

December 19,

2017

The Council of the Municipality of New Lebanon, Ohio, met in regular session on Tuesday, December 19, 2017 at 7:30 p.m. with Mayor Arriola presiding. Present were Municipal Manager/Fire Chief George Markus, Law Director Ronald D. Keener, Zoning Compliance Officer David Lunsford, Service Department Superintendent Scott Brock, Chief Financial Officer Brenda Etter, Clerk of Council Sandy Wright and several visitors. Police Chief Rick Daulton was absent.

ROLL CALL

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

INVOCATION

Pastor Kyle Wardlaw from the Brethren Church in New Lebanon gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MAYOR ARRIOLA PRESENTED A PLAQUE TO DEPARTING COUNCIL MEMBER TOM SIMON RECOGNIZING HIS SERVICE TO THE COMMUNITY.

APPROVAL OF MINUTES

Mayor Arriola stated next is the approval of the December 5, 2017 regular meeting minutes. Are there any corrections or changes that need to be made to these minutes? Nothing was heard.

Mayor Arriola 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

Mayor Arriola stated next under old business is the **REVISED RESOLUTION 2017-23. A RESOLUTION DECLARING THE NECESSITY OF A LEVY IN EXCESS OF THE TEN-MILL LIMITATION AND REQUESTING THAT THE MONTGOMERY COUNTY AUDITOR CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE MUNICIPALITY OF NEW LEBANON, OHIO AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A SPECIFIED NUMBER OF MILLS.**

Mayor Arriola asked are there any questions? Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Revised Resolution 2017-23.

Motion by Council Member Madden, second by Council Member Simon to adopt Revised Resolution 2017-23.

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ROLL CALL ON ABOVE MOTION. Council Member Arriola, yes; Council Member Joy, no; Council Member Madden, yes; Council Member Sands, yes; Council Member Simon, yes; Council Member Thompson, yes; 5 yes 1 no.

MOTION CARRIED.

NEW BUSINESS

Mayor Arriola stated under new business is **FIRST READING ORDINANCE 2017-05. AN ORDINANCE ESTABLISHING SECTION 51.03(A)(3) OF THE NEW LEBANON CODE OF ORDINANCES ESTABLISHING AN ASSESSMENT FOR SEWER CONSUMERS FOR A PERIOD OF TWELVE MONTHS COMMENCING JANUARY 1, 2018.**

Mayor Arriola asked are there any questions?

Council Member Joy asked is there a reason we are waiving the three readings and declaring an emergency.

Municipal Manager Markus stated I want to stay within our timeline to collect the money and be able to start the project as soon as we can in 2019.

Mayor Arriola asked are there any questions? Nothing was heard.

Mayor Arriola stated do I have a Motion to Declare an Emergency and waive the three readings.

Council Member Thompson stated I am sorry Mr. Mayor did we provide any feedback on the additional increase to the consumers.

Municipal Manager Markus stated it is not a rate increase it is an assessment which will go away after twelve (12) months. A rate increase will stay this has a sunset on it. It will generate \$100,680 and we make up the remaining amount necessary for the lift station from the Sewer Fund.

Council Member Thompson asked if we pass this will it be communicated to the consumer?

Municipal Manager Markus stated it will be on the water bill initially. Then we will have a short article in the community newsletter.

Council Member Thompson stated my last question is do we make payment arrangements for those who have hardships in our community.

Municipal Manager Markus stated we generally don't because we do not generally have that problem.

Mayor Arriola stated do I have a motion to declare an emergency and waive three readings on Ordinance 2017-05.

Motion by Council Member Sands, second by Council Member Simon to declare an emergency and waive three readings on Ordinance 2017-05.

ROLL CALL ON ABOVE MOTION. Council Member Joy, no; Council Member Madden, yes; Council Member Sands, yes; Council Member Simon, yes; Council Member Thompson, yes; Council Member Arriola, yes; 5 yes 1 no

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MOTION CARRIED.

Mayor Arriola stated do I have a motion to adopt Ordinance 2017-05.

Motion by Council Member Sands, second by Council Member Simon to adopt Ordinance 2017-05.

