. So we
14 understand that some families need some help so
15 we're asking some businesses and if community
16 members want to help, they can also sponsor either
17 like a child or a tribe. And those are due by
18 April 12th. And that's all I have.

19 MS. MADDEN: We'll take them after
20 too if they want to sponsor at that point. We're
21 not going to turn anybody away.

22 MR. ARRIOLA: All right. Any
23 questions for Star? Okay. Municipal manager's
24 comments.

25 MS. MADDEN: I just have a couple.

1 Key Bank, I have a contact that I'm working with
2 so we'll see where that goes. Chris had asked
3 about that.

4 I do have some -- I have that parcel
5 data that Doug's been asking for, like how many
6 rentals we have, how many homes we have. So I'm
7 just going to pass this out and you guys can have
8 one rather than me going through it. There's
9 about 187 registered rentals in New Lebanon. That
10 means they registered with the auditor. There
11 might be a few more. Dave and I were talking that
12 maybe around 20 -- maybe around another 20. So
13 maybe around 200 that aren't registered. So
14 that's just some information that I gathered.

15 MR. THOMPSON: Thank you.

16 MR. ARRIOLA: Thank you.

17 MS. MADDEN: Uh-hum. And the only
18 other thing I have is to ask for an executive
19 session to discuss personnel and legal matters.

20 MR. ARRIOLA: All right. Going to
21 council member comments. Gayle.

22 MR. JOY: Thanks for coming.

23 MR. ARRIOLA: Hillary?

24 MS. MCCLUSKY: I have nothing.

25 MR. ARRIOLA: Carol.

1 MS. MACMANN: The park is looking
2 good. It looks like some stuff has been done over
3 at the park.

4 MS. MADDEN: Just nod, Scott. Good
5 job. Just say --

6 MS. MACMANN: Just say --

7 MS. MADDEN: She's saying good job.

8 MS. MACMANN: I'm saying good job
9 just take it and -- yeah. Don't look surprised.

10 MR. ARRIOLA: Doug.

11 MR. THOMPSON: I have no comments.
12 Thank you.

13 MS. WACKERMAN: I have nothing.

14 MR. ARRIOLA: Vice mayor?

15 MR. SANDS: I have nothing this
16 evening.

17 MR. ARRIOLA: Okay. I don't have
18 anything further myself so just we're going to be
19 going in executive session. No further business
20 will be conducted once we return. So do I have a
21 request -- well, I have a request for a motion for
22 an executive session pursuant to Ohio Revised Code
23 121.22(g)(1) and (3) to discuss personnel issues
24 and legal matters. Do I have a motion?

25 MS. MACMANN: So moved.

1 MR. THOMPSON: So moved.

2 MR. ARRIOLA: Carol. And second.

3 MR. THOMPSON: Yes.

4 THE CLERK: Mr. Joy?

5 MR. JOY: Yes.

6 THE CLERK: Ms. Macmann?

7 MS. MACMANN: Yes.

8 THE CLERK: Ms. McClusky?

9 MS. MCCLUSKY: Yes.

10 THE CLERK: Mr. Sands?

11 MR. SANDS: Yes.

12 THE CLERK: Mr. Thompson?

13 MR. THOMPSON: Yes.

14 THE CLERK: Ms. Wackerman?

15 MS. WACKERMAN: Yes.

16 THE CLERK: Mr. Arriola?

17 MR. ARRIOLA: Yeah.

18 THE CLERK: Seven yes and no no.

19 (Pause in proceedings.)

20 MR. ARRIOLA: Do I have a motion to
21 return from executive session?

22 MR. THOMPSON: So moved.

23 MS. MCCLUSKY: Second.

24 THE CLERK: Okay. Who --

25 MR. ARRIOLA: Doug and Carol.

1 MS. MADDEN: No, I think it was
2 Hillary.

3 MS. MCCLUSKY: No. It was Hillary.

4 MR. ARRIOLA: Oh, Hillary. I'm
5 sorry.

6 MR. SANDS: That was Hillary?

7 MS. MCCLUSKY: Yeah.

8 MS. MADDEN: She hollered it.

9 MS. MCCLUSKY: I guess we sound very
10 different.

11 MS. MADDEN: Or just alike.

12 (Indiscernible conversation.)

