

November 5

2019

The Council of the Municipality of New Lebanon, Ohio, met in regular session on Tuesday, November 5, 2019 at 7:30 p.m. with Mayor Arriola presiding. Present were Municipal Manager Glenna A. Madden, Law Director Ronald D. Keener, Police Chief Rick Daulton, Code Enforcement Administrator Melody Davis, Clerk of Council Sandy Wright and several visitors. Service Department Superintendent Scott Brock and Chief Financial Officer Brenda Etter were absent.

ROLL CALL

The following members were present at the Call to Order: Raymond Arriola, Gale Joy, Carol Macmann, Hillary McClusky, Christopher Sands, and Douglas Thompson.

INVOCATION

Pastor Marl Kirchhofer from New Lebanon Assembly of God gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Minutes not complete

OLD BUSINESS

Mayor Arriola stated do we have any old business.

Municipal Manager stated I have some items that were discussed in the past and I would like to do some follow-ups on them.

The first item is Brett McNinch's trees; I checked on several things with that. There is nothing we can do about the trees. The road construction took place three (3) years before his trees had any kind of incident. In the future we will look at the property lines and trees before doing any type of road project.

The cameras in this room were actually put here for security rather than video. I did ask that audio and video be added so that we can use them as minutes. They are going to be a live feed. It will be something you can look at later after we upload. We are still testing so hopefully sound will work tonight along with audio.

Key Bank has now been told it will be three (3) years before the building can be used as the bank again. I am still working to see what can be done since they chose to leave.

The other thing is we have held two (2) meetings with the Neighborhood Watch and to date we have not received anyone or any group that has formed a Neighborhood Watch or requested a sign of any kind. You can find information on the website or in the lobby where we have the applications. If you have any questions you can contact Police Chief Daulton or myself.

Paving at Don Rusk Park keeps being brought up. The price is \$150,000 to \$200,000 is what it would cost to pave and to chip and seal is estimated at \$100,000 so neither pricing will fit our budget when we are cutting tennis courts and everything else.

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The spot in front of Sexton's driveway has been repaired.

The walking track is being paved this week. Stump Paving is doing it for \$15,007.90 for that portion. We still have money set aside in this budget to pave the additional as we move through the park.

The Johnsville Lift Station is at the Engineer's office. Due to our former Engineer's retirement he hired a new engineer who is working on the bid packet that again is a winter project and will be done this winter.

Shannon brought up the concern with properties that had already been given or sent letters. They are now going back to the old way. I believe Shannon came in and talked with Melody. There was no list exchanged and it was taken care of.

Residents can convert their garages into a living space. In many cases people don't park in their garages and the conversion does not take away any part of the driveway space so that is not something we can ever take away from residents. I think that is all the updates from previous meetings.

NEW BUSINESS

Mayor Arriola stated under new business is **RESOLUTION 2019-31. A RESOLUTION DECLARING PROPERTY AS SURPLUS AND AUTHORIZING THE MUNICIPAL MANAGER TO LIST IT WITH GOVDEALS, INC. ("GovDeals"), 100 CAPITOL COMMERCE BLVD, SUITE 110, MONTGOMERY, ALABAMA 36117**

Mayor Arriola stated any questions. Nothing was heard.

Motion by Council Member Macmann, second by Council Member McClusky to adopt Resolution 2019-31

ROLL CALL ON ABOVE MOTION: Council Member Joy, yes; Council Member Macmann, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; 6 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated **RESOLUTION 2019-32. A RESOLUTION AUTHORIZING THE TRANSFERS OF Overage FROM THE DEBT SERVICE FUND TO THE GENERAL FUND IN THE AMOUNT OF \$120,776.83 PURSUANT TO CHARTER §6.07 AND ORC 5705.14(D).**

Mayor Arriola stated any questions. Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2019-32.

Motion by Council Member Thompson, second by Council Member Sands to adopt Resolution 2019-32.

ROLL CALL ON ABOVE MOTION: Council Member Macmann, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Joy, yes; Council Member Arriola, yes; 6 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

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Mayor Arriola stated **FIRST READING ORDINANCE 2019-04. AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF NEW LEBANON.**

Mayor Arriola stated any questions.