ROLL CALL ON ABOVE MOTION. Council Member Madden, yes; Council Member Sands, yes; Council Member Simon, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, no; 5 yes 1 no

MOTION CARRIED.

Mayor Arriola stated next is **RESOLUTION 2017-26. A RESOLUTION AMENDING THE 2017 APPROPRIATIONS, PURSUANT TO CHARTER §6.07 AUTHORIZING INCREASES, TRANSFERS AND REDUCTIONS IN VARIOUS FUNDS.**

Mayor Arriola stated any questions for the Manager. Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2017-26.

Motion by Council Member Madden, second by Council Member Simon to adopt Resolution 2017-26.

ROLL CALL ON ABOVE MOTION. Council Member Sands, yes; Council Member Simon, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Madden, yes; 6 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is **RESOLUTION 2017-27. A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A CONTRACT WITH APP ARCHITECTURE, 615 WOODSIDE DRIVE, ENGLEWOOD, OHIO 45322 FOR THE REMODELING PROJECT AT THE CURRENT NEW LEBANON FIRE STATION LOCATION.**

Mayor Arriola stated any questions.

Council Member Simon asked did you ever get a price?

Municipal Manager Markus stated not yet. We have to enter into a contract with them first so they can do a building drawing so we can get an ideal of what it will look like then we will come back to council.

Council Member Simon stated oh, this is just for the architect.

Mayor Arriola stated do I have a motion to adopt Resolution 2017-27.

Motion by Council Member Thompson, second by Council Member Simon to adopt Resolution 2017-27.

ROLL CALL ON ABOVE MOTION. Council Member Simon, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Madden, yes; Council Member Sands, yes; 6 yes 0 no

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ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is **RESOLUTION 2017-28**. **A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO JOIN A COALITION OF MUNICIPALITIES RETAINING SPECIAL COUNCEL FOR PURPOSES OF INITIATING LITIGATION TO CHALLENGE THE CONSTITUTIONALITY OF AMENDMENTS TO CHAPTER 718 OF THE OHIO REVISED CODE RELATING TO MUNICIPAL INCOME TAX.**

Mayor Arriola stated any questions.

Council Member Joy asked do you know how much this is going to cost?

Municipal Manager Markus stated it is going to cost us \$1,000. Each community that enters puts \$1,000 in the pot. They estimate it will not take all of that. If there are any monies left it will be redistributed.

Law Director Ronald Keener stated a Municipality our size is \$1,000; for larger cities and so forth it is adjusted for their size.

Vice Mayor Madden asked how many are in the coalition?

Municipal Manager Markus stated they had over a hundred and I think there are more now.

Mayor Arriola stated do I have a motion to adopt Resolution 2017-28.

Motion by Council Member Sands, second by Council Member Simon to adopt Resolution 2017-28.

ROLL CALL ON ABOVE MOTION. Council Member Simon, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Madden, yes; Council Member Sands, yes; 6 yes 0 no

ALL IN FAVOR; MOTION CARRIED.

Mayor Arriola 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

NONE

ADMINISTRATIVE STAFF COMMENTS

Mayor Arriola stated we will go to administrative staff comments.

Mayor Arriola stated Police Chief Daulton is not with us tonight. Does he have anything for us.

Municipal Manager Markus stated he has nothing for us.

Mayor Arriola stated any questions for the Police Chief. Nothing was heard.

Mayor Arriola stated Fire Chief.

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Fire Chief Markus stated I have nothing tonight sir.

Mayor Arriola stated does anyone have anything for the Fire Chief tonight. Nothing was heard.

Mayor Arriola stated Zoning Compliance Officer David.

Zoning Compliance Officer David stated I have nothing tonight sir.

Mayor Arriola stated anything for David.

Mayor Arriola stated Dave I do have a question. I should know this. Is there anything new on the Old McDonald's Training Center?

Zoning Compliance Officer David stated I received a call from the property owner inquiring if the property could be used for a church.

Mayor Arriola stated Chief Financial Officer Brenda.

