

**VILLAGE OF NEW LEBANON  
COUNCIL MEETING  
April 16, 2024, at 7:30 p.m.  
Council Chambers**

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

**VERBAL ROLL CALL OF COUNCIL MEMBERS**

**Council Members:**

Timothy L. Back	Present
Gale B. Joy	Present
Tammy Loch	Present
Lyndon Perkins	Absent
Melissa Sexton	Present
Nicole Adkins	Present
David Nickerson	Present

**Others Present:**

Interim Police Chief Chambers
Fire Chief Keyser
Interim Law Director McNamee
Acting Village Manager Anderson

**APPROVAL OF MINUTES**

- Approval of the March 19, 2024, regular meeting minutes.

**AMENDMENTS TO THE MARCH 19, 2024, REGULAR MEETING MINUTES**

Council member Joy requested these minutes be amended and the changes be reflected in the 4/16/24 regular meeting minutes with the following comments he made; that there were two violations of New Lebanon ordinances on the 3/5/24 regular meeting agenda and minutes, the acting municipal manager violated the ordinances, acting legal counsel dismissed the violations, the mayor accepted the legal counsel recommendation to dismiss the violations, four members of council accepted those violations, the mayor acknowledged the violations and called him out of order for questioning the minutes and the violations. At the 3/19/24 regular meeting the acting

municipal manager violated ordinance 30.01(H)(2) and at the 4/9/24 meeting, and again at this meeting. He noted that Council member Back was asking for the investigation of Council member Perkins for speaking to Glenna Madden and wanting to know if Council member Perkins has had any contact with anyone on administrative leave. Mr. Joy stated, for the record, we do have unalienable rights in this country, and you cannot tell us who we can and cannot associate with or speak to. Noting comments made by Council member Loch asking if any council members were involved in the investigation and the mayor answered no.

Council member Loch noted there's not as much answering and when we've asked questions it just went straight to a vote, not the conversations that transpire prior to it. People that can't get on and see the videos reading these minutes are not giving them the full picture of what is transpiring at the meeting.

Council member Joy motioned to approve these minutes as amended, seconded by Council member Loch.

4 yes and 2 no votes, minutes approved.

- Approval of the April 9, 2024, regular meeting minutes.

## **AMENDMENTS TO THE APRIL 9, 2024, REGULAR MEETING MINUTES**

Council member Loch noted Vice-Mayor Adkins' paperwork is not in here and it states in the minutes it was given for public record. She had mentioned the first responders and the fire department and wanted the police department added to that.

Council member Joy commented on what Council member Loch stated at the meeting and agreed. We don't know what the full extent of this investigation is as it relates to the council members. I have asked for those details on several occasions that have not been made available. There were comments made by the public and finds it odd that we had to read in an email from an attorney that our rights were being violated and we have no rights as citizens to redress a grievance to our local government. This was a violation of our civil rights for Council member Loch and myself, and the mayor and council members should be ashamed of what you are allowing to happen. There is a request from Council member Perkins about a video that is being made available for viewing and requested a copy as well. Council member Loch also requested a copy. Mayor Nickerson called for a vote to approve these minutes as amended.

6 yes and 0 no votes, minutes approved.

### **UNFINISHED BUSINESS**

None

### **NEW BUSINESS**

None

### **PUBLIC COMMENTS**

Albert Hickey, 200 Blosser Street, has a water flooding issue from his house that stretches to Church Street. The Interim Municipal Manager will reach out to him.

Tammy Joy, 35 Comer Court, spoke on many not having a clue what is going on in our village, why Council members Joy, Loch, and Perkins don't approve of any actions to read the charter, expressed her displeasure with the new council members, spoke on taxation and tyranny, the witch hunt on Trump similar to what is occurring in our village, apathy, bullying, allegations, and terminations.

Natasha Farley, 136 Bronwood Street, spoke on her appreciation for what is currently being done, stated using someone's mental health issue is bullying, looks forward to answers and the truth, finds it interesting how concerned Council member Joy is with unalienable rights now, Council member Loch's concern for people seeing the minutes, and asked Interim Police Chief Chambers how many unmarked vehicles we have.

Joshua Farley, 136 Bronwood Street, commended the mayor for how he handled the citizen that spoke earlier that had a water issue stating previous council responses to citizen issues were not on point, asked Interim Police Chief Chambers if there is a maroon unmarked SUV being driven by police officers, and wants to know more information on what is going on to make sure it is just.

Shannon Bemis, 130 Bronwood, requested the following comment be verbatim. "After multiple meetings I have stood here in front of council and Tammy Loch refuses to look at the speaker. It is extremely rude and unbecoming of a council member." Reiterating that meeting minutes have always been vague referencing previous meeting minutes where her comments were reduced to a sentence, discussing verbatim requests,

expressed displeasure with Council members Joy and Loch disregarding any questions or concerns previously over the years, approving inaccurate minutes in the past and questioning them having a sudden interest now.

### **ADMINISTRATIVE STAFF COMMENTS**

Interim Police Chief Chambers stated his response to Mrs. Farley's question would be forwarded to Mr. Anderson's office.

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

Council member Joy discussed and questioned Gary Long's position as acting code enforcement administrator.

Council member Loch asked for a copy of the record that Council member Sexton received regarding a terminated employee that was unknown wanting more information, if there was additional thought on the pay of the acting department heads, if we are still under investigation with the village, and if we received a bill from Mr. McNamee.