Council Member Sands stated this is just to update what we have done this past year.

Municipal Manager Madden stated it is all of the updates so when you search the website you get the most current.

Mayor Arriola stated next is the **FIRST READING ORDINANCE 2019-05. 2020 ANNUAL APPROPRIATION ORDINANCE.**

Mayor Arriola stated any questions. Nothing was heard.

Mayor Arriola stated next is public comments or questions. If anybody has any comments or questions please come forward to the podium and state your name and address for the record.

PUBLIC COMMENTS OR QUESTIONS

Shannon Bemis, 130 Bronwood Street. Mrs. Bemis questioned Resolution 2019-31 asking what are you guys selling?

Municipal Manager Madden stated the Police Department is selling a 2005 Dodge Durango; do you want the Vin Number to which Ms. Bemis replied no; a 2006 Ford Explorer, and a 2008 Ford Crown Vic.

Ms. Bemis asked when can we see the updates of the Code of Ordinances?

Municipal Manager Madden stated it is on the web now.

Ms. Bemis stated so you are saying this 2019-04 is on the website now.

Municipal Manager Madden stated 2018 is on the website now for the public. 2019 is being done now.

Ms. Bemis stated tonight is the first reading so it is public record but the first reading of the budget is not.

Municipal Manager Madden replied 2018 is out there publicly and 2019 will be out there at the end of the year. That is being done now.

Ms. Bemis stated my question is why can't we give any input on this stuff. You guys are having your readings but we don't have anything to read, so how can we give community feedback.

Council Member Thompson stated I think we did get community feedback at the last meeting from public comments. And then we as council hear your comments and based on your comments make a decision.

Ms. Bemis stated at the budget workshop we were only hearing ten (10) line items. We don't hear anything about wages and salaries. Are we adding more or taking less. Are we adding more to Administrative and Service Department. We don't hear anything about big capital investments and assets so there is a lot more to the budget

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than what we hear. There is a lot more to go with the revenue and expenses that we are not privy to,

Municipal Manager Madden state don't you come into the office and get a request form for a revenue and expense report.

Ms. Bemis stated it's not once a week and I don't have it.

Municipal Manager Madden stated you have that information.

Ms. Bemis stated you can't even return a phone call. I emailed you and it took you 9 days and said oh, they are posted. Remember I came here a year ago because there was no transparency here.

Municipal Manager Madden stated I was not here then.

Ms. Bemis stated yes your were. You were Vice Mayor then.

Municipal Manager Madden stated I was not in this position then.

Ms. Bemis asked who is responsible for the admin's actions? Council is, am I correct.

Municipal Manager Madden stated yes you are correct.

Council Member Thompson stated there is really no secret. When we go over the budget we are going over the assumptions for next year. There is really no secret. When you get the budget and once it is approved you can look at it and ask questions about it and then you can ask for public records on what is spent on a monthly or quarterly basis. It is all there. Then we have state auditors coming in every two years They ask do you have a budget and we say yes; then they ask is the budget approved so the state auditors are the last ones to look at the budget. Then we have allowable expenses and unallowable expenses. I think it is important for the public to know there is a lot of work that goes into the budget. There is the financial reporting then the state auditors come in the see if we have done what we are supposed to do.

Ms. Bemis stated I had an issue with the way Markus ran things but one thing I can say is before the final reading he gave us the revenue and expense budget workshop worksheet. This was before the 28th day when it became final. This was on the back table at the budget hearings. This is where we got our information. I don't understand why I can't get this because you guys did not go publicly every single line item with us. So why can't I get this.

Municipal Manager Madden stated I'm not sure why he gave that to you or what he was handing out because the 2020 budget is not in effect and has not been approved.
(Can't transcribe to much static and popping from recording system)

Ms. Bemis stated on the list of our tax levies how do we know which ones are permanent, 3 years or 5 years? It does not state on this.

Municipal Manager Madden stated I can pull that and get the information for you Shannon.

