

April 4,

2017

The Council of the Municipality of New Lebanon, Ohio, met in regular session on Tuesday, April 4, 2017 at 7:30 p.m. with Vice Mayor Madden presiding. Present were Municipal Manager/Fire Chief George Markus, Law Director Ronald D. Keener, Police Chief Rick Daulton, Service Department Superintendent Scott Brock, Zoning Compliance Officer David Lunsford, Clerk of Council Sandy Wright and several visitors. Chief Financial Officer Brenda Etter was absent.

ROLL CALL

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

INVOCATION

Pastor Gary Eubanks from the New Lebanon United Methodist Church gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Vice Mayor Madden stated the first item on the agenda this evening is the approval of March 7, 2017 Regular Meeting Minutes.

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

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

VOICE VOTE ON ABOVE MOTION. MOTION CARRIED.

OLD BUSINESS

Vice Mayor Madden stated next is old business. Do we have any old business? Nothing was heard.

NEW BUSINESS

Vice Mayor Madden stated under new business **RESOLUTION 2017-05: A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN UPDATED AGREEMENT WITH THE MONTGOMERY COUNTY WASTE DISTRICT.**

Vice Mayor Madden stated are there any questions.

Vice Mayor Madden stated do I have a motion to adopt Resolution 2017-05.

Motion by Council Member Sands, second by Council Member Macmann to adopt Resolution 2017-05.

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ROLL CALL ON ABOVE MOTION: Council Member Joy, yes; Council Member Madden, yes; Council Member Macmann, yes; Council Member Sands, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Vice Mayor Madden stated next is **RESOLUTION 2017-06**. **A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO PURCHASE A 2017 FORD POLICE INTERCEPTOR UTILITY AWD FROM STATEWIDE FORD LINCOLN MERCURY, INC., 1108 W. MAIN STREET, VAN WERT, OHIO 45891 IN THE AMOUNT OF \$27,311.00 FOR USE AS A MARKED POLICE VEHICLE.**

Vice Mayor Madden asked are there any questions about Resolution 2017-06. Nothing was heard.

Vice Mayor Madden asked do I have a motion to adopt Resolution 2017-06.

Motion by Council Member Macmann, second by Council Member Joy to adopt Resolution 2017-06.

ROLL CALL ON ABOVE MOTION: Council Member Madden, yes; Council Member Macmann, yes; Council Member Sands, yes; Council Member Joy, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Vice Mayor Madden stated next is **RESOLUTION 2017-07**. **A RESOLUTION AUTHORIZING THE TEMPORARY WAIVER FOR MAY 4, 5, AND 6, 2017 OF GARAGE SALE PERMIT FEES IN ORDER TO FACILITATE A SPRING SPRUCE UP PROGRAM IN THE MUNICIPALITY OF NEW LEBANON , OHIO.**

Vice Mayor Madden asked are there any questions? Nothing was heard.

Vice Mayor Madden stated do I have a motion to adopt Resolution 2017-07.
Motion by Council Member Sands, second by Council Member Macmann to adopt Resolution 2017-07.

ROLL CALL ON ABOVE MOTION: Council Member Macmann, yes; Council Member Sands, yes; Council Member Joy, no; Council Member Madden, yes; 4 yes 0 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

Roy Stewart, 18131 Eaton Pike stated it came to my attention there is lead in our water. There is no amount of lead that is safe. (Rest of comments not audible too far from microphone)

Vice Mayor Madden stated are there any comments or questions.

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Municipal Manager Markus stated our water tests have been within acceptable state standards.

Mr. Stewart made other comments but they were not audible. He was too far from the microphone.

Municipal Manager Markus stated we publish our water report in our community newsletter every year. It is a requirement by EPA and everything is well within acceptable levels.

Vice Mayor Madden asked are there any other public comments.

Lyndon Perkins, 735 Greyhound Drive stated I am going to address my comments to the Village Manager, more than likely he has the answers. Is there any news on the old Dairy Queen that is supposed to reopen as a pizza shop?

Municipal Manager Markus stated no. They have no communication with us in terms of permits, openings, or anything like that.

Mr. Perkins asked what about the corner next to the child care?

Municipal Manager Markus stated that is a work in progress. They have applied to Montgomery for their permits and they have a number of things that they need to clarify for Montgomery County before the permits can be issued but it is still in the works. The name is going to be Casey's.