13 MR. ARRIOLA: All in favor.

14 (Aye.)

15 MR. ARRIOLA: All opposed?

16 (No response.)

17 MR. ARRIOLA: Do I have a motion to
18 adjourn?

19 MR. THOMPSON: Yes.

20 MS. MCCLUSKY: So moved.

21 MR. ARRIOLA: Doug and Hillary again.

22 MS. MADDEN: Doug and Hillary again.

23 MR. ARRIOLA: All in favor?

24 (Aye.)

25 MR. ARRIOLA: All opposed?

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(No response.)

MR. ARRIOLA: All right. Meeting
adjourned.

(End of audio.)

1 STATE OF OHIO)

2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Monica M. Silverwood, a Notary Public
4 within and for the State of Ohio, duly
5 commissioned and qualified,

6 DO HEREBY CERTIFY that the above-named
7 taped proceeding was reduced to writing by me
8 stenographically and thereafter reduced to
9 typewriting to the best of my ability.

10 I FURTHER CERTIFY that I am not a relative
11 or Attorney of either party nor in any manner
12 interested in the event of this action.

13 IN WITNESS WHEREOF, I have hereunto set my
14 hand and seal of office at Dayton, Ohio, on this
15 2nd day of August, 2019.



16
17 Monica M. Silverwood
18 MONICA M. SILVERWOOD, RPR, CET
19 NOTARY PUBLIC, STATE OF OHIO
20 My commission expires 9-2-2019
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<p>(</p> <p>(3) 8:23</p> <hr/> <p>1</p> <hr/> <p>11th 5:2</p> <p>12 6:5</p> <p>121.22(g)(1) 8:23</p> <p>12th 6:18</p> <p>187 7:9</p> <hr/> <p>2</p> <hr/> <p>20 7:12</p> <p>200 7:13</p> <p>2019 2:2</p> <p>2019-01 3:5</p> <p>20th 6:5</p> <p>2nd 2:2</p> <hr/> <p>5</p> <hr/> <p>51.05 3:6</p> <hr/> <p>6</p> <hr/> <p>6 5:2</p> <hr/> <p>7</p> <hr/> <p>7th 5:1</p> <hr/> <p>9</p> <hr/> <p>9:30 5:2</p> <hr/> <p>A</p> <hr/> <p>adjourn 10:18</p> <p>adjourned 11:3</p> <p>Administrative 3:15</p> <p>agenda 2:3</p> <p>alike 10:11</p> <p>Allegiance 2:6,22</p> <p>Amen 2:21</p> <p>amending 3:6</p> <p>appearance 4:13</p> <p>applications 6:9,10,11</p> <p>appointments 2:24</p>	<p>April 2:2 5:1 6:5,18</p> <p>Arriola 2:1,23 3:14,19,23, 25 4:17,23 5:7,21 6:1,22 7:16,20,23,25 8:10,14,17 9:2,16,17,20,25 10:4,13, 15,17,21,23,25 11:2</p> <p>audio 11:4</p> <p>auditor 7:10</p> <p>Aye 10:14,24</p> <hr/> <p>B</p> <hr/> <p>back 4:4 5:17</p> <p>Bank 7:1</p> <p>bit 5:13</p> <p>board 2:25 3:1,2</p> <p>boards 2:25</p> <p>Brenda 4:20</p> <p>Brethren 2:5</p> <p>BROCK 4:25 5:6,11,16,23</p> <p>business 2:24 3:4 8:19</p> <p>businesses 6:15</p> <hr/> <p>C</p> <hr/> <p>call 2:1</p> <p>Camp 6:8</p> <p>Carol 7:25 9:2,25</p> <p>chief 3:16,17,20,22,23,24 4:1,19</p> <p>child 6:17</p> <p>Chris 7:2</p> <p>Church 2:5</p> <p>cleanup 6:4</p> <p>CLERK 9:4,6,8,10,12,14, 16,18,24</p> <p>code 3:7 8:22</p> <p>comments 3:9,15 6:24 7:21 8:11</p> <p>community 2:15 6:15</p> <p>compliance 3:1 4:2</p> <p>conducted 