Ms. Bemis stated I appreciate you Mr. Joy for sometimes going against the majority because you look at it as a taxpayer. What is happening with the old Dairy Queen Building: Do you know who owns it or what's happening with it?

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Code Enforcement Administrator Davis's replied I sent them a letter to clean up the litter around the fence line and that the shed was in need of repair. They complied by cleaning up the litter and they removed the shed.

Ms. Bemis asked when do you get the report back from the state auditors?

Municipal Manager Madden stated we just finished completing some things with them so I expect mid next month.

Ms. Bemis stated your intentions are what you said earlier about going live?

Municipal Manager Madden stated it will not be live; it will be recorded.

Ms. Bemis asked after it is recorded is there a time frame as to when a turnaround would be.

Municipal Manager Madden stated if we were to use the recording as minutes it would have to be approved at the next meeting. Then it would be posted after that.

Ms. Bemis stated I know the minutes were not approved this month so I am looking at potentially a minimum of one month.

Municipal Manager Madden stated it would be easy to approve video transcribing rather than typed minutes so it will be at least 2 weeks.

Ms. Bemis stated so I in essence would have to go Facebook live to get information. I know this is before when you had a lot of issues from a lot of people with issues, is there still any talk about having a community committee.

Council Member Thompson stated I am not hearing a need for that. You and the others have done a good job with letting us know what the issues are.

Ms. Bemis stated my last question about not having the advertiser. Have you guys discussed further about using other means of getting the information out there. I know ordinances and resolutions are posted at the Village office.

Municipal Manager Madden stated it is on our webpage. We put it on the Village and Parks and Rec webpage. We post here, the grocery store, the library and the post office. We will eventually post it at the two banks once they open.

Ms. Bemis stated I know some of you don't like me and some of you are frustrated with me and I can understand that. I want you all to know that my intentions are good as a taxpayer. You guys are responsible for handling the money I have worked for. When I came in here a year ago I think that I have shown that I am committed. I think I have shown that I have had a genuine interest and not just here one day to have a two hour spiel, then you don't see me. I have shown my commitment. With that being said, you know there is reason I have questions and some you may think it is ridiculous. Some of you may think it is over the top but that is how I do things. I don't do things 10% or 20%. I do things 100% if I need more information. I feel like I'm entitled to that. If I come up and have questions, as silly as they are to you, I am entitled to those questions. So moving forward I am not going away from here. I think I have shown you all respect even when I'm frustrated and I just ask for the same in return. I do have good intentions and there is another year.

Mark Bundy, 124 Laredo Avenue stated believe it or not I am not here to talk about the messy property even though nothing has been done. The day before they started to

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pave the street in front of the house the blacktop people came out to prep the streets before beginning to black top. One of their tractors ran over two sections of my new curb. I have told Tammy in the office twice about it and was told she would leave a note for Scott. I haven't heard from Scott or anybody and as far as I know no one has been out to look at it. I don't I should have to pay for those two sections of concrete and you can see the tire marks where the truck ran over them. I noticed them the next day, then I reported it to Tammy. I think I should not have to pay for those that were broken. Thank you.

Mayor Arriola stated thank you.

Lyndon Perkins, 735 Greyhound Drive stated I have a few questions about when the trees on Main Street will be trimmed? It is time to trim the trees. I am getting ready to do mine.

Mayor Arriola stated Mr. Mark Weber from Leo Gardening says the best time to trim is in the spring.

Mr. Perkins stated everybody knows that I am on the ballot running for a council seat. I learned a lot by going round the block talking with different people. I would suggest you go around not just to your neighbors on either side of you but around the block. They will tell you what the problem is. That is my suggestion to all of the board members. Yesterday I went around and passed out papers to 46 homes and at least half a dozen talked about the street and water. I have another question about time clocks and village personnel and radios that could be used rather than time clocks. Is there any other type of device that can be used rather than a time clock and be beneficial to help that young lady see that things are done and completed.

Municipal Manager Madden stated those are two different things. Time clocks and a device to check if items are completed are to separate items. A time clock clocks you in at the beginning and ending of the day. Something that is checking your work during the day would be something different. We are looking into that but it will have to be beneficial and cost effective.

