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8	MUNICIPALITY OF NEW LEBANON
9	REGULAR COUNCIL MEETING
10	JANUARY 15, 2019
11	7:30 P.M.
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1	MR. ARRIOLA: I'd like to call to	1	perspective. And while we present the united
2	order the January 15th, 2019 regular council	2	front when we approach different things, it
3	meeting. First item on the agenda is the	3	frequently is not that way because we have a free
4	invocation which will be given by Pastor Kyle	4	verbal exchange and he has ideas, I have ideas and
5	Warlaw from the New Lebanon Brethren Church and	5	we usually manage to meet someplace in the middle.
6	then please remain standing for the Pledge of	6	He's done an excellent job. I was tickled to
7	Allegiance.	7	death to be able to hire him as a full-time
8	PASTOR WARLAW: Let us pray. Dearest	8	firefighter a number of years ago, to see him
9	Father, we humbly come before you again just to	9	promote up from captain to assistant chief and he
10	give you Thanksgiving for all you've done for us	10	won't officially be fire chief until February 1st,
11	for the (indiscernible) that come before you and	11	but being my last meeting prior to that date, I
12	the only way we were able to do this with your son	12	thought I'd take the opportunity and great
13	Jesus Christ dying on the cross for our sins. We	13	privilege of being able to badge him.
14	thank for that. We also come to you tonight with	14	So Assistant Chief Keyser
15	the beginning of the new year with changes that	15	congratulations. I couldn't be more pleased with
16	have occurred on the council and within the	16	you and your efforts. You'll be an excellent
17	village. We come to you now asking you for	17	replacement.
18	discernment so we know your will of how you want	18	(Applause.)
19	this village to be ran. We ask that you be with	19	MR. ARRIOLA: Next item on the agenda
20	everyone here tonight to have open minds and open	20	is the approval of the October 2nd, 2018 regular
21	hearts to hear you so we can speak from what you	21	meeting minutes. Are there any corrections or
22	want us to speak and not from how we want to be	22	changes that need to be made to these minutes?
23	ran. Though we just thank you for being with us	23	All in favor of these minutes please signify by
24	tonight. We ask you to lead us and guide us in	24	saying aye.
25	all we do in your son's name, amen.	25	Aye.
			_
1	(Pledge of Allegiance.)	1	All opposed same sign.
1	(Pledge of Allegiance.)	1	5 All opposed same sign. (No response.)
2	(Pledge of Allegiance.) UNIDENTIFIED SPEAKER: Assistant	1 2 3	(No response.)
2 3	(Pledge of Allegiance.) UNIDENTIFIED SPEAKER: Assistant Chief Keyser, you want to step out here, please.	2 3	(No response.) MR. ARRIOLA: Old business, anyone
2 3 4	(Pledge of Allegiance.) UNIDENTIFIED SPEAKER: Assistant Chief Keyser, you want to step out here, please. As probably everybody in the room knows I'm	2	(No response.) MR. ARRIOLA: Old business, anyone have any old business? New business. Resolution
2 3 4 5	(Pledge of Allegiance.) UNIDENTIFIED SPEAKER: Assistant Chief Keyser, you want to step out here, please. As probably everybody in the room knows I'm retiring effective February 1st. We've been	2 3 4	(No response.) MR. ARRIOLA: Old business, anyone have any old business? New business. Resolution 2019-04. The resolution authorizing the municipal
2 3 4 5 6	(Pledge of Allegiance.) UNIDENTIFIED SPEAKER: Assistant Chief Keyser, you want to step out here, please. As probably everybody in the room knows I'm retiring effective February 1st. We've been working on that for about the last 90 plus days	2 3 4 5 6	(No response.) MR. ARRIOLA: Old business, anyone have any old business? New business. Resolution 2019-04. The resolution authorizing the municipal manager to enter into a three-year contract