8:20</p> <p>conducting 5:1</p> <p>Connect 6:8</p> <p>contact 7:1</p> <p>continued 4:15</p> <p>conversation 10:12</p> <p>council 2:2 7:21</p> <p>couple 6:25</p>	<p>court 4:12,14</p> <hr/> <p>D</p> <hr/> <p>data 7:5</p> <p>Dave 7:11</p> <p>David 4:2,18</p> <p>day 3:21 6:4</p> <p>Dear 2:7,10,13,20</p> <p>decisions 2:19</p> <p>department 4:24</p> <p>dirty 5:10</p> <p>discolored 5:11</p> <p>discuss 2:13 7:19 8:23</p> <p>dishwasher 5:15,16</p> <p>Doug 8:10 9:25 10:21,22</p> <p>Doug's 7:5</p> <p>due 6:17</p> <hr/> <p>E</p> <hr/> <p>Earth 6:4</p> <p>end 5:2 11:4</p> <p>evening 8:16</p> <p>executive 7:18 8:19,22 9:21</p> <p>expect 5:10</p> <hr/> <p>F</p> <hr/> <p>families 6:14</p> <p>Father 2:8</p> <p>favor 10:13,23</p> <p>fee 6:12</p> <p>fence 4:5,7</p> <p>financial 4:19</p> <p>fire 3:23,24,25</p> <p>flushing 5:1</p> <p>forgiveness 2:12</p> <p>freezing 5:22</p> <hr/> <p>G</p> <hr/> <p>gathered 7:14</p> <p>Gayle 7:21</p> <p>gazebo 6:6</p> <p>George 3:2,3</p> <p>give 2:11</p>	<p>Gloria 4:14</p> <p>good 8:2,4,7,8</p> <p>grab 3:11 5:18</p> <p>Gracious 2:8</p> <p>Gretchen 3:21</p> <p>guess 10:9</p> <p>guide 2:15</p> <p>guys 7:7</p> <hr/> <p>H</p> <hr/> <p>hand 2:13</p> <p>handout 5:17</p> <p>hanging 5:19</p> <p>Heavenly 2:8</p> <p>Hillary 7:23 10:2,3,4,6,21, 22</p> <p>hollered 10:8</p> <p>home 4:4</p> <p>homes 7:6</p> <p>hydrant 5:1</p> <hr/> <p>I</p> <hr/> <p>imagine 5:8,21</p> <p>indiscernible 5:25 10:12</p> <p>information 7:14</p> <p>initial 4:13</p> <p>intern 6:9</p> <p>inviting 2:9</p> <p>invocation 2:3</p> <p>issues 8:23</p> <p>item 2:3</p> <hr/> <p>J</p> <hr/> <p>job 8:5,7,8</p> <p>Johnsville 4:4</p> <p>Jones 6:6</p> <p>Joy 7:22 9:4,5</p> <p>judge 4:15</p> <p>junior 6:9,13</p> <hr/> <p>K</p> <hr/> <p>Key 7:1</p> <p>kindness 2:12</p>
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<hr/> <p style="text-align: center;">L</p> <hr/> <p>laundry 5:13</p> <p>leader 6:9,11</p> <p>leaders 6:13</p> <p>Lebanon 2:5 3:8 7:9</p> <p>legal 7:19 8:24</p> <p>lift 2:14</p> <p>Loch 3:1</p> <p>Long 5:4,5</p> <p>Lord 2:10,11,13,20</p> <p>LUNSFORD 4:3,8,11</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>Macmann 8:1,6,8,25 9:6, 7</p> <p>MADDEN 3:11 4:21 5:15, 17 6:19,25 7:17 8:4,7 10:1, 8,11,22</p> <p>make 2:15 5:19 6:3</p> <p>making 2:19</p> <p>manager's 6:23</p> <p>Marcus 3:2,3</p> <p>matters 2:13 7:19 8:24</p> <p>mayor 8:14</p> <p>mayoral 2:24</p> <p>Mcclusky 7:24 9:8,9,23 10:3,7,9,20</p> <p>means 7:10</p> <p>meeting 2:2,10,20 11:2</p> <p>member 7:21</p> <p>members 6:16</p> <p>mindset 2:11</p> <p>minutes 2:23</p> <p>Monday 4:14</p> <p>morning 5:3,12</p> <p>motion 8:21,24 9:20 10:17</p> <p>motor 4:3</p> <p>moved 4:4,6 8:25 9:1,22 10:20</p> <p>Municipal 6:23</p> <p>Municipality 3:8</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>Nice 