### **COUNCIL MEMBERS' COMMENTS**

Council member Sexton stated to Mr. Anderson that the way this is running now is not the way it was before. They were in and out meetings and doesn't understand why now certain council members are asking questions and taking an interest.

Council member Joy requested his statement that was read be put into the meeting minutes verbatim. Statement is attached at the end of the minutes.

Council member Back stated if anyone wants to see the preliminary investigation report they can request a copy from the village and stated that the council does not receive any information regarding an ongoing investigation with the state/AG.

Council member Loch requested her statement that was read be put into the meeting minutes verbatim. Statement is attached at the end of the minutes.

**VICE-MAYOR'S COMMENTS**

Asked Mr. Anderson about the 2.5 million dollar OPWC loans.

**MAYOR'S COMMENTS**

None

**ADDED TO AGENDA**

Shannon Bemis, 130 Bronwood Street, shared her frustration that we have been paying for the empty court building to be cleaned, commended those for taking a stand to have an investigation done, touched on things being broken for a long time that need to be fixed, expressed appreciation for those aiding and assisting us to rebuild, spoke on previous treatment of employees, clarified total OPWC loan debt, and requested Council member Joy and Loch email her the answer to the questions she asked.

**ADJOURNMENT**

Council member Sexton motioned to adjourn; Council member Loch seconded.

Roll Call:

Council member Sexton	Yes
Council member Joy	Yes
Mayor Nickerson	Yes
Council member Back	Yes
Council member Loch	Yes
Vice-Mayor Adkins	Yes

6 yes 0 no, motion carries.

Meeting adjourned at 8:17 p.m.by Mayor Nickerson.

Approved:



Mayor

5/7/24  
Date



Interim Clerk of Council

5/7/24  
Date

#### 4/16/24 Member Comments

As per 30.01(B)(6)(c) of the Ordinances of the Municipality of New Lebanon, I request my statement to be included in the minutes verbatim.

Many residents and members of our community and the surrounding areas have expressed a desire to understand why a couple of the Council Members refuse to go along with the investigation that is happening in New Lebanon.

For the record, I want to state that if there is wrongdoing, I support action. The fact is we haven't been shown any proof. We have not been briefed on the scope of the investigation or any of the findings of the investigation. We have been given what they want us to see. They have given us nothing but allegations and speculation. I have asked dozens of questions multiple times for information and have yet to receive any. The answer the mayor and legal counsel provide is that is part of the investigation, and they refuse to answer. How is that transparency? If the New Lebanon Council Members are excluded from knowing what is going on, how can anyone expect us to support it?

I feel compelled to specify that the mayor, and perhaps others, took it on themselves to start this process and they have no authority to do so. They broke the law to do it. How can you state you want transparency, then investigate without approval, without following proper procedure, without informing anyone as to the scope of the investigation?

How can you possibly expect an investigation to have any merit when you violate your oath of office, you violate the Charter, you violate the Ordinances, and you violate civil liberties in your effort to find the truth?

The fact is that they did violate their oath. They did break the law. There have been repeated violations of the Charter and Ordinances during this investigation if you can even call it an investigation.

I find it ironic that the mayor, the law director, and the acting manager follow the charter, the ordinances, the Ohio Constitution, and the US Constitution when it supports their cause, and violate them when it isn't convenient.

As has been mentioned by several members of the community, we were elected to represent this community, the entire community, not just some of it. We were all elected to represent this community. We were all required to give an oath to support the US Constitution, the Ohio Constitution and to support the Charter and Ordinances of New Lebanon. Personally, I gave that oath openly and freely and I will continue to adhere to that commitment.

As such, I cannot accept what they are doing. Everything they are doing could have been done legally and procedurally correct based on the Charter and Ordinances of New Lebanon. They chose not to do it that way. They broke the law and violated their oaths. Had they done this legally and followed the Charter and Ordinances, I may not have liked what they wanted to do, but I would have supported their right to do it. I would have even told them how to do it.

The facts are out there. You can read the Charter and relevant portions of the Ordinances yourself and see where they violated them. I can prove within 20 minutes they broke the law. Anyone that wants me to show them, all you need to do is ask.

These people have harmed and continue to harm this community. The impact will be far-reaching and long lasting. The facts will eventually come out and I can only hope our community will be able to piece it back together and recover from their actions.

Tammy Loch- council comments 4/16/2024

As part of 30.01(B)(6)(C) of the ordinances of the municipality of New Lebanon. I am requesting my statement to be included in the minutes verbatim.

I have expressed my concerns, involving violations of charter and ordinances and the treatment of the employees and council members and this community. There are ways to do things without wrongdoing. I have not been part of any wrongdoing. I think it is time this community is to know there is another side. I have been accused and insulted not asking questions even though I did just not at a meeting. Now I am asking questions because another council member told me that it is what the community wants. Which I Thank you, Ms. Adkins for telling me that and so now I am doing so. Now seems still not many questions asked.

This community and its well being have my continued prayers and support. I will continue to fight for this village. We are a village.



Addressing Ms. Bemis,

I used to look up and make eye contact. I looked at my children, winked smiled at them and got called out. Last meeting I chose not to look. Its not me trying to be rude and I would like to thank Ms. Sexton because she said something last meeting to me sitting beside me saying you don't have. I do thank you for that.