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2 3 4 5 6 7 8 9 10	(Pledge of Allegiance.) UNIDENTIFIED SPEAKER: Assistant Chief Keyser, you want to step out here, please. As probably everybody in the room knows I'm retiring effective February 1st. We've been working on that for about the last 90 plus days and we've got a successor and that will be Assistant Chief Keyser and we also have a successor for the manager role and what I wanted to do this evening was just spend a couple quick	2 3 4 5 6 7 8 9 10	(No response.) MR. ARRIOLA: Old business, anyone have any old business? New business. Resolution 2019-04. The resolution authorizing the municipal manager to enter into a three-year contract extension with Streamborn Environmental Services, Inc., 38 Mary Place, Germantown, Ohio, 45327, to operate the wastewater treatment plant and water treatment plant in the amount of \$43 per hour
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	(Pledge of Allegiance.) UNIDENTIFIED SPEAKER: Assistant Chief Keyser, you want to step out here, please. As probably everybody in the room knows I'm retiring effective February 1st. We've been working on that for about the last 90 plus days and we've got a successor and that will be Assistant Chief Keyser and we also have a successor for the manager role and what I wanted to do this evening was just spend a couple quick minutes and talk a little bit about JC. That's how most everybody in the community knows him. He's had the opportunity to push it 20 years with the fire department both as a career member as well as a volunteer member. He has accomplished his associate degree as well as his bachelor's degree and he has just significant technical credentials in numerous areas. I think there will be an excellent replacement and it's been a pleasure working with him over the last years. I've learned some things from him.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	(No response.) MR. ARRIOLA: Old business, anyone have any old business? New business. Resolution 2019-04. The resolution authorizing the municipal manager to enter into a three-year contract extension with Streamborn Environmental Services, Inc., 38 Mary Place, Germantown, Ohio, 45327, to operate the wastewater treatment plant and water treatment plant in the amount of \$43 per hour effective January 1st, 2020, \$44 per hour effective January 1st, 2021 and \$45 per hour effective January 1st, 2022 and ending December 31st, 2022. Any questions? May I have a motion to adopt resolution 2019-04? MS. MADDEN: So moved. MR. SANDS: Second. THE CLERK: Mr. Arriola? MR. ARRIOLA: Yes. THE CLERK: Mr. Joy? MR. JOY: Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	(Pledge of Allegiance.) UNIDENTIFIED SPEAKER: Assistant Chief Keyser, you want to step out here, please. As probably everybody in the room knows I'm retiring effective February 1st. We've been working on that for about the last 90 plus days and we've got a successor and that will be Assistant Chief Keyser and we also have a successor for the manager role and what I wanted to do this evening was just spend a couple quick minutes and talk a little bit about JC. That's how most everybody in the community knows him. He's had the opportunity to push it 20 years with the fire department both as a career member as well as a volunteer member. He has accomplished his associate degree as well as his bachelor's degree and he has just significant technical credentials in numerous areas. I think there will be an excellent replacement and it's been a pleasure working with him over the last years. I've learned some things from him.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	(No response.) MR. ARRIOLA: Old business, anyone have any old business? New business. Resolution 2019-04. The resolution authorizing the municipal manager to enter into a three-year contract extension with Streamborn Environmental Services, Inc., 38 Mary Place, Germantown, Ohio, 45327, to operate the wastewater treatment plant and water treatment plant in the amount of \$43 per hour effective January 1st, 2020, \$44 per hour effective January 1st, 2021 and \$45 per hour effective January 1st, 2022 and ending December 31st, 2022. Any questions? May I have a motion to adopt resolution 2019-04? MS. MADDEN: So moved. MR. SANDS: Second. THE CLERK: Mr. Arriola? MR. ARRIOLA: Yes. THE CLERK: Mr. Joy? MR. JOY: Yes. THE CLERK: Ms. Macmann?