Mr. Perkins stated one of the questions last meeting was there a sketch or picture of the Veterans Memorial that you were going to spend money on?

Municipal Manager Markus stated Council changed their mind on spending money on a memorial. We are going to go with a plaque.

Mr. Perkins stated is Scott here. Has the project in the park been completed yet.

Service Department Superintendent Brock stated almost. We have a couple of things to get done yet.

Mr. Perkins stated I should have asked you. I know Scott won't do anything unless you tell him to.

Mr. Perkins asked has the asphalt been worked on?

Municipal Manager Markus stated he has several loads out of there but until the drainage is complete and they can regrade the asphalt it is going to be in a pile there. When it dries up enough that they can get in there to work on it again he will make his last connections and regrade. Then he will be able to move the graded asphalt.

Mr. Perkins stated another month.

Municipal Manager Markus stated I seriously doubt it will be another month. It will not be complete until it dries out enough to get in there to work. They will also have to be able to use their heavy equipment in there.

Mr. Perkins stated I thought you said they were going to use some of the asphalt for that walk way.

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Municipal Manager Markus stated we have used some of that asphalt for that and we have also used some of that also used some of that asphalt for our two new parking lots over here at the part behind us. He has used some out at the Access Road pond back on the opposite side of the street from the juvenile facility. We have had the opportunity to use that recycled material in a lot of different places.

Mr. Perkins asked can they use some of that in the Don Rusk parking lot. I take the great granddaughter three (3) days a week now to classes and if you go up that grade to get past that wooden fence there is a big hole right there that can use some of that asphalt.

Municipal Manager Markus stated the majority of that is going to be on the path on the backside. I will have Scott take a look at it.

Mr. Perkins stated thank you and have a good evening.

ADMINISTRATIVE STAFF COMMENTS

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

Vice Mayor Madden stated Police Chief Daulton.

Police Chief Daulton stated I have nothing tonight.

Vice Mayor Madden stated anyone have any questions for the Police Chief. Nothing was heard.

Vice Mayor Madden stated Fire Chief.

Fire Chief Markus stated I have nothing tonight.

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

Vice Mayor Madden stated Zoning Compliance Officer David.

Zoning Compliance Officer Lunsford stated I have nothing tonight.

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

Vice Mayor Madden stated Financial Officer Brenda.

Municipal Manager Markus stated she does.

We have been very successfully in our debt reduction plan internally and we pay off our second on two pieces of debt, which will be our water debt this May. We will make a payment of \$107,618 and then we will be down to our last piece of interest bearing debt and that will be the court facility and we will pay that off December 2018 in the amount of \$145,000.

Vice Mayor Madden stated thank her.

Municipal Manager Markus stated I certainly will.

Vice Mayor Madden stated Service Department Superintendent Mr. Brock.

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Service Department Superintendent Scott stated I have nothing tonight.

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

Vice Mayor Madden stated Parks & Recreation Alex.

Alex stated I have just a few things. EDGE will start this Thursday at the park, weather permitting. This will be our first session for the spring and we will run for 8 weeks. Our CAMP applications will go out, latest by next week to all the elementary students, so we are starting the process. We had over 25 high school students apply for our summer internship opportunities, which is awesome. I plan to start interviewing them next week on Monday, Thursday, and Saturday.

Vice Mayor Madden asked how many are you accepting?

Alex replied hopefully all of them. We will accept 10 to 15 for our summer camp internships and then we will accept about 10 more for the gardening, event planning, and the social media. So hopefully we will be able to utilize all of them.

Vice Mayor Madden stated anyone have any questions for Alex. Nothing was heard.

Vice Mayor Madden stated Municipal Manager comments.

MUNICIPAL MANAGER'S COMMENTS

Municipal Manager Markus stated I have a few. One thing I want to call to everybody's attention is a hot topic of conversation is always street maintenance, repair, and reconstruction. I want to make sure everyone is playing with the same information so in the fiscal year of 2015 we spent about 1.2 million dollars and in fiscal year 2016 we spent about 1.3 million dollars. Our street expenditures will for maintenance repair and reconstruction include the OPWC Grants, our local street levy funds, and that levy wasn't passed until November 2014, and we actually had our first local street levy project in the works before we even got that first amount of taxes that levy raised. In addition to the Street Levy, Street Fund Cost Center B01685/B016G5, and the Highway Funds Cost Center BO26B5. Occasionally, some General Fund monies will also be used to support various Street maintenance, repair, and reconstruction projects.

