**New Lebanon Regular Council Meeting, December 19, 2023, Meeting Minutes**

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

Verbal Roll Call of Council Members:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Council Members: |  | |  |  | Others Present: | |  | |
| Carol Macmann | | Present | |  | | Police Chief Hensley | |
| Gale B. Joy | | Present | |  | | Fire Chief Keyser | |
| Lyndon Perkins | | Present | |  | | CFO/Clerk of Council Hinson | |
| Nicole Adkins | | Present | |  | | Municipal Manager Madden | |
| Tammy Loch | | Present | |  | | Law Director Keener | |
| Raymond Arriola | | Present | |  | | Zoning Compliance Officer Davis | |
|  | |  | |  | | Service Superintendent Brock | |

Police Presentation, Officer of the Year.

The Mayor presented Officer of the Year to Officer Samantha Dunn:

Today, we wanted to express our heartfelt thanks to Officer Samantha Dunn for her extraordinary contributions throughout the year. Freshly out of training, Samantha demonstrated exceptional courage when she swiftly and confidently attempted lifesaving measures on a beloved coach in our community. A mere two days after completing her field training, Officer Dunn played a pivotal role in bringing joy and new life into the world by assisting in the delivery of a healthy baby. Officer Dunn’s commitment extends beyond emergencies, as demonstrated in her participation in numerous community events, even cheering with the Dixie High School cheerleading squad at a home football game. Moreover, Officer Dunn’s creativity and festive spirit shone brightly when she came up with the idea to decorate her patrol car with A LOT of Christmas lights. This simple yet delightful gesture brought joy to hundreds of our residents, spreading the holiday spirit and creating lasting memories. Officer Dunn, you are a shining example of community-oriented policing. Your dedication, compassion, and innovative spirit have not only touched the lives of individuals but have left an indelible mark on our community. We are truly fortunate to have you as a valued member of our team.

Approval of the December 15, 2023 regular meeting minutes.

6 I’s and 0 no, minutes approved.

Law Directors comments, none.

Public comments on any Resolution or Ordinance under discussion.

Shannon Bemis, 130 Bronwood Street, asked about Resolution 2023-22 and if it applied to growing personal plants.

Manager Madden answered that that would be different to this resolution.

Old Business.

Third Reading: Ordinance 2023-08 – an ordinance to make appropriations for the current budget expenses and other expenditures of the Village of New Lebanon, State of Ohio, during the fiscal year ending December 31, 2024.

Motioned to adopt Ordinance 2023-08 by Vice Mayor Loch, seconded by Council Member Adkins.

Roll Call:

|  |  |
| --- | --- |
| Council Member Joy | yes |
| Council Member Perkins | yes |
| Council Member Macmann | yes |
| Mayor Arriola | yes |
| Council Member Adkins | yes |
| Vice Mayor Loch | yes |

6 yes 0 no, motion carries.

Third Reading: Ordinance 2023-09 – an ordinance changing Comer Court from a two-way street to a one-way street going east between Blosser Street and Church Street and changing Sunset Street from a two-way street to a one-way street going west between Blosser Street and Church Street.

Motioned to adopt Ordinance 2023-09 by Council Member Macmann, seconded by Vice Mayor Loch.

Roll Call:

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| --- | --- |
| Council Member Macmann | yes |
| Council Member Perkins | yes |
| Mayor Arriola | yes |
| Council Member Joy | yes |
| Vice Mayor Loch | yes |
| Council Member Adkins | yes |

6 yes 0 no, motion carries.

New Business.

Resolution 2023-21 – a resolution amending the 2023 appropriations, pursuant to Charter §6.07 authorizing increases, transfers and reductions in various funds.

Council Member Adkins asked the Chief Financial Officer what each fund was for and why each fund was increased.

Chief Financial Officer answered B08 is the fire fund, B10 is for police, B11 is for income tax, and G06 is for trash. For the fire and police fund, they received those amounts more in grant money. For income tax and trash, the Village had more expenditures for those, so they were zeroed out using the General fund.

Motioned to adopt Resolution 2023-21 by Council Member Macmann, seconded by Vice Mayor Loch.

Roll Call:

|  |  |
| --- | --- |
| Vice Mayor Loch | yes |
| Council Member Macmann | yes |
| Council Member Perkins | yes |
| Council Member Adkins | yes |
| Mayor Arriola | yes |
| Council Member Joy | yes |

6 yes 0 no, motion carries.

Resolution 2023-22 – a resolution imposing a temporary moratorium for twelve (12) months on the acceptance, consideration and/or granting of any zoning, occupancy, or other permits or applications relating to cultivators, processors, or retail dispensaries of adult use cannabis within the Municipality of New Lebanon, Ohio.

