

February 7,

2017

The Council of the Municipality of New Lebanon, Ohio, met in regular session on Tuesday, February 7, 2017 at 7:30 p.m. with Vice Mayor Madden presiding. Present were Municipal Manager/Fire Chief George Markus, Law Director Ronald D. Keener, Service Department Superintendent Scott Brock, Zoning Compliance Officer David Lunsford, Clerk of Council Sandy Wright and several visitors. Chief Financial Officer Brenda Etter and Police Chief Rick Daulton were absent.

ROLL CALL

The following members were present at the Call to Order: Gale Joy, Glenna Madden, Carol Macmann, Christopher Sands and Tom Simon. Raymond Arriola and Linda Green were absent.

INVOCATION

Pastor Mark Kirschhofer from New Lebanon Assembly of God gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Vice Mayor Madden stated next we have the approval of the January 17, 2017 Regular Meeting Minutes.

Vice Mayor Madden stated are there any corrections or additions that need to be made to these minutes. Nothing was heard.

Vice Mayor Madden stated all in favor of these minutes please signify by saying aye. All opposed same sign.

VOICE VOTE ON ABOVE MOTION. MOTION CARRIED.

OLD BUSINESS

Vice Mayor Madden asked does anyone have any old business they would like to bring forward. Nothing was heard.

NEW BUSINESS

Vice Mayor Madden stated under new business we have **RESOLUTION 2017-03:**
A RESOLUTION AUTHORIZING MONTGOMERY COUNTY AUDITOR'S OFFICE, LIENS & ASSESSMENTS DIVISION TO PLACE LIENS ON THE FOLLOWING PARCELS: F24 00303 0003, 532 Gregory Ave.; F24 00303 0020,620 Gregory Ave.; F24 00303 0021, 640 Gregory Ave.; F24 00304 0011, 641 Gregory Ave.; F24 00303 0038, 700 Gregory Ave.; F24 00304 0001, 701 Gregory Rd.; F 24 00306 0007, 701 Homeway Ave.; F24 00304 0006, 388 Lufkin Dr.; F24 00304 0004, 397 Lufkin Dr.; F24 00304 0009, 400 Lufkin Dr; F24 00304 0010, 404 Lufkin Dr.; F24 00303 0037,425 Lufkin Dr.; F24 00303 0022, 426 Lufkin Dr.; F24 00303 0023, 430 Lufkin Dr.; F24 00303 0024, 434 Lufkin Dr.; F24 00303 035, 435 Lufkin Dr.; F24 00303 0034, 439 Lufkin Dr.; F24 00303-0026, 444 Lufkin Dr.; F24 00303 033, 445 Lufkin Dr.; F24 00303 0027, 450 Lufkin Dr.; F24 00303 0029, 460 Lufkin Dr.; FOR CURB AND GUTTER REPAIR INCURRED WITH THE LUFKIN-GREGORY ROAD SPOT CURB REPLACEMENT PROJECT IN 2016.

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Vice Mayor Madden asked are there any questions?

Council Member Simon stated I have one question just out of curiosity. This says the largest assessment was \$4,411.80. Was that amount for one property?

Municipal Manager Markus replied yes.

Council Member Simon asked why so much?

Municipal Manager Markus replied they had to take the whole length of the curb out.

Vice Mayor Madden stated any other questions. Nothing was heard.

Vice Mayor Madden asked for a motion to adopt Resolution 2017-03.

Motion by Council Member Simon, second by Council Member Macmann to adopt Resolution 2017-03.

ROLL CALL ON ABOVE MOTION: Council Member Joy, no; Council Member Madden, yes; Council Member Macmann, yes; Council Member Sands, yes; Council Member Simon, yes; 4 yes 1 no

All IN FAVOR. MOTION CARRIED.

Vice Mayor Madden 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

Lyndon Perkins, 735 Greyhound Drive, New Lebanon, Ohio 45345, Telephone Number 937-687-2276. I would like to address my questions to the Manager please. Is there grant money available and do we have to pay it back to asphalt Don Rusk Parking lot?

Municipal Manager Markus stated there is none available that I am aware of.

Mr. Perkins asked have you checked?

Municipal Manager Markus stated we have on numerous occasions and have not found any.

Mr. Perkins stated in Sunday's paper there was a mention of a certain amount of money grant available to do streets.

Municipal Manager Markus replied streets are different than parking lots. The level of grant money you can get for different streets comes from different sources. What you may or may not be aware of is over the years we have been very fortunate with Ohio Public Works Commission Grant Funding which has allowed us to do seven pieces of Main Street, two pieces of Fuls Road, Farmersville Road, etc., so for the right type of roadways there are monies available. Streets are different from parking lots.