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<pre>(Pledge of Allegiance.) UNIDENTIFIED SPEAKER: Assistant Chief Keyser, you want to step out here, please. As probably everybody in the room knows I'm retiring effective February 1st. We've been working on that for about the last 90 plus days and we've got a successor and that will be Assistant Chief Keyser and we also have a successor for the manager role and what I wanted to do this evening was just spend a couple quick minutes and talk a little bit about JC. That's how most everybody in the community knows him. He's had the opportunity to push it 20 years with the fire department both as a career member as well as a volunteer member. He has accomplished his associate degree as well as his bachelor's degree and he has just significant technical credentials in numerous areas. I think there will be an excellent replacement and it's been a pleasure working with him over the last years. I've learned some things from him. Every day I come in to work, believe it or not, I know some of you won't, I actually do</pre>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	(No response.) MR. ARRIOLA: Old business, anyone have any old business? New business. Resolution 2019-04. The resolution authorizing the municipal manager to enter into a three-year contract extension with Streamborn Environmental Services, Inc., 38 Mary Place, Germantown, Ohio, 45327, to operate the wastewater treatment plant and water treatment plant in the amount of \$43 per hour effective January 1st, 2020, \$44 per hour effective January 1st, 2021 and \$45 per hour effective January 1st, 2022 and ending December 31st, 2022. Any questions? May I have a motion to adopt resolution 2019-04? MS. MADDEN: So moved. MR. SANDS: Second. THE CLERK: Mr. Arriola? MR. ARRIOLA: Yes. THE CLERK: Mr. Joy? MR. JOY: Yes. THE CLERK: MS. Macmann? MS. MACMANN: Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	(Pledge of Allegiance.) UNIDENTIFIED SPEAKER: Assistant Chief Keyser, you want to step out here, please. As probably everybody in the room knows I'm retiring effective February 1st. We've been working on that for about the last 90 plus days and we've got a successor and that will be Assistant Chief Keyser and we also have a successor for the manager role and what I wanted to do this evening was just spend a couple quick minutes and talk a little bit about JC. That's how most everybody in the community knows him. He's had the opportunity to push it 20 years with the fire department both as a career member as well as a volunteer member. He has accomplished his associate degree as well as his bachelor's degree and he has just significant technical credentials in numerous areas. I think there will be an excellent replacement and it's been a pleasure working with him over the last years. I've learned some things from him.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	(No response.) MR. ARRIOLA: Old business, anyone have any old business? New business. Resolution 2019-04. The resolution authorizing the municipal manager to enter into a three-year contract extension with Streamborn Environmental Services, Inc., 38 Mary Place, Germantown, Ohio, 45327, to operate the wastewater treatment plant and water treatment plant in the amount of \$43 per hour effective January 1st, 2020, \$44 per hour effective January 1st, 2021 and \$45 per hour effective January 1st, 2022 and ending December 31st, 2022. Any questions? May I have a motion to adopt resolution 2019-04? MS. MADDEN: So moved. MR. SANDS: Second. THE CLERK: Mr. Arriola? MR. ARRIOLA: Yes. THE CLERK: Mr. Joy? MR. JOY: Yes. THE CLERK: Ms. Macmann?

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1	THE CLERK: Mr. Sands?	1	MR. ARRIOLA: Next, public comments.
2	MR. SANDS: Yes.	2	Anyone from the public like to make a comment
3	THE CLERK: Mr. Thompson?	3	please step forward and state your name and
4	MR. THOMPSON: Yes.	4	address. Next is administrative staff comments.
5	THE CLERK: Six yes, zero no.	5	Police chief?
6	MR. ARRIOLA: Next resolution	6	POLICE CHIEF: I have nothing
7	2019-05, resolution requesting the Municipality of	7	tonight, sir.
8	New Lebanon, Ohio proceed with five mill	8	MR. ARRIOLA: Anyone have anything
9	additional levy for the purpose of providing fire	9	for the police chief? Okay. Fire chief's not
10	service within a municipality pursuant to Ohio	10	here. Zoning compliance officer, David.
11	Revised Code 5705.19(I). Do I have a motion to	11	MR. LUNSFORD: A follow-up from last
12	adopt resolution 2019-05?	12	meeting on Mr. Gibb's complaint. (Indiscernible)