Council Member Joy questioned why twelve months was decided for the moratorium – stating that he thinks it should be much shorter, and he referenced the past ordinance on medical marijuana that was passed and shared that he thinks the Village missed out on revenue because of it.

Manger Madden explained that the moratorium is because the state has said that it will take them nine months to decide on details – right now it seems like they’re trying to combine medical and recreational – so the moratorium is to wait to see what the state is doing.

Motioned to adopt Resolution 2023-22 by Council Member Adkins, seconded by Council Member Macmann.

Roll Call:

|  |  |
| --- | --- |
| Mayor Arriola | yes |
| Council Member Macmann | yes |
| Vice Mayor Loch | yes |
| Council Member Adkins | yes |
| Council Member Perkins | yes |
| Council Member Joy | no |

5 yes 1 no, motion carries.

Public Comments.

Timothy Back, 29 East Main Street, congratulated Officer Dunn on her outstanding service to the community and everyone who put on the Christmas parade and the tree lighting. He raised concerns about the lighting near the new Dollar General being out and making that area very dark in the evening.

Shannon Bemis, 130 Bronwood Street, congratulated Officer Dunn. She also brought up the lights at Don Rusk Park.

Manager Madden and Service Superintendent answered that they were in the process of being changed out.

Shannon Bemis commended Council Members Joy and Adkins on bringing questions about the resolutions on the agenda. She brought up the topic of marijuana, asked about the zoning around growing plants, and shared her concern of the visibility of marijuana plants.

Manager Madden stated that the zoning can be looked at for that.

Shannon Bemis brought up that the annexation is changing from a Type 1 to a Type 2 and asked what the difference is and if Jackson Township was against the annexation.

Manager Madden explained that a Type 1 would be an agreement between two parties and a Type 2 would be taking it through the County and then that area would belong and pay property taxes to both places – she remarked the Village has a few Type 2 annexations. She stated that Jackson Township didn’t agree to the Type 1, and she imagined that they wanted to keep it as farmland. She explained the person that owns that property wants to sell the property and the person that wants to buy that property wants to develop it, and to do that and be on our water, it has to be annexed.

Administrative staff comments.

Chief Financial Officer presented the financial report.

Motion to adopt November 2023 financial report by Council Member Macmann, seconded by Council Member Adkins.

Roll Call:

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| --- | --- |
| Vice-Mayor Loch | yes |
| Council Member Joy | yes |
| Mayor Arriola | yes |
| Council Member Adkins | yes |
| Council Member Perkins | yes |
| Council Member Macmann | yes |

6 yes 0 no motion carries.

Zoning Compliance Officer, nothing.

Council comments for Zoning Officer.

Council Member Adkins asked for a follow up on the property on the edge of town that had the trees blocking the sidewalk.

Zoning Officer responded that they did cut it back, but she hasn’t looked at it recently so she will check it.

Police Chief shared that a Preble County deputy was killed in a car crash; his arrangements have been released, and he can pass that information along via phone call to the office – the services will be Saturday in Richmond, Indiana and the procession will go to Fairview Cemetery. The 23rd will be Operation Santa’s Sleigh, where all Miami Valley police agencies go to the Children’s Hospital and line up on the interstate with all of their lights on – Officer Dunn with her car covered in Christmas lights will be participating.

Council comments for Police Chief.

Council Member Joy brought up some comments on Facebook about a homeless person potentially causing problems and stated that he recalls in the past the Village has tried to get him to go to a safe place.

Police Chief explained that they have tried to help him many times, but he does have severe mental illness; in order for the police to take him in involuntarily he has to fit some very strict criteria. When he has fit the criteria, they have taken him in, and when he hasn’t, the police must treat him like any other citizen and let him go. He has been charged with numerous criminal offenses. The feedback Chief is getting from officers and others is that he does not want to leave this area because so many people give him things. The police cannot put him in jail just because he’s an inconvenience, but the police are aware of the situation and will continue to monitor and offer him help.

Council Member Adkins recounted an experience with this man that was trespassing to potentially go on her porch and asked how to deal with that situation if it happens to others.

Police Chief advised that with any unknown contact you should always avoid it, retreat to where it’s safe, and call the police. In the experiences that Chief has heard he has not been violent – he is quite violent and standoffish with the police; he does at times walk around with a hammer and yell at things that aren’t there, but that’s not something the police can take him in for unless he is a hazard to himself or others.

Council Member Adkins asked if the police cruisers have a GPS tracker on them, so we can track them in case someone steals them.