Now, why are those 2 dollar amounts I gave you, the 1.2 million for 2015 and the 1.3 million in 2016 important? They are important because when you look at our overall budget of 7 to 7.1 million dollars that averages out to 18 percent of the Community budget. Just to give you a point of comparison we spent 10.08 percent on Police Services and 12.03 percent on Fire Services. So we spent almost as much on streets as we do on public safety activities combined. I think that is a pretty hefty amount.

Now, what's the problem with the street grid. Well for decades it was ignored. The community chose not to pass a street levy. You do repair decades old problem in two years, or three years, or five years. All you have to do is do the math and I just gave you the numbers and you are going to come to that same conclusion. We are looking at our third local street levy project. Comparing the linear footage to what we did last year on the Lufkin/Gregory Project, I think we are probably going to have about \$140,000 to \$150,000 in asphalt. We are going to raise about \$192,000 probably out of that tax levy; we should raise \$204,000 but people are not going to pay their taxes, so we are going to get about \$190,000 to \$192,000. I am thinking we have already spent \$140,000 to \$150,000 on asphalt alone and that doesn't count base repair will be figured in or unknown problems that will have to be repaired and added to that, that

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does not count the concrete curb and gutter and catch basin repair that will be involved in that project. For those that might not recall the project is going to be Avon Oak, Lawson Avenue from Clayton to Church Street so that is quite a lengthy amount of linear feet there. So what is going to happen to the Local Street Levy? It is going to be gone and that will be for asphalt, concrete repair, and catch basin repair in Street Project 3 and that money is going to be eaten up. We have tried to hold back a little every year just to cover issues on the following year's project. We are going to have a lesser amount to hold over. We do have some from last year that was going to help us through this. The year after and then the final year of the project so is be able to start some crack sealing at some point because that way we will have done a major project in each part of the community and we will have some crack sealing done. That is what we can do with that money. So over five years we will have spent 1 Million dollars on our local Street Levy and hopefully we will have some pretty good work to show for it. I am real happy with our first project. I am very pleased with our Gregory Lufkin Project and I think as we continue to march down those linear feet you are going to see continued improvement on the street grid. But no one should be thinking that when you ignore a problem for decades you are going to fix it in 3 to 5 years. That is just not reality.

Vice Mayor Madden stated anything for the Manager.

Council Member Joy stated I do not think that 18 percent is obviously enough. There are some huge concerns.

Municipal Manager Markus stated I would love to spend more than that but it is not realistic when you look at 22 Funds to work out of. On any given day we work out of 16 or 17. There are public safety activities; there is water, there is sewer, and there are all of the other things that we do in the Village so theoretically you could do nothing else but streets.

Council Member Joy stated I am not saying that we look past everything else that we do because I know that everybody is busy. I am just saying that I can't possibly say and everybody that I have asked "we are spending 18 percent, do you think that is enough? They say no. I am just going by what I am seeing and by what I am hearing and obviously 18 percent is not enough.

Municipal Manager Markus stated I agree it is not an adequate amount when you look at a decade problem, but it is an adequate amount when it is 18 percent of our budget. That is a pretty hefty chunk for one activity.

Council Member Joy stated I was just making a comment.

Council Member Sands stated I should have asked this question on Resolution 2017-06. Does that cost include putting all the extras on it?

Municipal Manager Markus stated no. We will have a few extras in there. There are a certain amount of additions built in. Chief will probably spend another \$3,000.00 to get it as a marked patrol car.

Vice Mayor Madden stated council member comments.

COUNCIL MEMBER COMMENTS

Vice Mayor Madden stated Gale

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Council Member Joy stated one of the things I have been thinking about is perhaps we should look at engaging another scout to do an eagle scout project with the Veterans Memorial. Maybe we can capitalize on some outside income for that.

Vice Mayor Madden stated Carol.

Council Member Macmann stated I have nothing.

Vice Mayor Madden stated Chris.

Council Member Sands stated I have nothing.

Vice Mayor Madden stated Glenna.

VICE MAYOR’S COMMENTS

Vice Mayor Madden stated I have nothing.

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 Sands, yes; Council Member Joy, yes; Council Member Madden, yes; Council Member Macmann, yes; 4 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Meeting was adjourned at 7:52 p.m.

Approved:

Mayor

Date

Clerk of Council

Date