13	MR. THOMPSON: So moved.	13	went out a week later after our meeting on
14	MS. MACMANN: Second.	14	(indiscernible) still trying to see what he's
15	THE CLERK: Mr. Joy?	15	talking about (indiscernible).
16	MR. JOY: No.	16	MR. ARRIOLA: Okay.
17	THE CLERK: Ms. Macmann?	17	MR. LUNSFORD: (Indiscernible).
18	MS. MACMANN: Yes.	18	MR. ARRIOLA: All right. Any
19	THE CLERK: Ms. Madden?	19	questions for David?
20	MS. MADDEN: Yes.	20	MR. SANDS: The RV is still over
21	THE CLERK: Mr. Sands?	21	there on Johnsville Brookville Road.
22	MR. SANDS: Yes.	22	MR. LUNSFORD: Yeah, I got to talk to
23	THE CLERK: Mr. Thompson?	23	the property owners (indiscernible).
24	MR. THOMPSON: Yes.	24	UNIDENTIFIED SPEAKER: Do we know who
25	THE CLERK: Mr. Arriola?	25	that belongs to? Is anyone living in it?
	7		9
1	MR. ARRIOLA: Yes.	1	MS. MADDEN: I was told it was on
2		1 2	MS. MADDEN: I was told it was on the
	MR. ARRIOLA: Yes. THE CLERK: Five yes, one no. MR. ARRIOLA: Next resolution,		
2 3 4	MR. ARRIOLA: Yes. THE CLERK: Five yes, one no. MR. ARRIOLA: Next resolution, 2019-06, a resolution requesting the Municipality	2	the
2 3 4 5	MR. ARRIOLA: Yes. THE CLERK: Five yes, one no. MR. ARRIOLA: Next resolution, 2019-06, a resolution requesting the Municipality of New Lebanon, Ohio proceed with a ten mill levy	2 3 4 5	the MR. SANDS: It's on the grass
2 3 4	MR. ARRIOLA: Yes. THE CLERK: Five yes, one no. MR. ARRIOLA: Next resolution, 2019-06, a resolution requesting the Municipality of New Lebanon, Ohio proceed with a ten mill levy for the purpose of providing police service within	2 3 4	the MR. SANDS: It's on the grass MS. MADDEN: it's onchurch
2 3 4 5 6 7	MR. ARRIOLA: Yes. THE CLERK: Five yes, one no. MR. ARRIOLA: Next resolution, 2019-06, a resolution requesting the Municipality of New Lebanon, Ohio proceed with a ten mill levy for the purpose of providing police service within a municipality pursuant to Ohio Revised Code	2 3 4 5 6 7	the MR. SANDS: It's on the grass MS. MADDEN: it's on church property. MR. SANDS: It's on the church property.
2 3 4 5 6 7 8	MR. ARRIOLA: Yes. THE CLERK: Five yes, one no. MR. ARRIOLA: Next resolution, 2019-06, a resolution requesting the Municipality of New Lebanon, Ohio proceed with a ten mill levy for the purpose of providing police service within a municipality pursuant to Ohio Revised Code 5705.19(J). Do I have a motion to adopt	2 3 4 5 6	the MR. SANDS: It's on the grass MS. MADDEN: it's on church property. MR. SANDS: It's on the church property. MS. MADDEN: So can't the church
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	10		12
1	MS. MADDEN: Right.	1	UNIDENTIFIED SPEAKER: The church
2	UNIDENTIFIED SPEAKER: But the	2	itself, no. That property is.
3	church's property, the people that own that, can't	3	UNIDENTIFIED SPEAKER: Sowouldn't
4	have it towed? Because	4	they be under the same requirements as any other
5	UNIDENTIFIED SPEAKER: No. They can	5	business or organization or individual about
6	make arrangements to have it after notice they	6	abandoned vehicles that may be not owned by them
7	can make arrangements to have it towed and	7	but on theirproperty?
8	impounded and then the owner in order to get it	8	MS. MADDEN: So in other words,
9	back is going to have to pay for the impounding	9	you're going to write the church up?
10	fees and cost of towing and such.	10	UNIDENTIFIED SPEAKER: Well, I'm
11	UNIDENTIFIED SPEAKER: Okay. They		not
12	just have to make sure the owner knows before they	12	MS. MADDEN: I think that's kind of
13	do it.		
		13	where he's going.
14	UNIDENTIFIED SPEAKER: They couldn't	14	UNIDENTIFIED SPEAKER: Well, I may
15	do it without a notice.	15	have to go there because
16	UNIDENTIFIED SPEAKER: And that's	16	MS. MADDEN: Yeah, I guess you send a
17	where the liability would come in, okay.	17	letter to the church and tell them to get that off
18	UNIDENTIFIED SPEAKER: No, the	18	the property. That's where we're headed with it.
19	liability comes in if during the process of moving	19	And that puts them in well, but it gives them
20	it, anything is damaged, which invariably it's	20	notice that that shouldn't be there.
21	alleged when things like that are done.	21	MR. ARRIOLA: Well, anybody could
22	UNIDENTIFIED SPEAKER: But it's	22	anybody could come and dump
23	not	23	MS. MADDEN: I could justpark
24	MS. MADDEN: But not if it's	24	something at the church
25	impounded, then	25	MR. ARRIOLA: a vehicle in my
	11		13
1	11 UNIDENTIFIED SPEAKER: If it's	1	13 yard.