Mr. Perkins asked have you checked?

Municipal Manager Manager replied we already have and we continue to look.

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Mr. Perkins stated okay, thank you.

Mr. Perkins stated second question. Is there a code that allows you to park a car at the back of your house?

Municipal Manager Markus stated it depends. It depends on first of all is it an operable vehicle and there is language in the code that defines what an operable vehicle is; secondly do they have room to get the car in the back of the house because some of the lots in the community are small and they do not have enough width to get a vehicle, particularly RV's and things of that nature which is by code a preferable parking spot but not necessarily in all cases the practical parking spot. So if you have an issue where you think it is a car that is improperly parked or stored give that address to Mr. Lunsford and he can look it up for you.

Mr. Perkins stated I do not know the address but I would like for someone to check it out. I can tell them about where it is at. Even though I was told it does not belong on my property and I am not supposed to say anything but this can bring property value down for the neighbors.

Municipal Manager Markus stated if you have a car that is a zoning issue and this is Mr. Lunsford is the person to contact. If you will give him that information he will follow up on it.

Mr. Perkins asked is there money available to build a shelter on the very back part of Don Rusk Park where the soccer field is like the other ones around there?

Municipal Manager Markus replied no.

Mr. Perkins stated thank you have a good meeting.

Vice Mayor Madden asked are there any other public comments. Nothing was heard.

ADMINISTRATIVE STAFF COMMENTS

Vice Mayor Madden stated we will go to administrative staff comments.

Vice Mayor Madden stated Police Chief Daulton.

Municipal Manager Markus stated he has nothing this evening.

Vice Mayor Madden stated Fire Chief Markus.

Fire Chief Markus stated I have nothing tonight sir.

Vice Mayor Madden stated anyone have anything for the Fire Chief? Nothing was heard.

Vice Mayor Madden stated Zoning Compliance Officer David.

Zoning Compliance Officer David Lunsford stated I have nothing tonight sir.

Vice Mayor Madden stated anyone have anything for David? Nothing was heard.

Vice Mayor Madden stated Chief Financial Officer.

Municipal Manager stated she has nothing tonight.

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Vice Mayor Madden stated Service Department Superintendent Scott.

Service Department Superintendent Scott Brock stated I have one quick update. Miller Pipeline has been in town and they have completed relining for Phase 13. Culey will be in town tomorrow to rehab manholes.

Vice Mayor Madden stated anything for Scott. Nothing was heard.

Vice Mayor Madden stated Parks and Recreation Alex.

Municipal Manager stated she has nothing tonight.

Vice Mayor Madden stated Municipal Manager's comments.

MUNICIPAL MANAGER'S COMMENTS

Municipal Manager Markus stated I have a few. Just so everybody is aware the Dollar General Store recently applied for a liquor permit for their facility. We had notification from the State Liquor Control. We requested a hearing because by state law you can't have liquor within 500 feet of a school building and the elementary school is within 350 feet. Once they actually read the return communication I would suspect that they will see it is in violation of their own rule and will deny the permit would be my guess.

We were just notified by the Public Works Commission that we are successful in our application for Phase 2 of Perry Street Improvement Project so we are doing Phase 1 this fiscal year and will be doing Phase 2 next fiscal year 2018.

Vice Mayor Madden stated does anyone have anything for the Manager. Nothing was heard.

Vice Mayor Madden stated council member comments.

COUNCIL MEMBER COMMENTS

Vice Mayor Madden stated Chris.

Council Member Sands stated I have nothing.

Vice Mayor Madden stated Tom.

Council Member Simon stated I have nothing this evening.

Vice Mayor Madden stated Gale.

Council Member Joy stated I have nothing this evening.

Vice Mayor Madden stated Carol.

Council Member Macmann stated I have nothing.

VICE MAYOR'S COMMENTS

Vice Mayor Madden stated I have nothing either.

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MAYOR'S COMMENTS

Mayor Arriola was absent.

ADJOURNMENT

Vice Mayor Madden stated do I have a motion to adjourn.

Motion by Council Member Macmann, second by Council Member Sands to adjourn the meeting.

ROLL CALL ON ABOVE MOTION: Council Member Madden, yes; Council Member Macmann, yes; Council Member Sands, yes; Council Member Simon, yes; Council Member Joy, Yes; 5 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Meeting was adjourned at 7:41 p.m.

Approved:

Mayor

Date

Clerk of Council

Date