Mr. Perkins questioned the schedule for leaf pick up. Asked if they pick up on certain days or just go from street to street.

Municipal Manager Madden informed Mr. Perkins that there is a schedule for leaf pick up. There should be a sheet you can pick up at the office.

Melissa Sexton, 180 Parkview Drive stated I just want to say thanks for repairing the end of the driveway. Last year there was an emergency meeting with Markus about the water. Last year I lost a lot of pressure in the house from the water so my water heater busted again. This is the third water heater for us. Last year I did report about our low water pressure. I noticed it inside the house when taking showers. Is it possible that a valve has been turned or something.

Council Member Thompson reported he has had 3 water heaters also but so far no low water pressure.

Municipal Manager Madden stated I don't know the answer to your question but I will have someone look into it and get back with you. I might have Glenn come out the check for a water leak.

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Tim Back, 29 East Main Street gave a list of streets that have potholes that need to be repaired. He wanted to thank the service department for repairing the problem at the school. He asked how many bids were taken for the roof on the police station.

Fire Chief JC Keyser reported there were 4 contacted for the police station and municipal building and only received bids from 2 contractors. I want to say this building was about \$30,000.00, the firehouse was about \$42,000.00 with lifetime shingles that would last about 50 years.

Mr. Back then mentioned the trimming of the trees and Stan Opie's problem.

He also suggested using Google sheets for keeping track of where the service people have been and what jobs they were working on. The information is sent to a log and the good thing is you don't spend a dime. He then said no one is accountable for anything and people do not have any confidence with council anymore.

Council Member Thompson addressed Mr. Back's concerns but conversation not audible because of loud static.

Municipal Manager Madden stated we have added seven (7) more businesses so far this year. We have put ourselves out there through an Economic Development Program with Montgomery County so they can see we have space available out here and that we have openings. We are putting ourselves out there as best we can. I met with every business in town when I first started so I could find out what they needed and what they wanted so I had an understanding of their needs. That had never been done before. I am still working with them because there are some grants out there and some money out there for expanding businesses that comes with a promise of a job. Some of the grants out there the business has to promise to hire more people.

Ms. Bemis returned to microphone stating everybody appreciates you guys. When he was saying some things my blood pressure was going up. Glenna I know you have brought businesses in and I have seen a difference. Melody you a great addition and I have told you that. Sometimes we forget to say nice things. I know you hear me and I appreciate that. With that being said just with the work orders and the time clock when people have told you a time clock is needed along with work orders. We are trying to tell you something. Next meeting there will be something because as a taxpayer I am requesting it. It is something that is a necessity and will be cost effective for the village. My big thing with the budget is when you look at the roads which are a necessity so we are spending \$120,000.00 on a new salt barn; that is a lot of dura-patching.

Council Member Thompson stated we just do not have the revenue right now. I see and hear the frustration from you and others. I do hope we can come up with a solution.

Mayor Arriola stated we are not going to fix things overnight.

ADMINISTRATIVE STAFF COMMENTS

Mayor Arriola stated we will go to administrative staff comments.

Mayor Arriola stated Police Chief Daulton.

Police Chief Daulton stated they wanted the number of traffic citations issued. In October there were 65 traffic stops; 7 issued in the school zone, 47 reports on criminal activity. As far as the salt barn goes it is my understanding they need

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the old salt barn was condemned and had to be torn down. They have tent there now but the salt washes out from underneath the tent. They can't buy salt when it is cheap; they have to buy it when it is high. They are saving money by building a salt barn.

Mayor Arriola stated anything else for the Police Chief. Nothing was heard.

Mayor Arriola stated Fire Chief Keyser.

Fire Chief Keyser stated I can add more about the salt barn because the Fire Department actually help put that tent there. The tent was a surplus military tent that was expected to have a life of 3 years. So we are well past its life. We are past that time. Some of this stuff we have passed down and put off to save for future expenses. Now some of that has to be taken care of.

Council Member Macmann stated thank you for telling that to give a clear picture of why that has to be replaced because it is going to cost us more money overall. It will save us money if we replace the barn.