1 2		1 2	
	UNIDENTIFIED SPEAKER: If it's		yard.
2	UNIDENTIFIED SPEAKER: If it's impounded	2	yard. MS. MADDEN: And that's not really
2 3	UNIDENTIFIED SPEAKER: If it's impounded MS. MADDEN: It's impounded.	2 3	yard. MS. MADDEN: And that's not really fair.
2 3 4	UNIDENTIFIED SPEAKER: If it's impounded MS. MADDEN: It's impounded. UNIDENTIFIED SPEAKER: whatever	2 3 4	yard. MS. MADDEN: And that's not really fair. MR. ARRIOLA: I can't just have it
2 3 4 5	UNIDENTIFIED SPEAKER: If it's impounded MS. MADDEN: It's impounded. UNIDENTIFIED SPEAKER: whatever whoever moves it (indiscernible).	2 3 4 5	yard. MS. MADDEN: And that's not really fair. MR. ARRIOLA: I can't just have it towed away.
2 3 4 5 6	UNIDENTIFIED SPEAKER: If it's impounded MS. MADDEN: It's impounded. UNIDENTIFIED SPEAKER: whatever whoever moves it (indiscernible). UNIDENTIFIED SPEAKER: The lawis	2 3 4 5 6	yard. MS. MADDEN: And that's not really fair. MR. ARRIOLA: I can't just have it towed away. MS. MADDEN: Apparently not but now I
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	14		16
1	MS. MADDEN: Didn't want him to feel	1	UNIDENTIFIED SPEAKER:
2	left out.	2	(Indiscernible).
3	MR. ARRIOLA: Anything from Brenda?	3	MR. ARRIOLA: Not really. But if you
4	MR. MARCUS: She has nothing tonight,	4	want I'll let you come on up.
5	sir.	5	UNIDENTIFIED SPEAKER: Oh, okay.
6	MR. ARRIOLA: Any questions for	6	Well
7	Brenda to pass on? Servicedepartment	7	MR. ARRIOLA: I'll let you make a
8	superintendent, Scott.	8	comment about that.
9	MR. BROCK: Just a couple of things.	9	MS. BEMIS: Shannon Bemis, 130
10	Some of you have might have seen Miller Brothers	10	Bronwood Street. Well, the idea of pulling in the
11	in town, (indiscernible) they started	11	yard like for me I wouldn't because I'm not
12	(indiscernible) sanitary sewer rehab. Almost	12	going to destroy my grass.
13	complete with that. Got one more point repair to	13	MR. ARRIOLA: Well, when it's that
14	make over on Homeway and (indiscernible). Most of	14	cold.
15	you know we had a significant snowfall over the	15	MS. BEMIS: Right. But as far as I
16	weekend. (Indiscernible). I wanted to give an	16	see where your guys's problem is, you drive down
17	at-a-boy, a lot of you don't know, the majority of	17	the road and there's so many cars that are snowed
18	the about 60 percent of the crew has been here	18	in, plowed in from you guys. But that goes back
19	less than a year. So for them to go out and do	19	to the whole a car shouldn't be parked more than
20	what they did. They did a really good job.	20	24 hours without being moved. So I think maybe if
21	MR. ARRIOLA: Yeah, it looks like	21	that was enforced a little bit more, it would be
22	great. I mean, it looked like they did a good	22	easier for you guys. There are cars that will sit
23	job. Mine I had the old guy in my neighborhood	23	on the road for months at a time when they should
24	though. But, yeah, they were. They were. It	24	be moved every 24 hours per the ordinance. So
25	looked like they did a good job around town.	25	that's just maybe if we enforce that a little bit
	15		17
1	UNIDENTIFIED SPEAKER: At the end of	1	more, especially during the times of heavy snow, I
1 2	UNIDENTIFIED SPEAKER: At the end of the day we didn't have any vehicles	1 2	more, especially during the times of heavy snow, I think it would help the service workers. That's
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2	UNIDENTIFIED SPEAKER: At the end of the day we didn't have any vehicles	2	more, especially during the times of heavy snow, I think it would help the service workers. That's it. Thank you. And thank you, guys. You did a great job.