Chief Financial Officer Etter stated I have nothing this evening.

Mayor Arriola stated anything for Brenda. Nothing was heard.

Mayor Arriola stated Service Department Superintendent Scott Brock.

Service Department Superintendent Scott Brock stated I have nothing tonight sir.

Mayor Arriola stated anything for Scott. Nothing was heard.

Mayor Arriola stated Parks and Rec. Alex.

Alex replied hello. I have provided a year end review for us. Next year we can do a better job based on what we already know. One of the important things we want to do at the end of the year is to identify our values and objectives going forward as a department so we have provided all of you one of these. If you have any questions or concerns please let us know. We also have provided on this handout the grant and community events and programs. We are always open to suggestions and comments so please let me know if you have any for what we are currently doing.

Municipal Manager Markus stated you have not heard back from the YMCA yet.

Alex replied I met with them on the 15th and they told me they would get back with me. I did send them more information about the community that I thought might help them in making their decision. So far I have not heard anything back.

Council Member Thompson stated I would just like to say nice job for the year 2017. I joined the council in June and July so I am just curious for my archives; Montgomery County you received \$1,000. What was that for?

Alex stated it was for a Beautification Grant. We received the maximum. We decided to buy trees. We planted 8 of them around the new parking lot here at Mills and planted 2 over by the garden.

Council Member Thompson stated the CDGB grant for \$50,000 was for.

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Alex stated that was for the demolition project Dave is working on.

Council Member Thompson stated nice work.

Mayor Arriola stated Municipal Manager comments.

MUNICIPAL MANAGER'S COMMENTS

Municipal Manager Markus stated Scott has had 4 water main breaks these past few weeks. The guys were out almost all night on one, so they have been pretty busy. With our old infrastructure and ours is some of the same as Montgomery County. They only difference is they are bigger and they have more. We are smaller and we have less. That is an issue that we will begin to address in the upcoming physical years.

My second comment is a Request for an executive session to consider the sale of real estate owned by the Municipality of New Lebanon pursuant to the Ohio Revised Code §121.22 (G) (2).

COUNCIL MEMBER COMMENTS

Mayor Arriola stated Gale.

Council Member Joy stated I have nothing this evening.

Mayor Arriola stated Doug.

Council Member Thompson stated I have nothing this evening.

Mayor Arriola stated Chris.

Council Member Sands stated I wish everyone a Merry Christmas and Happy New Year.

Mayor Arriola stated Tom.

Council Member Simon stated it has been an amazing time. Merry Christmas to everyone.

Mayor Arriola stated Glenna.

VICE MAYOR'S COMMENTS

Vice Mayor Madden stated I am going to miss you Tom. Happy Holidays. It has been fun.

MAYOR'S COMMENTS

Mayor Arriola stated it has been great having you here Tom. Appreciate your service to the community. Thanks for the hard work from everyone. It has been a good year. I thank you all very much. Merry Christmas.

Mayor Arriola then thanked everyone for coming to the meeting. He then stated that Council had a request for an Executive Session and there would be no action taken following the Executive Session.

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Mayor Arriola stated do I have motion to adjourn to Executive Session.

Motion by Council Member Madden, second by Council Member Simon to adjourn to Executive Session.

Mayor Arriola stated all in favor please signify by saying aye, all opposed same sign.

VOICE VOTE ON ABOVE MOTION. MOTION CARRIED.

Council retired to Executive Session at 7:51 p.m.

Mayor Arriola stated do I have a motion to return to regular session.

Motion by Council Member Madden, second by Council Member Simon to return to regular session.

Mayor Arriola stated all in favor please signify by saying aye, all opposed same sign.

Council returned to regular session at 8:04 p.m.

ADJOURNMENT

Mayor Arriola stated do I have a motion to adjourn.

Motion by Council Member Madden, second by Council Member Simon to adjourn the meeting.

ROLL CALL ON ABOVE MOTION; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Madden, yes; Council Member Sands, yes; Council Member Simon, yes; 6 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Meeting was adjourned at 8:05 p.m.

Approved:

Mayor Date

Clerk of Council Date