Police Chief Daulton stated we had a contract in the past with Montgomery County to store salt.

Council Member Sands stated it is actually a safety issue. If it comes down when they are filling it up vehicles could get damaged and people could get hurt. We have to have a permanent structure.

Council Member Macmann stated at some point you have to take care of them.

Mayor Arriola stated anybody have anything for the Fire Chief. Nothing was heard.

Mayor Arriola stated Code Enforcement Administrator Melody Davis

Code Enforcement Administrator Melody Davis stated I have sent out 42 notices mostly for junk and debris and then parking on the grass.

Mayor Arriola stated any questions for Melody. Nothing was heard.

Mayor Arriola stated Chief Financial Officer is not here. Does she have anything?

Municipal Manager Madden stated she doesn't have anything.

Mayor Arriola stated Service Department Superintendent Scott Brock.

Service Department Superintendent Scott Brock is not with us tonight.

Mayor Arriola stated does he have anything for us.

Municipal Manager Madden stated he has nothing.

Mayor Arriola stated Parks & Rec.

Municipal Manager Madden stated they have nothing.

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MANAGER'S COMMENTS

Municipal Manager Madden stated I don't have anything tonight.

COUNCIL MEMBER COMMENTS

Mayor Arriola stated Doug.

Council Member Thompson stated I appreciate the feedback tonight. We may not always agree but we do listen. I always want to be respectful. If we can get the money issues fixed we can do a lot of things in this community.

Mayor Arrola stated Gale.

Council Member Joy stated I agree. I appreciate everyone coming it is not always the easiest things to hear when people are upset. But it is things that need to be said a lot of times. One of the nice things about living in this country is that we do have a redress agreement. I hear you on the time clock but I don't agree. I have ever been on a time clock. I have always had a professional job and I have always been treated like a professional. When the boss said be here at 8:00 you are here at 8:00 and you are going to work until 5:00 or when the job is complete. I do agree that we do need to have some kind of a ticketing system or a work sheet that we can go back and actually reflect on what has been done in the community. I have not lived here all my life like a lot of you. There has been for the last probably 30 years that they have been kicking these cans around and this is what we deal with. It is a money thing. It is like everyone says it all revolves around money. We have to figure out a way to make this work and do it in the most economical way.

Mayor Arriola stated Hillary.

Council Member McClusky stated I agree with what these people have said. It is helpful to hear what you guys say. We don't see everything. Thank you for coming out.

Mayor Arriola stated Carol.

Council Member Macmann stated I think it is important whether I like to hear what somebody says does not matter. You have right to have your say to voice your concerns because we are a democracy. I hear quite often the council is responsible for fixing the roads. We all live here and we are all a part of this community. It is every single person's responsibility and that means we are to vote yes on the levies when we put them out there because we can't do anything if we don't have money to do it.

VICE MAYOR'S COMMENTS

Mayor Arriola stated Chris.

Vice Mayor Sands stated what they have said is true. Without the money we can't do it. If I were a business man looking to buy a place to live and looked on social media I would not want to live here because of all the negativity going on. I would not want to bring a business here. Sometime maybe all of this talk is hurting us. We want to bring new businesses to New Lebanon and we want to bring in more revenue here so we better watch what we put out there. We do the best we can with the budget we have. It may not be what you want but that is what we do.

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MAYOR’S COMMENTS

Mayor Arriola stated I agree with what everyone has said. I have brought it already that Glenna get with Brenda and give us some figures on what we can put on the ballot sometime next year and raise taxes. We can’t do anything unless we get the revenue. It is not going to happen. We can’t do anything unless people in the community vote yes to raise taxes.

ADJOURNMENT

Mayor Arriola stated do I have a motion to adjourn.

Motion by Council Member Thompson second by Council Member Macmann to adjourn the meeting.

ROLL CALL ON ABOVE MOTION. ROLL CALL ON ABOVE MOTION: Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Joy, yes; Council Member Macmann, yes; Council Member Arriola, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Meeting was adjourned at 8:49 p.m.

Approved:

Mayor Date

Clerk of Council Date