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	22		24
1	community. And I appreciate it.	1	MR. ARRIOLA: Yes.
2	MR. MARCUS: Thank you.	2	THE CLERK: Mr.Joy?
3	MR. ARRIOLA: So (indiscernible).	3	MR. JOY: Yes.
4	All right. We're gonna adjourn for executive	4	MS. CLERK: Ms. Macmann?
5	session and there will not be any additional	5	MS. MACMANN: Yes.
6	business to conduct when we return so request for	6	THE CLERK: Ms. Madden?
	an executive session to conduct the investigation		MS. MADDEN: Yes.
	of complaints against a public employee pursuant	8	THE CLERK: Mr. Sands?
8			
9	to Ohio Revised Code 121.22(G)(1).	9	MR. SANDS: Yes.
10	MR. SANDS: So moved.	10	THE CLERK: Six yes, zero no.
11	MS. MADDEN: Second. I seconded.	11	MR. ARRIOLA: Meeting adjourned.
12	It's not really a verb.	12	(End of audio.)
13	THE CLERK: Ms. Madden?	13	
14	MS. MADDEN: Yes.	14	
15	THE CLERK: Mr. Sands?	15	
16	MR. SANDS: Yes.	16	
17	THE CLERK: Mr. Thompson?	17	
18	MR. THOMPSON: Yes.	18	
19	THE CLERK: Mr. Arriola?	19	
20	MR. ARRIOLA: Yes.	20	
21	THE CLERK: Mr. Joy?	21	
22	MR. JOY: Yes.	22	
23	THE CLERK: Ms. Macmann?	23	
24	MS. MACMANN: Yes.	24	
25	THE CLERK: Six yes, zerono.	25	
	23		25
1	(Executive session.)	1	STATE OF OHIO)
1		1 2	-
	(Executive session.)	1 .	STATE OF OHIO)
2	(Executive session.) MR. ARRIOLA: Motion to return from	2	STATE OF OHIO) COUNTY OF MONTGOMERY) SS: CERTIFICATE I, Monica M. Silverwood, a Notary Public within and for the State of Ohio, duly
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\$	В	communities 20:20 community 19:1,4,10 20:3,4,11	expecting 18:13
		22:1	F
\$5 18:17	back 10:9 13:22 16:18 bad 21:18	complaint 8:12 complaints 19:14 22:8	fair 13:3
1	Baptist 17:23	-	fantastic 17:14
121.22(G)(1) 22:9	bearing 21:7	complete 14:13	feel 14:1
13 19:4	beautifully 20:15	compliance 8:10	fees 10:10
	belongs 8:25 9:23	conduct 22:6,7	final 17:24
130 16:9	Bemis 16:9,15	cost 10:10	finalized 17:20,21
16 18:12,13	bet 15:6	costly 18:7	finding 11:19,20
18 19:2,23,24	bit 16:21,25	council 18:25 19:16 20:16 21:23	fire 8:9 13:23,24 19:2 20:7
2	Brenda 14:3,7	couple 14:9 18:3	fiscally 20:24
	Brethren 18:6	crew 14:18	fleet 15:3
2008 20:16	BROCK 14:9 15:8,20,25 17:7	D	follow-up 8:11
24 16:20,24	Bronwood 16:10		fortunate 20:2,9
6	Brookville 8:21	damaged 9:14 10:20 15:3	forward 8:3
0	Brothers 14:10	David 8:10,19 13:20	free 21:7,8
60 14:18	budget 19:6	day 15:2	Friday 18:8
	business 12:5 22:6	debt 21:7,8	front 15:15
7		department 14:7 20:8	
7 18:18	c	destroy 16:12	G
1 10.10		details 17:24,25	-
Α	calling 18:4	difficult 11:15	Gale 19:17
	car 16:19	difficulty 11:22	George 19:22 20:9 21:14
abandoned 12:6	care 21:25	discuss 19:13	George's 21:6
accomplished 19:5	Carol 20:13	dokie 13:16	Gibb's 8:12
add 21:5	cars 16:17,22	Doug 19:20	give 14:16 21:19