3:20</p> <p>night 5:2,4,5,14</p>	<p>nod 8:4</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>officer 4:2,19</p> <p>Ohio 8:22</p> <p>opposed 10:15,25</p> <p>order 2:1</p> <p>ordinance 3:5</p> <p>ordinances 3:7</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>p.m. 6:5</p> <p>parcel 7:4</p> <p>park 2:25 6:1,6 8:1,3</p> <p>part 2:9</p> <p>pass 7:7</p> <p>passed 6:8</p> <p>Pastor 2:4,7</p> <p>patience 2:12</p> <p>pause 9:19</p> <p>people 5:19</p> <p>personnel 7:19 8:23</p> <p>plan 2:21</p> <p>planning 3:2</p> <p>pledge 2:6,22</p> <p>point 6:20</p> <p>police 3:15,17,19,22</p> <p>position 2:16</p> <p>pray 2:7,14</p> <p>proceedings 9:19</p> <p>protection 2:18</p> <p>public 3:9</p> <p>pursuant 8:22</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>questions 3:8,20 4:18 5:7 6:23</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>reading 3:5</p> <p>rec 6:2</p> <p>recited 2:22</p> <p>registered 7:9,10,13</p> <p>regular 2:2</p>	<p>remain 2:5</p> <p>reminder 6:4</p> <p>rentals 7:6,9</p> <p>request 8:21</p> <p>response 10:16 11:1</p> <p>return 8:20 9:21</p> <p>Revised 8:22</p> <p>Rob 3:1</p> <p>run 5:13,15,16</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>Sands 4:6,9 8:15 9:10,11 10:6</p> <p>sanitary 3:6</p> <p>Saturday 6:4</p> <p>scheduled 4:14</p> <p>school 3:21</p> <p>Scott 4:24 5:8 8:4</p> <p>Service 4:23</p> <p>session 7:19 8:19,22 9:21</p> <p>sewer 3:6</p> <p>sheet 3:11</p> <p>show 4:13</p> <p>showing 3:20</p> <p>signed 3:12</p> <p>sir 3:18</p> <p>sound 10:9</p> <p>SPEAKER 5:4,9,24</p> <p>sponsor 6:16,20</p> <p>staff 3:15</p> <p>standing 2:6</p> <p>stands 2:14</p> <p>Stanley 6:6</p> <p>Star 6:2,3,23</p> <p>start 5:2 6:5</p> <p>started 6:10</p> <p>starts 6:5</p> <p>stuff 8:2</p> <p>superintendent 4:24</p> <p>supposed 4:12</p> <p>surprised 8:9</p> <p>system 3:7</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>talking 7:11</p>	<p>thing 4:25 5:12 7:18</p> <p>things 6:7</p> <p>Thompson 7:15 8:11 9:1, 3,12,13,22 10:19</p> <p>today 2:9</p> <p>tonight 3:18,24 4:22</p> <p>town 5:19</p> <p>tribe 6:17</p> <p>turn 6:21</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>Uh-hum 5:6 7:17</p> <p>understand 6:14</p> <p>UNIDENTIFIED 5:4,9,24</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>Vice 8:14</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>Wackerman 8:13 9:14,15</p> <p>wanted 4:10 6:3</p> <p>Warlaw 2:4,7</p> <p>water 5:10</p> <p>waterworks 3:6</p> <p>website 5:19</p> <p>Wednesday 4:12</p> <p>week 4:15</p> <p>wisdom 2:18</p> <p>working 7:1</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>year 6:8,13</p> <p>young 6:10,13</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>Zoning 3:1 4:2</p>
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