Police Chief answered that they don’t currently and it’s not something that’s built in or cost free, but the mobile data terminals that they utilize have that ability. He stated that he has recently contacted Verizon and looked into their service, Verizon Connect, that does do tracking, along with crash sensing, speed monitoring, and idol monitoring. That service is not cost free, but he does believe it is cost effective and plans to move forward with that around the first of the year.

Council Member Perkins asked if Chief was able to obtain anything from the state lately.

Police Chief answered he obtained two handheld search lights valued at about $4,000 a piece, some slings for weapons for if officers need to go hands on while their armed so they can place the weapon where its safe and accessible, and two pelican cases.

Mayor Arriola asked for clarification that all of that was free.

Police Chief answered that yes. It was all free; all it cost was his time and the gas to pick them up.

Service Department Superintendent, nothing.

Council Comments for Service Superintendent.

Council Member Adkins asked if the service vehicles has GPS tracking.

Service Superintendent answered no.

Fire Chief, nothing.

Council Comments for Fire Chief.

Council Member Perkins asked if the Fire Department received the new tanker in 2024.

Fire Chief answered that the tanker is anticipated to be delivered in 2024.

Municipal Manager’s comments.

Manager Madden reminded everyone that as we’re heading into winter, if there is a snow emergency, any cars have to be off the streets. She also thanked and recognized Mayor Arriola and Council Member Macmann for their years of service on council.

Council Member Comments.

Council Member Adkins thanked Officer Dunn, stating that she’s a great police officer.

Council Member Joy stated that Officer Dunn is a great officer and that it’s been an honor to work with the Mayor and Council Member Macmann. He went on to bring up a letter that Council received from someone, potentially a group, calling themselves the silent majority; he thanked whoever sent it and commented on hearing from and talking to community members who don’t come to the council meeting about things around the Village.

Council Member Macmann congratulated Officer Dunn and thanked whoever sent the letter.

Vice Mayor Comments.

Vice Mayor Loch congratulated Officer Dunn, stated that it’s been an honor working with Mayor Arriola and Council Member Macmann and wishes them the best moving forward, thanked whoever sent the letter, commented that there are conversations that people don’t hear or see, and wished everyone a merry Christmas and a happy New Year.

Mayor Comments.

Mayor Arriola stated that all of Council received the letter and read it for the record.

“Dear Council and Mayor (outgoing and incoming):

We have been watching the meetings for a while, starting with those posted live to Facebook and then to the meetings posted on the New Lebanon Village website. Thank you for posting the videos to the website, as the lives sometimes end prior to the actual end of the meetings, and we miss the comments by the mayor.

As we have been watching, the meetings seem to move away from the business of the Village as the audience seems to want to put on a show under the pretense of speaking for all. So, let’s clear this up. Those attending the meetings who talk so much with nothing to say, do not speak for the silent majority. The silent majority does not need a spokesperson, if needed the silent majority will appear and speak for themselves.

In the past few years, what the silent majority sees is businesses coming in, roads getting repaired, growth, and change. All good things.

So, the concept of being loud and wrong, misstating information, belittling village employees, and thinking it is all about what you have to say needs to stop. As the council needs to always remember who they represent. All of the people in the Village and not just the one who has decided to declare herself the voice of the people. As you are making decisions about this Village, ask yourself "are you doing this for the greater good of the people you represent or are you working for Shannon Bemis' agenda?"

The silent majority does not have an agenda beyond the betterment of the village for the people who live here and have lived here all their lives. We are not interested in going back to 2018 at each meeting. We are not interested in chaos at each meeting. We are not interested in listening to the same things over and over.

We are interested in the Village in which we all live. We are interested in the council completing village business at meetings in an orderly fashion. We are interested in the council standing up to the few for the many.

As the elected council and mayor, you represent all the people of the village. The silent majority expects to be heard through your voices as you consider all the citizens of the village with each decision you make.

Sincerely,

The Silent Majority

Life-Long Citizens of this Village”

Mayor Arriola stated that it’s been a pleasure serving the community and working with all of the different council members throughout the years; he mentioned that he’s proud that he was the one to start having the Village send out newsletters to the community.

Motion to adjourn by Vice Mayor Loch, seconded by Council Member Macmann.

Roll Call:

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| --- | --- |
| Mayor Arriola | yes |
| Council Member Macmann | yes |
| Vice-Mayor Loch | yes |
| Council Member Perkins | yes |
| Council Member Joy | yes |
| Council Member Adkins | yes |

6 yes 0 no motion carries.

Meeting adjourned at 8:14pm by Mayor Arriola.

Approved:

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Mayor Date

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CFO/Clerk of Council Date