additional 22:5	Centerville 20:6	downturn 20:17	good 14:20,22,25 15:5 19:6 20:7,19,24 21:3
address 8:4	challenging 15:21	drive 16:16	
adjourn 22:4 23:20	chief 8:5,6,9 13:23,25 19:3		grant 19:7
adjourned 24:11	chief's 8.9	dump 12:22	grass 9:3 16:12
administrative 8:4	Chris 21:4	E	grateful 20:3
agree 21:11,14	church 9:4,6,8,11,20,24 11:24		great 14:22 17:4 19:1 21:23,2
alleged 10:21	12:1,9,17,24 13:12,15 17:23 18:6	easier 15:23 16:22	guess 12:16
amazing 13:10 18:12	church's 10:3	echo 17:11	guy 14:23
anticipating 18:14	class 18:11,16,18	economy 20:18 21:18	guys 16:18,22 17:3
Apparently 13:6	clean 15:15,24	employee 19:15 22:8	guys's 16:16
arrangements 10:6,7	CLERK 22:13,15,17,19,21,23,25	employees 21:20	
Arriola 8:1,8,16,18 12:21,25	23:6,8,10,12,14,16,18,23,25 24:2,4,6,8,10	end 15:1 24:12	H
13:4,8,19,24 14:3,6,21 15:5,9,22	closer 18:1	enforce 16:25	happy 15:7
16:3,7,13 17:5,8,15,18 18:20 19:16,20 20:13 21:4,10,13 22:3,	Code 22:9	enforced 16:21	headed 12:18
19,20 23:2,10,11,19,25 24:1,11	cold 16:14	established 19:6	heads 20:8
at-a-boy 14:17	commend 21:21	evening 19:19	heavy 17:1
audio 24:12	comment 8:2 16:8 18:24	event 17:21 18:1,2,8	home 15:4
	comments 8:1,4 18:21 19:17	events 18:3	Homeway 14:14
	COMMENCE 0.1,4 10.21 19.17	executive 19:13 22:4,7 23:1,3	

honor 19:1 living 8:25 hours 16:20.24 lobby 18:16 L 21:22 idea 16:10 ideas 18:6 13:16 important 18:24 impounded 9:16 10:8,25 11:2,3 impounding 10:9 impressed 21:1 indiscernible 8:12,14,15,17,23 9:19 11:5,9,12 14:11,12,14,16 15:3 16:2 17:12 20:4 21:12,15 22:3 made 21:22 individual 12:5 interest 21:7 majority 14:17 interested 18:17 22 16:7 19:9 invariably 10:20 man 17:11 investigation 19:14 22:7 manager 19:4 J **job** 14:20,23,25 17:4,14 21:3,22, 24 Johnsville 8:21 matter 11:19 Joy 19:18 22:21,22 23:12,13 24:2,3 mayors 18:25 July 18:9 June 18:8 κ member 19:16 midst 17:19 kids 15:7 Miller 14:10 kind 12:12 17:20 20:25 Mine 14:23 months 16:23 law 11:6 23:4,21 lay 21:21 moves 11:5 laying 20:20 movie 18:4 leader 20:9 moving 10:19 leadership 19:23 20:7 21:6,8 left 14:2 letter 12:17 13:13,14 levies 20:22 levy 19:8 liability 9:14 10:17,19 limits 11:25 live 19:10

looked 14:22,25 lot 14:17 15:6 18:13 19:5 20:19 LUNSFORD 8:11,17,22 9:10,19 Μ **Ohio** 22:9 Macmann 20:14 21:3 22:23,24 23:14,15 24:4,5 Madden 9:1,4,8,11,17,20 10:1, order 10:8 24 11:3 12:8,12,16,23 13:2,6,14, 17,22 14:1 21:10,11 22:11,13,14 23:4,16,17,21 24:6,7 make 8:2 10:6,7,12 14:14 15:20, **p.m.** 18:18 manager's 18:21 March 17:25 19:3 Marcus 14:4 18:22 19:22,24 20:9,12 21:2 22:2 mayor 18:24 21:10 pass 14:7 meeting 8:12,13 24:11 meetings 20:17 pay 10:9 motion 23:2,19 moved 16:20,24 20:15 22:10 municipal 18:21 19:4 N neighborhood 14:23 17:12,13 newsletter 15:18 notice 10:6.15 12:20

notify 9:15 program 19:7 number 11:19.20 property 8:23 9:5,7,24,25 10:3 11:9,13 12:2,7,18 15:24 O proud 20:25 public 8:1,2 19:14,22 22:8 Oakwood 20:5 pull 15:14 **obvious** 20:18 pulling 16:10 officer 8:10 pursuant 19:15 22:8 puts 12:19 **Okie** 13:16 putting 20:21 ORC121.22(G)(1). 19:15 Q ordinance 16:24 questions 8:19 13:20 14:6 organization 12:5 18:20 **owned** 12:6 quick 18:22 owner 9:15 10:8,12 owners 8:23 R raise 21:19 P real 20.18 rec 17:16 panicking 20:23 rehab 14:12 park 12:23 15:11 18:4,5 repair 14:13 parked 9:24 16:19 request 19:13 22:6 Parks 17:15 requirements 12:4 partnering 17:23 rest 18:15 return 22:6 23:2 passing 20:22 Revised 22:9 rid 11:23 people 9:9,11 10:3 15:10,13,16 risk 9:14 18:13,15 20:22 road 8:21 16:17,23 percent 14:18 role 20:2 person 20:19 run 9:13 place 11:21 19:8 20:19 RV 8:20 9:23 planning 17:21 platform 19:7 S plowed 16:18 safely 15:4 plows 15:14 Sands 8:20 9:3,6 13:18 15:6 point 14:13 19:8 21:5 22:10,15,16 23:5,6,7,22 police 8:5,6,9 20:21 24:8.9 prepay 18:16 sanitary 14:12 pretty 20:25 school 15:7 prior 18:25 Scott 14:8 17:6.9.12 **private** 11:9,12 seconded 22:11 privilege 19:1,11 send 12:16 13:14 problem 16:16 serve 19:2 process 9:16 10:19

erved 20:2	Thompson 19:21 20:1 22:17,18	yard 13:1 15:11,14 16:11
service 14:7 17:2	23:8,9,23,24	yards 11:11
session 19:13 22:5,7 23:1,3	time 16:23 19:8	year 14:19 17:20 19:25
sewer 14:12	times 17:1 21:17	years 19:2,23,25
Shannon 16:9	title 11:22	yoga 18:11,17
sign 18:15	told 9:1	y - 3 · · · · , · ·
significant 14:15	tonight 8:7 14:4	Z
simplistic 18:7	tournament 17:22	0.40
sir 8:7 14:5	tow 11:11,12,15	Zoning ^{8:10}
sit 16:22	towed 9:9,12 10:4,7 11:9 13:5	
size 11:15	towing 10:10	
snow 15:12 17:1	town 14:11,25	
snowed 16:17		
snowfall 14:15	U	
solid 19:7 20:23	understand 15:13	
solidifying 17:24	UNIDENTIFIED 8:24 9:13,22	
somebody's 9:23	10:2,5,11,14,16,18,22 11:1,4,6,8,	
someplace 11:21	10,11,14,17,18,24 12:1,3,10,14 13:9,10,12,21 15:1 16:1,5 17:10	
SPEAKER 8:24 9:13,22 10:2,5,	update 18:1,10	
11,14,16,18,22 11:1,4,6,8,10,11,		
14,17,18,24 12:1,3,10,14 13:9, 10,12,21 15:1 16:1,5 17:10	V	
stabilized 19:6	variety 19:9	
staff 8:4	vehicle 12:25 15:14	
Star 17:16,17,19 18:20	vehicles 12:6 15:2	
started 14:11 20:16	verb 22:12	
state 8:3	Vice 21:10	
stayed 19:3	village 11:25	
step 8:3		
strange 11:7	W	
street 16:10 19:8	wanted 14:16 19:10 10:21	
students 18:12,14	wanted 14:16 18:10 19:21	
stuff 15:12	Wednesday 18:11	
summer 15:12	Wednesdays 18:18	
Sunday 17:14	week 8:13	
superintendent 14:8	weekend 14:16	
supposed 20:24	word 15:19	
54pp0004 20.27	words 12:8	
T	work 13:17 19:10	
taking 21:25	workers 17:2	
talk 8:22	working 18:3,6 20:7	
	works 13:18	
talking 8:15 20:20,21	Wow 13:8	
team 21:24 That'll 13:17	write 12:9	
	¥	
thing 19:12 20:14		
things 10:21 14:9 19:5,9	y'all 15:23	